

PROCEEDINGS
of the
BOARD OF SUPERVISORS
of the
COUNTY OF MONTGOMERY
2005

**PROCEEDINGS
of the
BOARD OF SUPERVISORS
of the
COUNTY OF MONTGOMERY
FOR THE YEAR 2005**

WILLIAM E. STREVVY, Chairman
CHRISTINE PASQUARELLI, Clerk (January - April)
KIMBERLY SANBORN, Clerk (May - December)

Compiled and arranged by the Clerk by Order of the Board

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2005 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.....	Joan M. Grainer/Democrat, Lyn A. May/Republican
CHAIRMAN, BOARD OF SUPERVISORS.....	William E. Strevey
CLERK OF THE BOARD.....	Christine Pasquarelli, Kimberly Sanborn
COMMISSIONER OF JURORS.....	Victoria P. Sollecito
COUNTY ATTORNEY.....	Douglas E. Landon
COUNTY AUDITOR.....	Marco Zumbolo
COUNTY CLERK.....	Helen A. Bartone
COUNTY CORONERS.....	Joseph M. Riley III, Susan L. Quackenbush
DATA PROCESSING/PRINTING.....	Deborah Bain
DEPARTMENT OF PUBLIC WORKS.....	Paul H. Clayburn
DISTRICT ATTORNEY.....	James E. Conboy
EMERGENCY MANAGEMENT/FIRE COORDINATOR.....	Gary Nestle
HISTORY & ARCHIVES.....	Kelly A. Farquhar
MENTAL HEALTH.....	Jim Gumaer
MONTGOMERY MEADOWS.....	Daniel Mumpton
PERSONNEL.....	Richard E. Baia
PROBATION.....	Lucille Sitterly
PUBLIC DEFENDER.....	William Martuscello
PUBLIC HEALTH.....	Kim Conboy
PURCHASING.....	Scott Surento
REAL PROPERTY TAX SERVICE.....	Florence A. 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
TREASURER.....	Shawn J. Bowerman
VETERANS SERVICE AGENCY.....	Dwight D. Thompson
WORKER'S COMPENSATION FUND.....	Richard E. Baia
YOUTH BUREAU/ALTERNATIVE COMMUNITY SERVICES.....	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 4, 2005

CALL TO ORDER

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

SALUTE TO THE FLAG

Supervisor Jonker led the Salute to the Flag.

ROLL CALL

Roll Call indicated that Supervisor Walters was absent.

SELECTION OF A TEMPORARY CHAIRMAN

Supervisor Bob McMahon was nominated Temporary Chairman.

RESOLUTION NO. 1 of 2005

DATED: January 4, 2005

RESOLUTION SELECTING TEMPORARY CHAIRMAN FOR 2005 ORGANIZATIONAL MEETING

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Sinicropi, Jr.

RESOLVED, that Supervisor _____ is hereby selected temporary Chairman of the 2005 Organizational Meeting of the Montgomery County Board of Supervisors.

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Stagliano, in the RESOLVED clause, to insert "Bob McMahon" passed with Aye(1819). Supervisor Walters was absent. (1/4/2005)

RESOLUTION ADOPTED with Aye(1819). Supervisor Walters was absent. (1/4/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

SELECTION OF PERMANENT CHAIRMAN

RESOLUTION NO. 2 of 2005

DATED: January 4, 2005

RESOLUTION ELECTING CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR THE YEAR 2005

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Paton

RESOLVED, that Supervisor _____ hereby is elected Chairman of the Montgomery County Board of Supervisors for the year 2005, 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 Dybas, seconded by Supervisor Jonker, in the RESOLVED clause, insert "Dominick Stagliano", was defeated with Aye(826). Supervisors Sinicropi, Jr., Schumann, Dybas, Mancini, Jonker, Cechnicki and Stagliano voted Aye. Supervisor DiMezza abstained. Supervisor Walters was absent. (1/4/2005)

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Paton, in the RESOLVED clause, insert "William Strevey", passed with Aye(993). Supervisors Sinicropi, Jr., Schumann, Dybas, Mancini, Jonker, Cechnicki and Stagliano voted Nay. Supervisor Walters was absent. (1/4/2005)

RESOLUTION ADOPTED with Aye(1819). Supervisor Walters was absent. (1/4/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

NEW BUSINESS

RESOLUTION NO. 3 of 2005

DATED: January 4, 2005

RESOLUTION ELECTING VICE-CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR 2005

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Dybas

RESOLVED, that Supervisor _____ hereby is elected Vice-Chairman of the Montgomery County Board of Supervisors for the year 2005, 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 Sinicropi, Jr., seconded by Supervisor McMahon, in the RESOLVED clause, insert "Thomas Quackenbush" passed with Aye(1819). Supervisor Walters was absent. (1/4/2005)

RESOLUTION ADOPTED with Aye(1819). Supervisor Walters was absent. (1/4/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

After Resolution #3 the electing of Vice-Chairman of the Montgomery County Board of Supervisors was voted upon, Supervisor Sinicropi had to excuse himself from the Organizational Meeting due to a family emergency.

RESOLUTION NO. 4 of 2005

DATED: January 4, 2005

RESOLUTION DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR 2005

Resolution by Supervisor: Paton

Seconded by Supervisor: Jonker

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 2005:

The Recorder

Courier-Standard Enterprise

RESOLUTION ADOPTED with Aye(1682). Supervisors Sinicropi, Jr. and Walters were absent. (1/4/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 5 of 2005

DATED: January 4, 2005

RESOLUTION DESIGNATING DEPOSITORIES FOR COUNTY FUNDS IN THE NAME OF THE COUNTY

TREASURER DURING 2005 AND FIXING MAXIMUM AMOUNTS WHICH MAY BE KEPT ON DEPOSIT THEREIN AT ANY ONE TIME

Resolution by Supervisor: Thomas

Seconded by Supervisor: Quackenbush

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:

NBT BANK, FONDA BRANCH, FONDA, NY

BANK OF AMERICA, 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:

NBT BANK, FONDA BRANCH, FONDA, NY - \$12,500,000.00

BANK OF AMERICA, 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(1682). Supervisors Sinicropi, Jr. and Walters were absent. (1/4/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 6 of 2005

DATED: January 4, 2005

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

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

Resolution by Supervisor: Schumann

Seconded by Supervisor: Stagliano

RESOLVED, that the Rules of Procedure, attached hereto, hereby are adopted by the Montgomery County Board of Supervisors for 2005, or until amended by Resolution.

MOTION TO AMEND by Supervisor Schumann, seconded by Supervisor Cechnicki, to provide for a FURTHER RESOLVED clause as follows:

FURTHER RESOLVED the Rules of Procedure shall be amended as follows:

41.3 FINANCE

Within the jurisdiction of this Committee shall fall all issues arising from all authorized agencies and the following departments (divisions):

County Auditor
County Clerk
Tentative Budget Review
Purchasing Department

County Treasurer
Real Property Tax Services
Tentative Capital Budget Review

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.

41.6 EDUCATION/GOVERNMENT

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

Fulton Montgomery Community College
Policies
Board of Elections
County Attorney

Rules of Procedure
Intergovernmental Relations
Clerk of the Board

as well as the review and modification of the existing County Law form of Government and all other related matters referred to the Committee.

And to provide for the addition of:

41.7 PERSONNEL

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

Employee Benefits
Employee Training
Personnel Department
Collective Bargaining

Civil Service
Insurance
Grievances

as well as all other related matters referred to the Committee.

passed with Aye (951). Supervisors Brodie, McMahon, Strevy, Thomas, Paton and Jonker voted Nay. Supervisors Sinicropi, Jr. and Walters were absent. (1/4/2005)

MOTION TO CALL THE QUESTION by Supervisor Quackenbush, seconded by Supervisor McMahon, passed with Aye(1682). Supervisors Sinicropi, Jr. and Walters were absent. (1/4/2005)

RESOLUTION ADOPTED with Aye(1348). Supervisors Strevy, Thomas and Paton voted Nay. Supervisors Sinicropi, Jr. and Walters were absent. (1/4/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Schumann recommended that the Board of Supervisors review the current Auditing Guidelines to validate the accuracy of the document.

RESOLUTION NO. 7 of 2005

DATED: January 4, 2005

RESOLUTION ADOPTING STANDARD MILEAGE REIMBURSEMENT RATE FOR 2005

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Cechnicki

WHEREAS, the IRS has announced that as of January 1, 2005 the standard mileage rate for determining the cost of operating a personal automobile for County business is 40.5 cents per mile,

RESOLVED, that the Montgomery County Board of Supervisors hereby adopts the standard mileage rate of 40.5 cents per mile reimbursement rate for operating a personal automobile for County business, and

FURTHER RESOLVED, said rate shall be paid to County employees following the submission of the proper documentation as outlined in the County Auditing Guidelines as adopted by the Board of Supervisors.

RESOLUTION ADOPTED with Aye(1682). Supervisors Sinicropi, Jr. and Walters were absent. (1/4/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 8 of 2005

DATED: January 4, 2005

RESOLUTION APPOINTING COUNTY AUDITOR

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Jonker

RESOLVED, that _____ of _____, hereby is appointed County Auditor, at an annual salary of \$30,000.00 for a term commencing on January 1, 2005 and ending on December 31, 2005, 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 AMEND by Supervisor Stagliano, seconded by Supervisor Jonker, in the RESOLVED clause, insert "Marco Zumbolo" and "Amsterdam, New York" respectively and to strike "\$30,000" and replace with "\$21,013." passed with Aye (1535). Supervisor Paton abstained. Supervisors Sinicropi, Jr. and Walters were absent. (1/4/2005)

RESOLUTION ADOPTED with Aye(1535). Supervisor Paton abstained. Supervisors Sinicropi, Jr. and Walters were absent. (1/4/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 9 of 2005

DATED: January 4, 2005

RESOLUTION APPOINTING COUNTY PURCHASING AGENT

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Thomas

RESOLVED, that _____ of _____, hereby is appointed Purchasing Agent, at an annual salary of \$35,000.00 for a term commencing on January 1, 2005 and ending on December 31, 2005, and

FURTHER RESOLVED, that said Purchasing Agent shall perform such duties as authorized by Section 625 of County Law, and

FURTHER RESOLVED, that said Purchasing Agent shall be authorized and empowered to appoint one Deputy Purchasing Agent.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Thomas, in the RESOLVED clause, insert "Scott Surento" of "Amsterdam, New York", passed with Aye(1682). Supervisors Sinicropi, Jr. and Walters were absent. (1/4/2005)

RESOLUTION ADOPTED with Aye(1682). Supervisors Sinicropi, Jr. and Walters were absent. (1/4/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 10 of 2005**DATED:** January 4, 2005**RESOLUTION APPOINTING REPUBLICAN ELECTION COMMISSIONER**

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

WHEREAS, the Republican Party Chairperson has submitted certification that the party has recommended Lyn A. May of 27 Dania Drive, P.O. Box 104, Hagaman, NY, to fill an existing vacancy in the office of the Republican Election Commissioner,

RESOLVED, that Lyn A. May, 27 Dania Drive, P.O. Box 104, Hagaman, NY, is hereby appointed Republican Election Commissioner pursuant to Election Law Section 3-204 and Resolution No. 11, of 1999, to fill an unexpired two-year term commencing on January 1, 2005 and ending on December 31, 2005 at an annual base salary of \$31,000.

RESOLUTION ADOPTED with Aye(1682). Supervisors Sinicropi, Jr. and Walters were absent. (1/4/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 11 of 2005**DATED:** January 4, 2005**RESOLUTION APPOINTING DEMOCRATIC ELECTION COMMISSIONER**

Resolution by Supervisor: Mancini

Seconded by Supervisor: Dybas

WHEREAS, the Democratic Party Chairperson has submitted certification that the party has recommended Joan M. Grainer of 231 Hessville Road, Fort Plain, NY, for the office of the Democratic Election Commissioner,

RESOLVED, that Joan M. Grainer, 231 Hessville Road, Fort Plain, NY, is hereby appointed Democratic Election Commissioner pursuant to Election Law Section 3-204 and Resolution No. 11, of 1999, to a two-year term commencing on January 1, 2005 and ending on December 31, 2006 at an annual base salary of \$31,000.

RESOLUTION ADOPTED with Aye(1868). (1/4/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 12 of 2005**DATED:** January 4, 2005**RESOLUTION TO ENTER INTO DECLARATION OF RESTRICTION - FMCC/HFM BOCES**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

WHEREAS, the Montgomery County Board of Supervisors endorses the proposed HFM BOCES project on the grounds of Fulton-Montgomery Community College, and

WHEREAS, Montgomery County has agreed to enter into a ground lease with Fulton County and the Montgomery County Industrial Development Agency relative to said project, and

WHEREAS, the state legislation permitting the project requires that upon the expiration of said ground lease the facility is to be conveyed to Fulton-Montgomery Community College for use for elementary/secondary educational purposes,

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 a Declaration of Restriction with Fulton County to accept and provide for such legislative requirement.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Thomas, to include a FURTHER RESOLVED clause as follows:

FURTHER RESOLVED, the Declaration of Restriction shall be amended to delete the word "only" in the first & second "NOW THEREFOR" clause passed with Aye(1400). Supervisors Schumann and McMahon

voted Nay. Supervisors Sinicropi, Jr. and Walters were absent. (1/4/2005)

RESOLUTION ADOPTED with Aye(1682). Supervisors Sinicropi, Jr. and Walters were absent. (1/4/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor McMahon recommended that a Resolution #13 be drafted expressing appreciation for the services that Chairman Dominick Stagliano has provided during the past year to the Montgomery County Board of Supervisors.

RESOLUTION NO. 13 of 2005

DATED: January 4, 2005

RESOLUTION EXPRESSING APPRECIATION FOR THE SERVICES OF THE 2004 CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS

Resolution by Supervisor: Full Board

Seconded by Supervisor: Full Board

WHEREAS, many difficult and important matters have come before the Montgomery County Board of Supervisors during the past year, and

WHEREAS, Chairman of the Board/Budget Officer, Dominick Stagliano has presided over said matters in a judicious manner, providing for the successful conduct of business of this Board, and

WHEREAS, the Board of Supervisors desires to express its appreciation for the work of the Chairman/Budget Officer of the Board during 2004.

RESOLVED, that the Montgomery County Board of Supervisors hereby expresses its appreciation to Supervisor Stagliano for his invaluable service as Chairman/Budget Officer during 2004.

RESOLUTION ADOPTED with Aye(1682). Supervisors Sinicropi, Jr. and Walters were absent. (1/4/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Quackenbush, seconded by Supervisor DiMezza, passed with Aye (1682). Chairman Strevy adjourned the meeting at 7:55 p.m. Supervisors Walters and Sinicropi were absent.

OTHER

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
5:45 PM, January 18, 2005

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Dybas, Jonker and Paton. Supervisors Brodie, DiMezza and Sinicropi were absent.

Additional present were Supervisors: Thomas, Cechnicki, Schumann, Walters, McMahon, Strevy, Dybas and Quackenbush.

Chairman Stagliano noted the agenda:

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

1. Resolution Amending 2005 Operating Budget (Youth Bureau)
2. Resolution Authorizing Funding Allocations - Delinquency Prevention Program (Youth Bureau)
3. Resolution Authorizing Chairman to Sign Program Agreements (Youth Bureau)
4. Resolution Authorizing Chairman to Sign Agreement - Resource Allocation Plan (Youth Bureau)
5. Resolution Amending 2005 Operating Budget - Public Health Preparedness and Response to Bioterrorism Grant (Public Health)
6. Resolution Amending 2005 Operating Budget - Child Passenger Safety Grant (Public Health)
7. Resolution Amending 2005 Operating Budget - Early Intervention/Children with Special Health Care Needs Programs Grant (Public Health)
8. Resolution Amending 2005 Operating Budget - Immunization Action Plan Grant (Public Health)
9. Resolution Amending 2005 Operating Budget - Lead Poisoning and Prevention Grant (Public Health)
10. Resolution Authorizing Chairman to Sign Agreement - Montgomery County Office for the Aging (Board of Supervisors)
11. Other

Resolution Amending 2005 Operating Budget (Youth Bureau) sponsored by Supervisor Dybas, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Funding Allocations - Delinquency Prevention Program (Youth Bureau) sponsored by Supervisor Cechnicki, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

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

Resolution Authorizing Chairman to Sign Agreement - Resource Allocation Plan (Youth Bureau) sponsored by Supervisor Thomas, seconded by Supervisor Cechnicki. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Amending 2005 Operating Budget - Public Health Preparedness and Response to Bioterrorism (Public Health) sponsored by Supervisor Schumann, seconded by Supervisor Paton. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Amending 2005 Operating Budget - Child Passenger Safety Grant (Public Health) sponsored by Supervisor Dybas, seconded by Supervisor Strevy. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Amending 2005 Operating Budget - Early Intervention/Children with Special Health Care Needs Program Grant (Public Health) sponsored by Supervisor Schumann, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Amending 2005 Operating Budget Immunization Action Plan Grant (Public Health) sponsored by Supervisor Dybas, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Amending 2005 Operating Budget - Lead Poisoning and Prevention Grant (Public Health) sponsored by Supervisor Jonker, seconded by Supervisor Paton. The Committee moved the resolution

to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement - Montgomery County Office For The Aging (Board of Supervisors) sponsored by Supervisor Dybas, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Motion to adjourn the Health & Human Services/Social Services Committee Meeting was made by Supervisor Dybas, seconded by Supervisor Jonker. Chairman Stagliano adjourned the meeting at 6:05 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 - PERSONNEL
6:00 PM, January 18, 2005

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 6:10 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Mancini, Paton, Quackenbush and Stagliano. Supervisor Brodie was absent

Additional present were Supervisors: McMahon, Strevy, Dybas, Schumann, Walters, Thomas and Jonker.

Chairman DiMezza noted the agenda:

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

1. Resolution Authorizing Chairman to Sign Memorandum of Agreement - CSEA - Montgomery Meadows Temporary LPN Head Nurses (Personnel)
2. Resolution Authorizing Chairman to Sign Renewal Agreement - Time Clock Maintenance (Personnel)
3. Resolution Establishing Public Hearing - Intro LL #1 of 2005 - A Local Law Establishing the 2005 Salary of Various County Officials
4. Resolution Transferring Funds - Self Insurance Fund
5. Other

Resolution Authorizing Chairman To Sign Memorandum of Agreement - C.S.E.A. - Montgomery Meadows Temporary LPN Head Nurses (Personnel) sponsored by Supervisor Cechnicki, seconded by Supervisor Quackenbush. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman To Sign Renewal Agreement - Time Clock Maintenance (Personnel) sponsored by Supervisor Quackenbush, seconded by Supervisor Mancini. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Establishing Public Hearing On Introductory Local Law No. 1 Of 2005 - A Local Law Establishing 2005 Salaries of Various County Officials sponsored by Supervisor Quackenbush, seconded by Supervisor Cechnicki. The Committee agreed to hold the public hearing on February 22, 2005 at 6:50 p.m. in the Chamber of the Board of Supervisors, County Office Building, 64 Broadway, Fonda, New York. Upon the agreement of the public hearing the Committee moved the resolution to the full board with a positive recommendation.

Resolution Transferring Funds - Self-Insured Fund sponsored by Supervisor Mancini, seconded by Supervisor Quackenbush. The Committee moved the resolution to the full board with a positive recommendation.

Motion to adjourn the Personnel Committee Meeting was made by Supervisor Cechnicki, seconded by Supervisor Mancini. Chairman DiMezza adjourned the meeting at 6:15 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 - PUBLIC SAFETY
6:15 PM, January 18, 2005

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 6:15 p.m.

Roll call indicated Committee members present included Supervisors Brodie, Cechnicki, Jonker, Schumann, Stagliano, and Walters.

Additional present were Supervisors: Mancini, DiMezza, McMahon, Strevy, Dybas, Paton, Quackenbush and Sinicropi.

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

1. Resolution Authorizing Chairman to Sign Agreement - Intensified Law Enforcement Services (Sheriff)
2. Resolution Amending 2005 Operating Budget - BUNY Grant (Sheriff)
3. Resolution Amending 2005 Operating Budget - Traffic Safety Officer Grant (Sheriff)
4. Resolution Appointing Fire Coordinator
5. Resolution Appointing EMS Advisory Board Member
6. Resolution Appointing Traffic Safety Board Member
7. Resolution Authorizing Chairman to Sign Agreement - 2005 Annual Alternatives to Incarceration Consolidated Service Plan (Youth Bureau/Alternative Community Service Department)
8. Other

Resolution Authorizing Chairman to Sign Agreement - Intensified Law Enforcement Services (Sheriff) sponsored by Supervisor McMahon, seconded by Supervisor Schumann.

During a brief discussion regarding the different rates that the Villages and Towns are charging for the Intensified Law Enforcement Services, Supervisor Dybas requested information on a full cost liquidation.

Chairman Thomas stated that he would contact Auditor Marco Zumbolo and follow up on the request.

The Committee moved the resolution to the full board with a positive recommendation.

Resolution Amending 2005 Operating Budget - BUNY Grant (Sheriff) sponsored by Supervisor Jonker, seconded by Supervisor Cechnicki. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Amending 2005 Operating Budget - Traffic Safety Officer Grant (Sheriff) sponsored by Supervisor Schumann, seconded by Supervisor Cechnicki. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Appointing Montgomery County Fire Coordinator sponsored by Supervisor McMahon, seconded by Supervisor Schumann. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Appointing Member - Montgomery County EMS Advisory Board sponsored by Supervisor Cechnicki, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Appointing Traffic Safety Board Member sponsored by Supervisor McMahon, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement - 2005 Annual Alternatives to Incarceration Consolidated Service Plan (Youth Bureau/Alternative Community Services Department) sponsored by Supervisor Mancini, seconded by Supervisor Strevy. The Committee moved the resolution to the full board with a positive recommendation. Supervisor Schumann abstained.

Chairman Thomas stated that there was an add on resolution that has to be presented to the

Committee under "Other".

Resolution Appointing Montgomery County Fire Advisory Board sponsored by Supervisor Quackenbush, seconded by Supervisor Strevy. The Committee moved the resolution to the full board with a positive recommendation.

Chairman Thomas acknowledged Supervisor Schumann to give a brief overview of the law enforcement training session that will be taught by the Humane Law Enforcement Division of the American Society for the Prevention of Cruelty to Animals (ASPCA). Supervisor Schumann stated that the training session will be held in the Theater of Fulton-Montgomery Community College on January 21, 2005 from 9:00 a.m. until 3:00 p.m. and extended an invitation to all of the Supervisors.

Supervisor Dybas asked for a Motion to go into Executive Session Pursuant to Section 105 (d) of NYS Open Meeting Law to discuss the proposed, pending litigation. Motion was made by Supervisor Strevy, seconded by Supervisor Dybas. Executive Session started at 6:35 p.m.

Motion to adjourn Executive Session was made by Supervisor Jonker, seconded by Supervisor Strevy. Chairman Thomas adjourned the Executive Session at 6:55 p.m.

As a result of the Executive Session the Board of Supervisors took no action.

Motion to adjourn Public Safety Committee was made by Supervisor Cechnicki, seconded by Supervisor Schumann. Chairman Thomas adjourned the meeting at 6:57 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, January 18, 2005

COMMITTEE MEETING DISCUSSION

Chairman Dybas presided over the meeting commencing at 7:00 p.m.

Roll call indicated Committee members present included Supervisors Jonker, Mancini, McMahon, Quackenbush, Sinicropi and Thomas

Additional present were Supervisors: DiMezza, Cechnicki, Schumann, Walters, Strevy, Stagliano, Dybas, Brodie and Paton

Chairman Dybas noted the agenda:

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

1. Resolution appointing Occupancy Tax Advisory Board Members
2. Discussion regarding Local Law No. 2 of 1990 - A Local Law which Established the Montgomery County Occupancy Tax Advisory Board
3. Resolution Authorizing Chairman to Sign Agreement - Snowmobile Trails Grant-in-Aid Program (Economic Opportunity and Development)
4. Resolution Designating Montgomery County Certifying Official for Activities Associated with the NEPA Review Process
5. Resolution Appointing Member of Board of Directors of Montgomery County Cooperative Extension Association
6. Resolution Authorizing Chairman to Sign Agreement - Cornell Cooperative Extension of Fulton and Montgomery Counties (Board of Supervisors)
7. Resolution Appointing Members of the Montgomery County Soil and Water Conservation District Board of Directors
8. Resolution Authorizing Chairman to Sign Agreement - Montgomery County Soil and Water Conservation District (Board of Supervisors)
9. Resolution Amending 2005 Operating Budget - Microfilm Assessment Rolls Grant (Historian)
10. Resolution Appointing Records Management Advisory Board Member (Historian)
11. Other

Chairman Dybas recommended that Item #2, the discussion regarding Local Law #2 of 1990 - A Local Law which Established the Montgomery County Occupancy Tax Advisory Board be put on the agenda after item #10.

Resolution Appointing Montgomery County Occupancy Tax Advisory Board Members 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 - Snowmobile Trails Grant-In-Aid Program (Economic Opportunity and Development) sponsored by Supervisor Thomas, seconded by Supervisor Quackenbush. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Designating Montgomery County Certifying Official For Activities Associated with the NEPA Review Process sponsored by Supervisor Quackenbush, seconded by Supervisor McMahon. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Appointing Member of Board of Directors of Montgomery County Cooperative Extension Association sponsored by Supervisor Thomas, seconded by Supervisor Jonker. Supervisor Jonker who was the previous legislative Board Member sited his concerns to being reappointed as the Cornell Meeting currently conflicts with his Town Board Meeting. He recommended Supervisor Schumann for the appointment. Supervisor Schumann accepted and the Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement - Cornell Cooperative Extension of Fulton and Montgomery Counties (Board of Supervisors) sponsored by Supervisor Thomas, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Supervisor Jonker briefly questioned Marilyn Smith, Executive Director of Cornell regarding the staffing of the Dairy Team. Ms. Smith indicated that because of funding restrictions the Dairy Team could be in jeopardy midway through this year. Cornell is prepared to reevaluate funding levels at such time.

Resolution Appointing Members of the Montgomery County Soil and Water Conservation District Board

of Directors sponsored by Supervisor Schumann, seconded by Supervisor Jonker. Upon the recommendation of the committee to submit the names of Supervisor Cechnicki and Supervisor Paton to be representing the County Legislator appointment. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement Montgomery County Soil and Water Conservation District (Board of Supervisors) sponsored by Supervisor Schumann, seconded by Supervisor Thomas. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Amending 2005 Operating Budget - Microfilm Assessment Rolls Grant (Historian) sponsored by Supervisor Thomas, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Appointing Supervisor to the Montgomery County Records Management Advisory Board sponsored by Supervisor Mancini, seconded by Supervisor Quackenbush. The Committee moved the resolution to the full board with a positive recommendation.

Chairman Dybas moved on to the discussion regarding Local Law #2 of 1990 - The Local Law which established the Occupancy Tax Board. He acknowledged Rich Brown, Co-Chairman of the Occupancy Tax Advisory Board and Mr. Brown recommend that Local Law #2 of 1990 be amended to better reflecting the terms of the members of the Occupancy Tax Board. The current structure does not allow for continuity on the Board and Mr. Brown submitted a proposed amendment to the terms that would better suit the needs of the County.

After a brief discussion Chairman Dybas recommended that a resolution to hold a public hearing on amending Local Law #2 of 1990 be drafted. This resolution was moved to the full board with a positive recommendation.

Motion to adjourn the Economic Development/Agriculture & Planning Committee was made by Supervisor Jonker, seconded by Supervisor Mancini. Chairman Dybas 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 - FINANCE
7:15 PM, January 18, 2005

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:15 p.m.

Roll call indicated Committee members present included Supervisors Dybas, McMahon, Schumann, Stagliano and Thomas. Supervisor DiMezza was absent.

Additional present were Supervisors: Mancini, Cechnicki, Walters, Strevy, Brodie and Paton.

Chairman Quackenbush noted the agenda:

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

1. Resolution Authorizing Chairman to Sign Mass Transportation Third Party Provider Agreement
2. Resolution Opposing Proposed NYS Thruway Toll Increases
3. Resolution Authorizing Disbursement of Surplus Dog License Funds
4. Resolution Delegating Erroneous Assessment Correction Approval Authority to County Auditor
5. Resolution Amending 2005 Operating Budget - Position Changes (County Clerk)
6. Bond Resolution of Montgomery County Authorizing the Replacement of Various Vehicles and Equipment - Aggregate Cost - \$825,500; Appropriating Said Amount and Authorizing the Bonding of Said Cost to Finance
7. Resolution Appointing Montgomery County Budget Officer
8. Other

Resolution Authorizing Chairman to Sign Mass Transportation Third Party Provider Agreement sponsored by Supervisor Quackenbush, seconded by Supervisor Thomas.

Chairman Quackenbush acknowledged Bob Brown, President of Brown Coach and stated that he was present to answer any questions or concerns regarding the complaints that have been lodged against his company.

Mr. Brown stated that the complaints that have been presented are a direct result of the fare increase that Brown Coach was forced to implement due to rising cost of fuel, insurance and employee wages and not a result of the service he is providing.

Supervisor Schumann made a reference to the federally funded equipment which may not be used in a charter service and questioned how Brown Coach is meeting this requirement.

Supervisor Schumann also questioned if a cost analysis was done to run the buses. Mr. Brown's stated that he does not do any cost analysis projections.

Supervisor Walters stated that he would like to see some solution to how the tickets are being purchased on a weekly basis and have the commuters be able to carry over any unused tickets to the following weeks.

Mr. Brown stated that he is trying to resolve that issue and is working with the Department of Transportation to arrive at some type of agreement to accommodate the riders.

Mr. Brown defended his position regarding the maintenance and the mechanical conditions of the buses and stated that the company prides itself on maintaining the equipment in good running condition. He further stated that he is working with the DOT to resolve all the issues of concern and is confident that solutions to the problems can be resolved.

Chairman Quackenbush thanked Mr. Brown for addressing the Board and polled the Committee for a recommendation as to how they wanted to present the resolution. The Committee vote resulted in a tie with Chairman Strevy breaking the tie and voting in favor of the resolution. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Opposing Proposed NYS Thruway Toll Increases sponsored by Supervisor Schumann, seconded by Supervisor Sinicropi. The Committee moved the resolution to the full board with a positive recommendation. Supervisors Dybas and McMahon voted no on the recommendation.

Resolution Authorizing Disbursement of Surplus Dog License Funds sponsored by Supervisor Strevy, seconded by Supervisor McMahon.

Supervisor Dybas requested a distribution list from the County Treasurer and Treasurer Shawn Bowerman stated that the list will be provided.

The Committee moved the resolution to the full board with a positive recommendation.

Resolution Delegating Erroneous Assessment Correction Approval Authority To County Auditor sponsored by Supervisor Thomas, seconded by Supervisor Dybas. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Amending 2005 Operating Budget - Position Changes (County Clerk) sponsored by Supervisor Thomas, seconded by Supervisor Schumann. The Committee moved the resolution to the full board with a positive recommendation.

Bond Resolution of Montgomery County Authorizing The Replacement of Various Vehicles and Equipment - Aggregate Cost - \$825,500: Appropriating Said Amount and Authorizing the Bonding of Said Cost to Finance sponsored by Supervisor Strevy, seconded by Supervisor Thomas.

Supervisor Stagliano stated a concern and noted that the County just came off an extremely tight budget. He recommended that a comprehensive plan be formulated because the County has to determine how it will save one million dollars for future budgets. He also stated that Commissioner Clayburn will be proposing borrowing for road and bridges and also the capital projects that are under funded.

Supervisor Walters stated that the equipment for Department of Public Works is desperately needed, but the whole financial picture needs to be addressed.

Supervisor Schumann stated her concern that the Board needs to be careful with large bond projects and stressed that all the pertinent information needs to be presented before a decision is made that will have a long term effect on the County.

Supervisor Dybas also stated his concern and cautioned the Board on bonding projects to purchase equipment, and because of the financial situation the County will be facing in 2006 could result in not having the personnel.

Supervisor McMahon recommended that no action be taken on the resolution and that the Committee revisit the issue at a future date.

Resolution Amending 2005 Operating Budget- Budget Officer (Board of Supervisors) sponsored by Supervisor Strevy, seconded by Supervisor Thomas. The Committee moved the resolution to the full board with a positive recommendation.

Chairman Quackenbush asked if there was any other business to come before the Committee. Supervisor Cechnicki noted that he presented from Assemblyman Paul Tonko "A Practical Solution to New York State's Medicaid Funding Crisis" and the Assemblyman is interested in coming before the Board of Supervisors to present his overview.

Motion to adjourn the Finance Committee was made by Supervisor Thomas, seconded by Supervisor McMahon. Chairman Quackenbush 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
REGULAR MEETING
7:00 PM, January 25, 2005

CALL TO ORDER

Chairman Strevy called the Regular Meeting of the Montgomery County Board of Supervisors for January 25, 2005 to order at 7:15 p.m.

SALUTE TO THE FLAG

Supervisor Walters led the Salute to the Flag.

ROLL CALL

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

PRIVILEGE OF THE FLOOR

PUBLIC COMMENT

Kurt Semon, Councilperson in the Town of Amsterdam referenced the resolution regarding the Budget Officer and noted that having the Treasurer assume the duties as the Budget Officer is a reasonable proposal.

Mr. Semon stated that he has only met with the Treasurer Shawn Bowerman once, and he felt that with all the information readily available in the treasurer's office it makes complete sense for the treasurer to carryout the duties and responsibilities of the Budget Officer.

In closing Mr. Semon stated that he believes the Montgomery County Community would readily agree that it makes sense for the Treasurer to act as Budget Officer.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

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

APPROVAL OF BUDGETARY TRANSFER

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

UNFINISHED BUSINESS

NEW BUSINESS

RESOLUTION NO. 14 of 2005

DATED: January 25, 2005

RESOLUTION REPLACING APPOINTMENT TO THE NYS REGION IV FISH AND WILDLIFE MANAGEMENT BOARD

Resolution by Supervisor: Strevy

Seconded by Supervisor: Quackenbush

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, there is currently a vacancy in the Alternative Legislative Appointment and the Chairman of the Board of Supervisors has appointed Supervisor Shayne T. Walters to fill this appointment for a term expiring on December 31, 2005

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

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 15 of 2005

DATED: January 25, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET (YOUTH BUREAU)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

WHEREAS, funds were appropriated in the 2005 Operating Budget for youth programs and,

WHEREAS, the exact amount of these funds from the New York State Office of Children and Family Services was unknown at the time the budget was adopted,

RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to amend the 2005 Operating Budget as follows:

INCREASE:

Revenue:

A-21-3-3826-00	Speci. Del q. Prev. Program	\$8,101
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Appropriations:

A-21-4-7310-00.4566	Spec. Delinquency Prev.	\$8,101
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DECREASE:

Revenue:

A-21-3-3820-00	Youth Bureau	\$ 524
A-21-3-3828-00	Youth Dev. & Delinq. Prev.	\$1,377
A-21-3-3829-00	Youth Initiatives Prog	\$ 276

Appropriations:

A-21-4-7310-00.4582	Youth Initiatives Prog	\$ 276
A-21-4-7310-00.4585	Youth Dev. & Delinq. Pre	\$1,377

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 16 of 2005

DATED: January 25, 2005

RESOLUTION AUTHORIZING FUNDING ALLOCATIONS - DELINQUENCY PREVENTION PROGRAM (YOUTH BUREAU)

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Jonker

WHEREAS, the Montgomery County Youth Board of Directors has recommended allocation of funds for the 2005 Special Delinquency Prevention Program,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign 2005 Special Delinquency Prevention Program agreements, as follows:

Big Brothers/Big Sisters of Montgomery County (Partners to Assist Youth)	\$ 2,150
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Catholic Charities of Montgomery County (Begin Again)	\$ 9,070
Montgomery County Youth Bureau (Administration)	\$ 2,243
Montgomery County Probation Department (Juvenile Field Project)	\$ 9,000
Montgomery County Sheriff's Department (Drug, Alcohol & Safety Training)	\$ 2,800
Montgomery County Youth Bureau (Community Service Program)	\$ 7,000

FURTHER RESOLVED, that said Board also authorized allocation of 2005 Youth Development/Delinquency Prevention Program funds for municipal programs, as follows:

City of Amsterdam (Juvenile Aid Bureau)	\$ 4,731
City of Amsterdam (Recreation Department)	\$ 5,200
Town of Amsterdam (Town Recreation)	\$ 1,000
Village of Fort Johnson (Youth Commission)	\$ 500
Village of Hagaman (Youth Commission)	\$ 900
Town of Canajoharie (Youth Center)	\$ 1,150
Village of Canajoharie (Youth Center)	\$ 1,100
Village of Fort Plain (Village Recreation)	\$ 3,000
Town of Charleston (Youth Commission)	\$ 500
Town of Florida (Youth Commission)	\$ 1,900
Town of Glen (Summer Program)	\$ 500
Village of Fultonville (Summer Program)	\$ 500
Town of Mohawk (Summer Program)	\$ 800
Town of Mohawk (Tribes Hill Youth Commission)	\$ 600
Village of Fonda (Summer Program)	\$ 500
Town of Palatine (Youth Center)	\$ 700
Village of Palatine Bridge (Youth Center)	\$ 700
Town of Root (Youth Center)	\$ 1,000
Town of St. Johnsville (Town Recreation)	\$ 500
Village of St. Johnsville (Village Recreation)	\$ 2,300

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 17 of 2005

DATED: January 25, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROGRAM AGREEMENTS (YOUTH BUREAU)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Strevy

WHEREAS, the Montgomery County Youth Board of Directors has recommended 2005 Youth Initiative Program and Youth Development/Delinquency Prevention agreements with various providers,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign 2005 Youth Initiatives Program agreements as follows:

Catholic Charities/Montgomery County (Better Your Own Body)	\$ 4,500
Big Brothers/Big Sisters of Montgomery County (Youth Recruitment)	\$ 2,000
Catholic Charities/Montgomery County (Schools Aiding Family Environment)	\$ 2,860

FURTHER RESOLVED, that said Chairman is authorized and directed to sign 2005 Youth Development/Delinquency Prevention Program agreements, as follows:

Catholic Charities/Montgomery County (Schools Aiding Family Environment)	\$ 6,367
Big Brothers/Big Sisters of Montgomery County (Big Brothers/Big Sisters Program)	\$ 7,360
Community Youth Center (Youth Center)	\$ 6,050
St. Johnsville Youth Center	\$ 5,000

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 18 of 2005

DATED: January 25, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - RESOURCE ALLOCATION PLAN (YOUTH BUREAU)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Cechnicki

WHEREAS, the New York State Office of Children and Family Services has allocated \$111,031.00 to Montgomery County for 2005 as delineated in the program summary,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign the Resource Allocation Plan agreement with New York State Office of Children and Family Services.

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 19 of 2005

DATED: January 25, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2005 ANNUAL ALTERNATIVES TO INCARCERATION CONSOLIDATED SERVICE PLAN (YOUTH BUREAU/ALTERNATIVE COMMUNITY SERVICES DEPARTMENT)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Strevy

WHEREAS, the Youth Bureau/Alternative Community Service Director has requested that the County enter into an agreement with the New York State Department of Probation and Correctional Alternatives, and

WHEREAS, the Montgomery County Criminal Justice Coordinating Council recommends acceptance of said proposal, and

WHEREAS, said agreement will enable the County to receive grant funds in the maximum amount of Twenty-two thousand, six hundred twenty nine dollars (\$22,629), now therefore, be it

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 for the period commencing on January 1, 2005 and ending on December 31, 2005, and

FURTHER RESOLVED that upon notification of the award of said grant funds, the Chairman of the Board of Supervisors is hereby authorized and directed to execute any and all grant documents on behalf of the County.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann abstained. (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 20 of 2005

DATED: January 25, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET - PUBLIC HEALTH PREPAREDNESS AND RESPONSE TO BIOTERRORISM (PUBLIC HEALTH)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Paton

WHEREAS, the Board of Supervisors authorized acceptance of the Public Health Preparedness and Response to Bioterrorism Grant funds for the period commencing August 31, 2004 and ending August

30, 2005, and

WHEREAS, said funds were appropriated in the 2004 Operating Budget and the unexpended balance should be carried forward in the 2005 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005 Operating Budget, as follows:

INCREASE:

Revenue:
A-16-3-3401-06 Public Health Grant \$ 76731.83

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

. 2250	Technical Equipment	\$ 7000.00
. 2259	Computer Equipment	\$ 21600.00
. 4407	Office Equipment	\$ 500.00
. 4408	Office Supplies	\$ 3500.00
. 4409	Office Furniture	\$ 7500.00
. 4410	Utilities	\$ 2640.00
. 4425	Maintenance Agreements	\$ 2116.03
. 4431	Professional Services	\$ 9000.00
. 4438	Misc. Supporting Svc.	\$ 3900.00
. 4445	Medical Supplies	\$ 6086.80
. 4446	Food Supplies	\$ 1939.00
. 4455	Training	\$ 5500.00
. 4459	Computer Software	\$ 1200.00
. 4470	Travel Related Exp.	\$ 1000.00
. 4491	Legal Notice & Advertising	\$ 3250.00

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 21 of 2005

DATED: January 25, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET - CHILD PASSENGER SAFETY GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Strevy

WHEREAS, the Board of Supervisors authorized acceptance of the Child Passenger Safety Grant funds for the period commencing October 1, 2004 and ending September 30, 2005, and

WHEREAS, said funds were appropriated in the 2004 Operating Budget and the unexpended balance should be carried forward in the 2005 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005 Operating Budget, as follows:

INCREASE:

Revenue:
A-16-3-3401-08 Public Health Grant \$177.74

Appropriations:
A-16-4-4010-08 Public Health Grant

. 4449	Special Supplies	\$127.74
. 4455	Training	\$ 50.00

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 22 of 2005

DATED: January 25, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET - EARLY INTERVENTION/CHILDREN WITH SPECIAL

HEALTH CARE NEEDS PROGRAM GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Schumann

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, said funds for the 2004-2005 grant period are appropriated in the 2005 Operating Budget, and

WHEREAS, the NYS Department of Health has approved the grant operating budget for the contract period October 1, 2004 through September 30, 2005, and

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign said grant agreement for the period October 1, 2004 through September 30, 2005, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005 Operating Budget, as follows:

TRANSFER:

FROM:	A-16-4-4010-01	Public Health Grant	
	.4526	Education Programs	\$ 17559
TO:	A-16-4-4010-01	Public Health Grant	
	.4408	Office Supplies	\$ 3000
	.4438	Misc. Supporting Svc.	\$ 10500
	.4446	Food Supplies	\$ 179
	.4452	Printing	\$ 615
	.4455	Training	\$ 500
	.4470	Travel: Related Costs	\$ 1765
	.4471	Mileage	\$ 1000

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas abstained. (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 23 of 2005

DATED: January 25, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET IMMUNIZATION ACTION PLAN GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

WHEREAS, the Board of Supervisors authorized acceptance of the Immunization Action Plan Grant funds for the period commencing April 1, 2004 and ending March 31, 2005, and

WHEREAS, said funds were appropriated in the 2004 Operating Budget and the unexpended balance should be carried forward in the 2005 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-03	Public Health Grant	\$5882.51
Appropriations:	A-16-4-4010-03	Public Health Grant	
	.1120(103)	P/T Employees - RPN	\$3524.00
	.4408	Office Supplies	\$ 300.00
	.4445	Medical Supplies	\$ 458.75
	.4452	Printing	\$ 234.00
	.4470	Travel Related Expense	\$ 35.00
	.4471	Mileage	\$ 236.76
	.4526	Education Programs	\$1094.00

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 24 of 2005

DATED: January 25, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET - LEAD POISONING AND PREVENTION GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Paton

WHEREAS, the Board of Supervisors authorized acceptance of the Lead Poisoning and Prevention Grant funds for the period commencing April 1, 2004 and ending March 31, 2005, and

WHEREAS, said funds were appropriated in the 2004 Operating Budget and the unexpended balance should be carried forward in the 2005 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-05	Public Health Grant	\$585.93
Appropriations:	A-16-4-4010-05	Public Health Grant	
	.4408	Office Supplies	\$ 15.00
	.4436	Medical Fees	\$309.49
	.4445	Medical Supplies	\$ 1.24
	.4453	Postage	\$243.20
	.4526	Education Programs	\$ 17.00

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 25 of 2005

DATED: January 25, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONTGOMERY COUNTY OFFICE FOR THE AGING -(BOARD OF SUPERVISORS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

WHEREAS, the 2005 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.

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 26 of 2005

DATED: January 25, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - C. S. E. A - MONTGOMERY MEADOWS TEMPORARY LPN HEAD NURSES (PERSONNEL)

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Quackenbush

WHEREAS, the Montgomery County Meadows is in need of Head Nurse supervisors, and

WHEREAS, the Meadows Administrator and C.S.E.A. have agreed that LPNs will work temporarily as Head Nurses at \$ 1.00 more per hour until RN Head Nurses are hired

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign a Memorandum of Agreement with C.S.E.A. retroactive to 12/18/04.

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 27 of 2005

DATED: January 25, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - TIME CLOCK MAINTENANCE (PERSONNEL)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Mancini

WHEREAS, the Personnel Officer has recommended renewal of the time clock Maintenance Agreement,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a one-year renewal of the Kronos Time System Maintenance Agreement with M. M. Hayes, at a cost not to exceed \$12,000 for the period commencing on February 1, 2005 and ending on January 31, 2006.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann voted Nay. (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisors Schumann and Quackenbush stated that on Resolution No. 28 there are some questions regarding the way the current 2005 Salaries of Various County Officials are structured and felt that different alternatives should be explored.

Supervisor Schumann recommended that the above subject should be addressed at a Education/Government Committee Meeting in the near future.

RESOLUTION NO. 28 of 2005

DATED: January 25, 2005

RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO 1 OF 2005 - A LOCAL LAW ESTABLISHING 2005 SALARIES OF VARIOUS COUNTY OFFICIALS

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Cechnicki

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 1 of 2005, "A Local Law Establishing 2005 Salaries of Various County Officials".

RESOLVED, that Introductory Local Law No. 1 of 2005 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 February 22, 2005 at 6:50 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(1729). Supervisor Schumann voted Nay. (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Dybas stated on Resolution No. 29 that there are issues regarding the contribution between Montgomery County and Fulton County and recommended that the resolution be tabled until the information is provided.

RESOLUTION NO. 29 of 2005

DATED: January 25, 2005

RESOLUTION TRANSFERRING FUNDS - SELF-INSURED FUND

Resolution by Supervisor: McMahon

Seconded by Supervisor: Quackenbush

WHEREAS, the Excess Liability Insurance has increased because FMCC has joined our Workers Compensation Self-Insured plan as of 9/1/04, and

WHEREAS, since the new rate reflects the increased insurability of their employees, plus the normal increase of the policy, and

RESOLVED, that a transfer of \$13,000 is needed to pay for the insurance premium increase, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized to transfer funds as follows:

From:
MS-10-4-1720-00-4464 (Workers Comp. Benefits) 13,000

To:
MS-10-4-1910-00-4480 (Insurances) 13,000

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor McMahon, passed with Aye(1688).
Supervisors Thomas and Stagliano voted Nay. (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Dybas stated that he requested information on Resolution No. 30 on Intensified Law Enforcement Services at the Public Safety Meeting that was held on January 18, 2005 and stated his frustration that the information has not been provided to date and recommended that the resolution be tabled.

Chairman Strevy stated that Supervisor Thomas will be contacting Marco Zumbolo, the Montgomery County Auditor to discuss the information that Supervisor Dybas is requesting.

In defense of the Intensified Law Enforcement Services Sheriff Amato stated the one year agreements are at a prevailing hourly rate of a full-time or part-time deputy and the billing to the town and the villages are based on information obtained from a print out that includes the overtime rate plus the fringe benefits.

Supervisor Walters stated his residents, as county taxpayers are already paying the sheriff's salary, the cars and the maintenance. He also noted that the Town of Charleston is paying a monthly fee to have the enforcement services the sheriff is providing and either way his town is covering the cost.

Supervisor DiMezza agreed with Supervisor Walters and stated that a full cost accounting would not be beneficial there should be no changes made to this resolution and recommended that

RESOLUTION NO. 30 of 2005

DATED: January 25, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - INTENSIFIED LAW ENFORCEMENT SERVICES (SHERIFF)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Schumann

WHEREAS, it has been recommended that the Sheriff provide Intensified Law Enforcement Services to various municipalities throughout Montgomery County,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, hereby is authorized and directed to sign agreements for the provision of Intensified Law Enforcement Services to various municipalities of Montgomery County who choose to participate, and

FURTHER RESOLVED, that each agreement shall be for a one-year period at a prevailing hourly rate of a full-time or part-time deputy, subject to availability, plus mileage as adopted by the Board of Supervisors for the ensuing year.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas voted Nay. (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 31 of 2005**DATED:** January 25, 2005**RESOLUTION AMENDING 2005 OPERATING BUDGET - BUNY GRANT (SHERIFF)**

Resolution by Supervisor: Jonker

Seconded by Supervisor: Cechnicki

WHEREAS, the Sheriff had been notified of a grant award from the Governor's Traffic Safety Committee for the Buckle Up New York program, and

WHEREAS, the grant was for a total of \$5,000 to provide for Sheriff's Office patrols to enforce the use of seatbelts, and

WHEREAS, Resolution 307 of 2004 authorized the Chairman to enter into an agreement with the Governor's Traffic Safety Committee for said funding, and

WHEREAS, a portion of said funding was spent in 2004 and the remaining balance to be spent in 2005,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 operating budget as follows:

INCREASE:

A-15-3-3389	Other Public Safety	\$4,220
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INCREASE:

A-15-4-3110-00-1110(1212)	Overtime	\$4,220
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RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 32 of 2005**DATED:** January 25, 2005**RESOLUTION AMENDING 2005 OPERATING BUDGET - TRAFFIC SAFETY OFFICER GRANT (SHERIFF)**

Resolution by Supervisor: Schumann

Seconded by Supervisor: Cechnicki

WHEREAS, the Sheriff had been notified of a grant award from the Governor's Traffic Safety Committee for the Traffic Safety Deputy, and

WHEREAS, the grant is for a total of \$39,454 to provide for Sheriff's Office Traffic Safety Deputy, conference attendance and new radar equipment, and

WHEREAS, a portion of said funding was not budgeted in the 2005 Operating Budget,

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 the Governor's Traffic Safety Committee for the Traffic Safety Deputy and other specified line items, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 operating budget as follows:

INCREASE:

A-15-3-3389	Other Public Safety	\$2,000
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INCREASE:

A-15-4-3110-00-4455	Training	\$ 500
A-15-4-3110-00-2250	Technical Equipment	\$1,500

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 33 of 2005**DATED:** January 25, 2005**RESOLUTION APPOINTING MONTGOMERY COUNTY FIRE COORDINATOR**

Resolution by Supervisor: McMahon

Seconded by Supervisor: Schumann

RESOLVED, that, in accordance with NYS County Law, Section 225-a, Gary Nestle is hereby appointed Fire Coordinator for Montgomery County for a term commencing on January 1, 2005 and ending on December 31, 2005 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.

MOTION TO AMEND by Supervisor Schumann, seconded by Supervisor Dybas, in the RESOLVED clause to strike the wording "and ending on December 31, 2005", passed with Aye(1868). (1/25/2005)

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 34 of 2005**DATED:** January 25, 2005**RESOLUTION APPOINTING MEMBER - MONTGOMERY COUNTY EMS ADVISORY BOARD**

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Jonker

WHEREAS, Resolution 193 of 2004 created a Montgomery County EMS Advisory Board as provided under NYS County Law S223-b 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, and

WHEREAS, said Advisory Board consists of 21 appointments representing various emergency management organizations, and

WHEREAS, there is currently a vacancy for one appointment representing the Town of Florida/Fort Hunter Fire Department, and

WHEREAS, said departments have made recommendation for such appointment,

RESOLVED, Montgomery County Board of Supervisors hereby makes the following appointment to the Montgomery County EMS Advisory Board

NAME	REPRESENTING	TERM EXPIRATION
Pam Van Alstine	Town of Florida/Fort Hunter Fire Departments	October 5, 2005

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 35 of 2005**DATED:** January 25, 2005**RESOLUTION APPOINTING TRAFFIC SAFETY BOARD MEMBER**

Resolution by Supervisor: McMahon

Seconded by Supervisor: Jonker

RESOLVED, that William J. Beevers of 75 Erie Boulevard, Canajoharie hereby is appointed a member of the Montgomery County Traffic Safety Board for a term ending on June 30, 2005.

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 36 of 2005**DATED:** January 25, 2005**RESOLUTION APPOINTING MONTGOMERY COUNTY FIRE ADVISORY BOARD**

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Strevy

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, 2005.

NAME	ADDRESS	REPRESENTING
Frank Nestle	83 Moyer Street, Canajoharie	Canajoharie
Daniel Carter	340 Mohawk Drive, Tribes Hill	Tribes Hill
Mike Beyer	132 Poplar Drive, Amsterdam	Cranesville
James Suidy	60 McNeir 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
Jeff Smith	77 Garfield 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

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann voted Nay. (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 37 of 2005**DATED:** January 25, 2005**RESOLUTION APPOINTING MONTGOMERY COUNTY OCCUPANCY TAX ADVISORY BOARD MEMBERS**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Cechnicki

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:

Ron Hezel for a one-year term ending on December 31, 2005 representing the lodging facility industry.

Tracy Montoni for a two-year term ending on December 31, 2006.

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

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 38 of 2005

DATED: January 25, 2005

RESOLUTION ESTABLISHING PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 2 OF 2005 - A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1990 WHICH ESTABLISHED THE MONTGOMERY COUNTY OCCUPANCY TAX ADVISORY BOARD

Resolution by Supervisor: Jonker

Seconded by Supervisor: Thomas

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 2 of 2005, "A Local Law Amending Local Law No. 2 of 1990 which Established the Montgomery County Occupancy Tax Advisory Board".

RESOLVED, that Introductory Local Law No. 2 of 2005 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 February 22, 2005 at 6:40 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(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 39 of 2005

DATED: January 25, 2005

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

Resolution by Supervisor: Thomas

Seconded by Supervisor: Quackenbush

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation has awarded Montgomery County \$76,850.00 from the 2004-2005 Snowmobile Trails Grant-In-Aid Program, based upon an application submitted in cooperation with the Mohawk Valley Snowmobile Clubs, Inc., and

WHEREAS, the 2005 Operating Budget provides for only \$20,000 in revenue and appropriations,

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 2004-2005 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 Mohawk Valley Snowmobile Clubs, Inc., 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 2005 Operating Budget, as follows:

INCREASE:

Revenue:		
A-01-3-3889-00	Other Cultural & Recreation	\$56,850

Appropriations:

A-01-4-7180-00.4572 Spec. Recreation Facility Recreation Trails \$56,850

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 40 of 2005

DATED: January 25, 2005

RESOLUTION DESIGNATING MONTGOMERY COUNTY CERTIFYING OFFICIAL FOR ACTIVITIES ASSOCIATED WITH THE NEPA REVIEW PROCESS

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: McMahon

WHEREAS, Montgomery County is the recipient of federal funds through the Governor's Office of Small Cities, and

WHEREAS, said funds will be used to purchase machinery and equipment for Power Pallet, Inc. in the Town of Amsterdam, and

WHEREAS, it is required that an appropriate entity be responsible for assuring compliance with the National Environmental Policy Act (NEPA), and

WHEREAS, the County must designate a certifying official for said process,

RESOLVED, the Chairman of the Board of Supervisors, is hereby appointed as the Certifying Official responsible for activities associated with the NEPA review process.

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 41 of 2005

DATED: January 25, 2005

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

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

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 a one-year term to serve as a Director on the Association Board of Directors,

RESOLVED, that Supervisor Bethany Schumann is hereby appointed as a Director on the Board of Directors of the Cooperative Extension Association of Fulton and Montgomery Counties for a term ending on December 31, 2005.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann abstained. (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Sinicropi stated that on Resolution No. 42 he expressed a concern to Cornell Cooperative Extension of Fulton and Montgomery Counties that Montgomery County in 2006 will be facing another difficult budget year and suggested that maybe Cornell should be exploring other alternatives for reducing costs especially another option for office space.

Supervisor Quackenbush stated that he has had discussions with Ms. Smith, Executive Director at Cornell and she conveyed to him that they are actively pursuing other options for office space and one being at the Fulton Montgomery Community College.

RESOLUTION NO. 42 of 2005

DATED: January 25, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CORNELL COOPERATIVE EXTENSION OF

FULTON AND MONTGOMERY COUNTIES (BOARD OF SUPERVISORS)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

WHEREAS, the 2005 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(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 43 of 2005

DATED: January 25, 2005

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

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

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:

H. Edward Darrow representing the County Grange Appointment for a term to expire on December 31, 2007, and

Supervisor Brian Cechnicki representing County Legislator Appointment for a term to expire on December 31, 2005, and

Supervisor Ed Paton representing County Legislator Appointment for a term to expire on December 31, 2005, and

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 44 of 2005

DATED: January 25, 2005

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

Resolution by Supervisor: Schumann

Seconded by Supervisor: Thomas

WHEREAS, the 2005 Operating Budget includes appropriations of \$55,200 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 \$55,200.

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 45 of 2005

DATED: January 25, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET - MICROFILM ASSESSMENT ROLLS GRANT (HISTORIAN)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

WHEREAS, Resolution No. 194 of 2004, accepted a grant from the New York State Local Government Records Management Improvement Fund for microfilming assessment rolls, and

WHEREAS, a small portion of the grant was spent in 2004 and funds will need to be carried over into 2005,

RESOLVED, that the County Treasurer is authorized to amend the 2005 Operating Budget as follows:

INCREASE:

Revenue:

A-22-3-3889-00	State Grant	\$15,613.50
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Appropriations:

A-22-4-7510-00.4438	Misc. Service Fee	\$15,613.50
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RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 46 of 2005

DATED: January 25, 2005

RESOLUTION APPOINTING SUPERVISOR TO THE MONTGOMERY COUNTY RECORDS MANAGEMENT ADVISORY BOARD

Resolution by Supervisor: Mancini

Seconded by Supervisor: Quackenbush

WHEREAS, Resolution 138 of 2004 established the Montgomery County Records Management Advisory Board, and

WHEREAS, the duties of said Board 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

WHEREAS, 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),

RESOLVED, that Supervisor John B. Thomas is hereby reappointed to serve on the Montgomery County Records Management Advisory Board for a term to expire on December 31, 2005.

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 47 of 2005

DATED: January 25, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MASS TRANSPORTATION THIRD PARTY PROVIDER AGREEMENT

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

WHEREAS, Montgomery County and New York State have entered into a continuing 10-year agreement, identified as State Contract No. C001921, which authorizes a project to provide public mass transportation services,

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 Brown's Coach for the period January 1, 2005 through December 31, 2005.

RESOLUTION ADOPTED with Aye(1569). Supervisors Sinicropi, Jr., Cechnicki and Stagliano voted Nay. (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 48 of 2005

DATED: January 25, 2005

RESOLUTION OPPOSING PROPOSED NYS THRUWAY TOLL INCREASES

Resolution by Supervisor: Schumann

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, Montgomery County has 35 miles of the NYS Thruway within its borders, and

WHEREAS, the NYS Thruway is the major transportation artery in the County, and

WHEREAS, the NYS Thruway is critical to the economic development and residential growth of Montgomery County, and

WHEREAS, the NYS Thruway is proposing significant toll increases for both passenger cars and commercial vehicles, and

WHEREAS, the proposed increases will negatively impact the residents and businesses of Montgomery County, as well as hinder its prospects for future growth,

RESOLVED, that the Montgomery County Board of Supervisors hereby opposes the proposed NYS Thruway toll increases and urges the NYS Thruway Authority not to adopt said increases.

RESOLUTION ADOPTED with Aye(1287). Supervisors Dybas, McMahon, Strevy, Thomas and Jonker voted Nay. (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 49 of 2005

DATED: January 25, 2005

RESOLUTION AUTHORIZING DISBURSEMENT OF SURPLUS DOG LICENSE FUNDS

Resolution by Supervisor: Strevy

Seconded by Supervisor: McMahon

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

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to disburse, to the Towns and to the City of Amsterdam, \$4,845.21 in Surplus dog license funds, in proportion to the contribution made by each, collected during 2004.

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon

Christine Pasquarelli

County Attorney

Clerk, Board of Supervisors

RESOLUTION NO. 50 of 2005**DATED:** January 25, 2005**RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL AUTHORITY TO COUNTY AUDITOR**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Dybas

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

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

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

RESOLVED, that the Board of Supervisors hereby delegates authority to the County Auditor to handle Erroneous Assessments for 2005, 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(1868). (1/25/2005)

Douglas Landon
County AttorneyChristine Pasquarelli
Clerk, Board of Supervisors**RESOLUTION NO. 51 of 2005****DATED:** January 25, 2005**RESOLUTION AMENDING 2005 OPERATING BUDGET - POSITION CHANGES (COUNTY CLERK)**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Schumann

WHEREAS, to be more efficient in the operation of the County Clerk's office, the following changes are requested, and

WHEREAS, these personnel changes should help immensely in providing necessary services to customers,

RESOLVED, that the County Treasurer is hereby authorized to amend the 2005 Budget as follows:

From:		
A-08-4-1410-00-4438	Misc. Supporting Service	\$ 1,139.00
A-08-4-1410-00-1110 (1268)	Principal Clerk	\$ 22,795.00

To:		
A-08-4-1410-00-1110 (417)	Sr. Motor Vehicle Clerk	\$ 23,934.00

From:		
A-08-4-1410-00-4438	Misc. Supporting Service	\$ 1,000.00
A-08-4-1410-00-1110 (332)	Sr. Clerk Typist	\$ 21,654.00

To:		
A-08-4-1410-00-1110 (418)	Data Entry Machine Operator	\$ 22,654.00

From:		
A-08-4-1410-00-1110 (876)	Micrographics Equip. Op.	\$ 23,934.00

To:		
A-08-4-1410-00-1110 (420)	Index/Recording Clerk	\$ 23,934.00

RESOLUTION ADOPTED with Aye(1868). (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 52 of 2005

DATED: January 25, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET - BUDGET OFFICER (BOARD OF SUPERVISORS)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Thomas

WHEREAS, Article 7, Section 351 of County Law provides that the "Budget Officer" shall mean the Chief Fiscal Officer of Montgomery County, and

WHEREAS, said Chief Fiscal Officer of Montgomery County is the County Treasurer, and

WHEREAS, it is the Board's desire to compensate the Budget Officer for duties performed,

RESOLVED, that the Budget Officer shall be compensated the amount of \$5,000 for a term beginning January 1, 2005 and ending on December 31, 2005, and

FURTHER RESOLVED, that said Budget Officer is hereby permitted to appoint a Deputy Budget Officer who shall be compensated \$2,000 for assistance in performing the duties of Budget Officer, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

Account	Description	From	TO	INC/(DEC)
A-01-4-1340-00-1120-676	Budget Officer	\$20,500	\$ 5,000	(\$15,500)
A-01-4-1340-00-1120-455	Deputy Budget Officer	\$ 0	\$ 2,000	\$ 2,000
A-01-4-1010-00-4431	Professional Services	\$65,000	\$78,500	\$13,500

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas voted Nay. (1/25/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Sinicropi, seconded by Supervisor DiMezza, passed with Aye (1868). Chairman Strevy adjourned the meeting at 8:13 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 - PERSONNEL
7:00 PM, February 9, 2005

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 7:00 p.m.

Roll call indicated Committee members present included Supervisors Mancini, Paton, Quackenbush, and Stagliano. Supervisors Brodie and Cechnicki were absent.

Additional present were Supervisors: Thomas, Jonker, Walters, McMahon, Strevy, Dybas, Sinicropi and Schumann.

Chairman DiMezza noted the agenda:

Chairman DiMezza has called a meeting of the Personnel Committee for 7:00 p.m. on Wednesday, February 9, 2005 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. Resolution Amending Resolution 66 of 2004
2. Resolution Amending Resolution 311 of 2004
3. Resolution Amending Resolution 83 of 2002
4. Resolution Implementing a Hiring Freeze and Prohibiting Filling of All Fulltime Vacancies Until December 31, 2005
5. Discussion Regarding Negotiations
6. Other

Resolution Amending Resolution 66 of 2004 sponsored by Supervisor DiMezza, seconded by Supervisor Strevy.

Chairman DiMezza pointed out that this resolution basically allows the labor management committee to settle grievances with a dollar settlement limit of \$1,000.00 without going any further in the grievance process.

Supervisor Schumann questioned the amount of grievances in excess of \$1,000.00. It was noted by Chairman DiMezza that quite a few stay under \$1,000 - about 60%.

Supervisor Sinicropi expressed his frustration with the format of the way the grievances are being handled presently and felt that they are not acted on in a timely manner. He suggested scheduling additional meeting to resolve the issues versus holding the grievances and not acting upon them for several months.

Supervisor Stagliano noted information on the third step grievance process and referenced Resolution 201 of 2001 - Resolution Authorizing Grievance Procedure Modifications and Resolution 202 of 2001 - Resolution Establishing Labor Management Committee.

Supervisor Stagliano stated the purpose of the third step process was to act upon the grievances within the time frame specified in the procedure. He also stated a concern that the Labor Management Committee had no authority to deal with the grievance process because there could be a potential conflict between labor and management.

Supervisor Stagliano recommended that the third step process needs to be looked at and redefined so that labor and management both know what the procedures is. He noted this just clarifies the policy and it allows the parties involved to understand its contents.

The Committee moved the resolution to the full board with no recommendation.

Resolution Amending Resolution No. 311 of 2004 sponsored by Supervisor DiMezza, seconded by Supervisor Quackenbush.

Chairman DiMezza acknowledged Personnel Director Rich Bai a to give an explanation as to the Excess Liability Workers Compensation Insurance.

Rich Bai a distributed information to the Board of Supervisors explaining how the excess occurred. He also stated that between the year 2003 and 2004 the increases from the Hearn Agency who is the

third party liability provider and Safety National who is the excess liability provider resulted in the budgeted amount being short \$13,000.

The Committee moved the resolution to the full board with a positive recommendation.

Resolution Amending Resolution No. 83 of 2002, sponsored by Supervisor DiMezza, seconded by Supervisor Quackenbush.

Supervisor Stagliano stated that the agreement has already been signed on January 21, 2005 and questioned the reason for the resolution.

Chairman DiMezza stated the reason for amending Resolution No. 83 is to correct errors that designated the firms to administer the County's self-insurance health plan for medical, dental and vision to have the agreements coincide with the changes that occurred between the firms.

Supervisor Stagliano questioned why the administration costs escalated at such a rapid rate ranging from \$108,000 in the year 2002 to where it is now at \$265,000 an increase of 250%. He also noted that more money is being spent on health insurance than is budgeted.

Another concern Supervisor Stagliano had was that the contracts clearly have changes that are not being presented to the Board of Supervisors for approval.

Chairman DiMezza acknowledged Personnel Director Richard Baia for an explanation. Mr. Baia stated that he follows the procedure of the Personnel Department for contract approval. He said that after the review and approval of the contract by the County Attorney Doug Landon, and upon the recommendation of the County Attorney the Chairman of Board is required to sign the agreement and then returned to the Personnel Director for the contract to be executed.

Chairman DiMezza also acknowledged Barry McNamara from Benetech, Inc. he stated that one of the reasons for the increase in the administration fees is the timing to the plan designs. He stated that the rates for HMO's are not negotiable and the rate is standard for the year.

Mr. McNamara further explained, In regard to the APA plan, they work with the Personnel Department to look at past history to determine what future claims will be like and sometimes the claims will exceed the projections even if you go back 2 or 3 years. It has been determined that the APA self funded plan is what drives the cost up with 90% being claims and 10% administrative costs unlike the HMO's where the claims are 82% and the administrative costs are between 15-17%.

Mr. McNamara did note that the drug costs have escalated 20%.

Supervisor Stagliano stated that in the 2005 budget, the County was left with a margin of \$35,000 between its constitutional tax limit and stressed that any little change will have an impact on the financial situation on Montgomery County.

Supervisor Stagliano stated that he will recommend to the Board of Supervisors that the auditing firm Marvin & Co. look into our insurance plans and how they are structured.

Mr. McNamara stated to the Board that he will look into the administrative fees.

Supervisor Dybas requested from Mr. McNamara letters that were written that notified the County of any increases, when notification was given and how far in advance the actual notification took place. Mr. McNamara acknowledged the request and will have the information forth coming.

Supervisor Dybas questioned why the County would enter into a 5-year contract knowing that there will be fluctuations in the cost of the agreement.

Supervisor Schumann stated that at the Department Head Meeting held February 3, 2005 guidelines were discussed regarding the contract procedure that has been in effect since March 14, 2003 and requested a clarification as to the current procedure.

Attorney Doug Landon stated that at the meeting of February 3, 2005 he has learned from the Department Heads that there has not been a uniform procedure for quite some time and during the discussion it was determined that the Contract procedure from 2003 will be in effect until it is brought before the Education/Government Committee to adopt a current policy.

After the lengthy conversation, the Committee moved the resolution to the full board with a positive recommendation.

Resolution Modifying Policy Regarding Filling of Budgeted Position Vacancies sponsored by Supervisor Sinicropi, seconded by Supervisor Stagliano.

Supervisor Quackenbush questioned if every position needed to go before the Finance Committee.

Chairman DiMezza stated that the resolution proposed is redundant and felt that the Department Heads would not fill a vacancy that were not needed.

The Committee moved the resolution to the full board with no recommendation.

Chairman DiMezza asked for a Motion to go into Executive Session Pursuant to Section 105 (e) of NYS Open Meeting Law to discuss the collective negotiations pursuant to article fourteen of the civil service law. Motion was made by Supervisor Quackenbush, seconded by Supervisor Strevy. Executive Session started at 8:32 p.m.

Motion to adjourn Executive Session was made by Supervisor Dybas, seconded by Supervisor Paton. Chairman DiMezza adjourned the Executive Session at 9:40 p.m.

As a result of Executive Session no action was taken by the Board.

Motion to adjourn Personnel Committee Meeting was made by Supervisor Mancini, seconded by Supervisor Quackenbush. Chairman DiMezza adjourned the meeting at 9:42 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 15, 2005

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Jonker, Mancini, McMahon, Quackenbush, Sinicropi and Thomas

Additional present were Supervisors: DiMezza, Cechnicki, Schumann, Walters, Strevy, Brodie, Paton and Stagliano

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

1. Resolution authorizing the Chairman to sign agreement - MVEDD (Economic Development)
2. Resolution authorizing Chairman to sign agreement - Empire Zone Administrative Services (Economic Development)
3. Resolution authorizing Chairman to sign agreement - administrative and staff support - MCIDA (Economic Development)
4. Resolution authorizing Chairman to sign agreement - Agriculture Economic Development - Cornell Cooperative Extension (Economic Development)
5. Discussion regarding Montgomery County Website/Parcel Viewer
6. Discussion regarding re-establishment of planning services.
7. Other

Resolution authorizing the Chairman to sign agreement - MVEDD (Economic Development) sponsored by Supervisor Jonker, seconded by Supervisor Mancini. The Committee moved the resolution to the full board with a positive recommendation.

Resolution authorizing Chairman to sign agreement - Empire Zone Administrative Services (Economic Development) sponsored by Supervisor Quackenbush, seconded by Supervisor Mancini. The Committee moved the resolution to the full board with a positive recommendation.

Resolution authorizing Chairman to sign agreement - administrative and staff support - MCIDA (Economic Development) 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 agreement - Agriculture Economic Development Cornell Cooperative Extension (Economic Development) sponsored by Supervisor Schumann, seconded by Supervisor Quackenbush. The Committee moved the resolution to the full board with a positive recommendation.

Chairman Dybas acknowledged Mike Yevoli, Director of Economic Opportunity and Development/Planning to give the Committee and overview of the Montgomery County Website/Parcel Viewer.

Mr. Yevoli stated that the previous Planning Department received grant money to put together a parcel view component on the County's Web Site that allowed individuals to access real property data via the web site.

Mr. Yevoli noted that 90% of usage is generated through the real property assessment database and the user obtains a large range of information from the parcel viewer that included County and City tax parcels, print outs of simple maps of interest, the viewer allowed users to search for a parcel by the parcel number, land use, owner, street, mailing address, acreage or assessed value, various zoning and referral requirements.

Mr. Yevoli stated that there is special GIS software that is needed to properly maintain the program at a cost of \$2,000.00 and recommended that Real Properties would be best suited to maintain the program since they already have GIS technicians.

Supervisor Strevy stated that Flo Stanton, Director of Real Properties has expressed interest in taking over the project.

Jack Fritz, County Planning Board Chairman addressed the Committee and stated that he found the information on the County Web Site very helpful and highly recommended that the web site and the parcel viewer be maintained regularly for the project to be successful.

Supervisor Walters recommended that since there is a majority of real estate firms using the information there should be a fee imposed for the service.

Chairman Dybas stated that since Flo Stanton of Real Properties expressed interest in taking over the project it should be pursued and stated to Supervisor Walters' comment that consideration should be made for the County to re-coup its cost.

Supervisor Walters stated that the Data Processing Department is willing to take over the maintenance of the County Web Site and some official direction should be given by the Board of Supervisors.

Moving on to a discussion regarding the reestablishment of the Planning Department, Chairman Dybas acknowledged Mike Yevoli again to give an overview.

Mr. Yevoli first acknowledged Phil Vicinanzo, Chairman, Montgomery County Industrial Development Agency, Jack Fritz, County Planning Board Chairman, Sandra Shatley, Planning Board Member and Scott McKay, Town of Florida Planning Board Member who were all present to offer support for the re-establishment of the planning services.

Supervisor Strevey stated that he has been contacted by the County Planning Board and they had concerns that with no Planning Department, they as planning board members were receiving no direction from the County. Supervisor Strevey then contacted Mike Yevoli of Economic Opportunity and Development/Planning and suggested he put together a proposal to reestablish the Planning Department to be presented to the Economic Development/Agriculture and Planning Committee for discussion.

Supervisor DiMezza praised Mike Yevoli for putting together a plan that is reasonable and stated that for the amount of money being requested the planning department should be re-established. He also stated that the \$27,000 investment to get the services that are needed would be beneficial to everyone involved.

Supervisor Thomas stated he supports the re-establishment of the planning department because it is evident what services they provide for the Towns and City. He also said that this is part of a comprehensive plan for the County to be heading in the right direction economically, financially and socially.

Supervisor DiMezza suggested that Mr. Vicinanzo and Jack Fritz address the Committee with their comments on behalf their boards.

Mr. Vicinanzo stated that it would be irresponsible for the County not to re-establish the planning department and referenced the work load that Economic Development has encountered due to the merger. Mr. Vicinanzo recommended to the Committee that the hiring of a planner would be the responsible thing to do.

Mr. Fritz also supported the re-establishment of the Planning Department and stated that the most important contribution of the Planning Department has been the organizing and disseminating of information regarding the existing status of conditions in the County to any and all who needed it. He also noted that the Planning Department was the "go to" group for questions on planning, subdivision regulations, zoning and legal advice for all the towns, villages and city. Mr. Fritz stated without the effort and minimal cost the Planning Department represents, the future looks very much like the recent past, "a slide downhill which opportunity looks elsewhere".

Chairman Dybas stated that the re-establishment of the Planning Department needs further discussion because he is unwilling to fund the position unless a revenue source was found to offset the cost.

Mike Yevoli responded to Chairman Dybas' statement by stating that with a staff of three, EOD already has a full day of work and the previous Planning Department had a budget of \$150,000 and to bring that amount to zero is impossible".

Supervisor DiMezza made a motion, seconded by Supervisor Thomas to reinstate the Planning Department. Supervisor DiMezza would provide the budget entries and language of the resolution for the full board meeting.

Chairman Dybas recommended that the re-establishment of the Planning Department be presented to the Finance Committee for further discussion and stated that a resolution at this time would not be drafted.

With no further discussion a motion to adjourn the Economic Development/Agriculture & Planning Committee was made by Supervisor Thomas, seconded by Supervisor Sinicropi. 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 - PUBLIC SAFETY
6:30 PM, February 15, 2005

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 6:55 p.m.

Roll call indicated Committee members present included Supervisors Brodie, Cechnicki, Jonker, Schumann, Stagliano, and Walters.

Additional present were Supervisors: Mancini, DiMezza, McMahon, Strevy, Dybas, Paton, Quackenbush and Siniropi.

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

1. Resolution Changing Position in the Alternative Community Services Department (Youth Bureau/ACSD)
2. Resolution Authorizing Chairman to Sign Agreement - Oneida County Sheriff (Sheriff)
3. Resolution Authorizing Chairman to Sign Agreement - Dental Services (Sheriff)
4. Resolution Authorizing Grant Application - Law Enforcement Terrorism Prevention Program (Sheriff)
5. Resolution Authorizing Grant Application - State Homeland Security Program (Emergency Management)
6. Resolution Accepting Community Projects Appropriation Grant (Emergency Management)
7. Discussion Regarding Montgomery County Mutual Aid Plan
8. Discussion Regarding Equipment and Safety Training (Probation)
9. Other

Resolution Changing Position In Alternative Community Services Department (Youth Bureau/ACSD) sponsored by Supervisor Quackenbush, seconded by Supervisor Schumann. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement - Security Services - Oneida County Sheriff's Office (Sheriff) sponsored by Supervisor Dybas, seconded by Supervisor Quackenbush. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement - Inmate Dental Services - Dr. Daniel Kana (Sheriff) sponsored by Supervisor Jonker, seconded by Supervisor Dybas.

Supervisor Dybas expressed concern regarding how the contracts are being reviewed and submitted for final approval. He also questioned why the contracts are only being checked for form and not for content.

County Attorney Doug Landon stated that when he receives the contract he is only checking the form for any legal issues.

Supervisor Dybas stated that there should be a review process to ensure that the proper vendor, proper amount, billing terms, etc. are accurate and then forwarded to the County Attorney.

After the discussion Chairman Thomas recommended that Chairman Strevy should address the issues of concern by Supervisor Dybas.

The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Grant Application - Law Enforcement Terrorism Prevention Program (Sheriff) sponsored by Supervisor Schumann, seconded by Supervisor Siniropi.

Sheriff Amato stated that this resolution only allows him to proceed with the first step of the process - to apply. The Committee moved the resolution to the full board with a positive

recommendation.

Resolution Authorizing Chairman to Sign Grant Application - State Homeland Security Program (Emergency Management) sponsored by Supervisor Schumann, seconded by Supervisor McMahon. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Accepting Community Projects Appropriation Grant (Emergency Management) sponsored by Supervisor Schumann, seconded by Supervisor Jonker. The Committee moved the resolution to the full board with a positive recommendation.

Chairman Thomas acknowledged Gary Nestle, Director of Emergency Management to give a brief description of the Montgomery County Mutual Aid Plan.

Mr. Nestle stated that there will need to be a resolution accepting the Montgomery County Mutual Aid Plan by the Board of Supervisors before it could be submitted to the State.

Supervisor Dybas questioned who prepared the Mutual Aid Plan and recommended that a cover sheet be included when the plan is submitted with contact personnel listed.

Mr. Nestle stated that the plan was prepared by the Fire Advisory Board and he also acknowledged the request for the cover sheet and stated it would be provided along with the adoption and revision dates included.

With a positive recommendation of the Public Safety Committee, a resolution would be drafted sponsored by Supervisor DiMezza, seconded by Supervisor Schumann and will be presented at the full board meeting.

Chairman Thomas stated that a discussion regarding equipment and safety training will be entertained and acknowledged Lucille Sitterly, Director of Probation.

Ms. Sitterly addressed the committee regarding the request for authorization of the Probation Officers in Montgomery County to carry firearms. She stated that six (6) out of seven (7) probation officers have requested to carry weapons and noted that the officers are certified by the state as peace officers and have firearms training.

Ms. Sitterly stated that the environment of the probation officers has changed considerably. She said that the probation officers do carry pepper spray, but it does not stop some of the clients that have become violent or aggressive.

Ms. Sitterly stressed that her personnel need is to be safe and added that Probation Officers in 26 counties in the State carry weapons for their protection.

Supervisor Sinicropi stated that he is opposed to the carrying of weapons and he would support the use of taser guns and also had a concern regarding this being a liability issue for the County.

Supervisor Stagliano stated that he had a discussion with District Attorney Jed Conboy regarding the wording "use of deadly force" and said that there needs to be further clarification of the wording because he felt it is not well defined.

Supervisors McMahon, DiMezza and Quackenbush stated that they are in support of the probation officers carrying weapons for their protection.

With Sheriff Amato being present at the meeting, Supervisor Strevy asked the Sheriff for an expert opinion on the subject. Sheriff Amato reiterated Ms. Sitterly's sentiments and fully agreed that the certification by the State and the firearm training qualifies probation officers to carry the weapons.

Supervisor Schumann stated that she has concerns with Probation Officers carrying a weapon and questioned if there was data available regarding violent situations between probation officers and their clients.

After the discussion it was determined by the Public Safety Committee that a resolution sponsored by Supervisor McMahon, seconded by Supervisor DiMezza was to be presented to the full board.

With no other business on the agenda. Motion to adjourn the Public Safety Committee was made by Supervisor Cechnicki, seconded by Supervisor Schumann. Chairman Thomas 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 - GENERAL SERVICES/PUBLIC WORKS/SOLID WASTE
7:00 PM, February 15, 2005

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:50 p.m.

Roll call indicated that Supervisors Brodie, Cechnicki, Mancini, Paton, Schumann, Thomas were present.

Additional Supervisors present Jonker, DiMezza, McMahon, Strevy, Stagliano, Dybas, Sinicropi and Quackenbush.

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

1. Resolution Approving 2005 Capital Projects - Federal Pass-Thru Bridge Replacement (DPW)
2. Resolution Approving 2005 Capital Projects - Bridge Replacement (DPW)
3. Resolution Approving 2005 Capital Projects - Road Reconstruction (DPW)
4. Resolution Approving 2005 Capital Projects - Equipment Replacement (DPW)
5. Discussion regarding MOSA
6. Other

Chairman Walters requested that the order of items being presented on the agenda this evening be changed. Item #5, the discussion regarding MOSA was placed first and items #1 through #4 the subjects related to the capital projects followed.

Chairman Walters stated that he attended a meeting in Chairman Strevy's office on February 2, 2005 along with Chairman Strevy, Montgomery County MOSA Board Member Representatives - Olga Podmajersky and Raymond Halgas, and Darryl Purinton of Marvin & Company to discuss the options on the proposed Debt Refinancing related to MOSA. This discussion is a result of that meeting to present to the Board of Supervisors the different scenarios and options discussed.

To give an overview, Chairman Walters acknowledged Olga Podmajersky, Montgomery County MOSA Representative. She distributed to the Board a fact sheet for the Potential Annual Savings from refinancing MOSA's debt and eliminating tip fee subsidy payments.

Ms. Podmajersky stated that each year MOSA is assured of funding equal to their budget. A budget is established and a GAT (guaranteed annual tonnage) is established for each County and if the aggregate GAT is not met, the responsible County is penalized.

Ms. Podmajersky stated that MOSA's budget is made up of three main components: (1) the debt that accounts for 25% of the budget, (2) transportation and disposal 57% and (3) operations is 18%.

Montgomery County is proposing to refinance MOSA's debt and essentially eliminate the tip fee subsidy payments. Ms. Podmajersky stated that bond council has reviewed the proposal and has stated that the arrangement can be made.

Ms. Podmajersky stated the results would have a considerable savings to Montgomery County compared to the current subsidy and there would also be a savings for Schoharie and Otsego Counties. She did note that this is a concept to show the merits of the re-structure.

Chairman Walters stated that along with this proposal, MOSA would need to restructure its operations and operate as a business and not as an authority. This is the message that needs to be sent to the MOSA staff.

Mr. Purinton agreed with Chairman Walters and stated that MOSA should be operating under a business type of enterprise and they should be employing certain principals of a business. He also cited MOSA's mission statement and noted that the key phrase which is "Cost Effective". He suggested the term "cost effective" should be defined by MOSA.

Supervisor DiMezza questioned if the proposal being presented to the other members of the MOSA Board. According to Supervisor Strevy, he stated that Schoharie and Otsego Counties do know that this proposal is forthcoming, but it being reviewed through Committee here to get a consensus of the Committee.

Ms. Podmajersky recommended that Chairman Strevy arrange a meeting with the other two counties to bring them up-to-date on the proposal that Montgomery County is considering regarding the MOSA debt refinance.

Supervisor Sinicropi recommended that a resolution, seconded by Supervisor Dybas be drafted which would allow Darryl Purinton of Marvin & Co. to attend the MOSA meetings as deemed necessary. The resolution was drafted by Attorney Doug Landon and the resolution was moved to the full board with a positive recommendation.

Resolution Approving 2005 Capital Projects - Federal Pass-Thru Bridge Replacement sponsored by Supervisor Thomas, seconded by Supervisor McMahon.

Chairman Walters stated that the back up information provided includes the Federal Pass-Thru Bridge Replacements from 1999 through 2003 because the funding for the projects have never been addressed.

It was determined that the local share of \$119,250 was still owed on the Federal Pass-Thru Bridge Project from 1999 and Treasurer Shawn Bowerman was looking for direction as to how to resolve the issue. His options included using the contingency fund, using unappropriated fund balance or bond the amount.

Supervisor Schumann stated that it would be irresponsible for the County to be bonding for this amount just to keep money in a fund balance.

Supervisor Stagliano requested that a list be compiled of items that are presently being carried on the books that cannot be reclaimed. He stated this request will give the Board some indication as to the fund balance that the County currently has.

Supervisor Stagliano questioned the length of time that bridges can be bond for. The Treasurer responded that maximum is 15 years.

It was determined that the amount in the resolution for the Federal Pass-Thru Process as Capital Projects will not exceed \$171,165.

The Committee moved the resolution to the full board with no recommendation.

Resolution Approving 2005 Capital Projects - Bridge Replacement (DPW) sponsored by Supervisor Mancini, seconded by Supervisor DiMezza.

Chairman Walters stated that a comparison cost analysis on the bridges was done with the help of Auditor Marco Zumbolo and Commissioner Paul Clayburn. The information has been compiled and was provided to the Board for their review.

Chairman Walters defended his position on the Capital Projects and stated that the Board of Supervisors need to be responsible to the people who pay the taxes. He also stated that the bridges need to be maintained and the safety of the people should be their priority.

Supervisor DiMezza agreed with Chairman Walters and that the County should act responsibly and consider funding the Bridge Replacement Project.

The Committee moved the resolution to the full board with a positive recommendation.

Resolution Approving 2005 Capital Projects - Road Reconstruction (DPW) sponsored by Supervisor DiMezza, seconded by Supervisor Paton.

Chairman Walters again defended the cost analysis that was done and the information that has been provided to the Board. He stated by doing the comparison analysis it showed there was a difference of \$569,000 if the project was outsourced.

Chairman Walters stated that the County would be saving a considerable amount of money if the Road Reconstruction was handled in house.

The Committee moved the resolution to the full board with a positive recommendation.

Resolution Approving Capital Project - Equipment Replacement (DPW) sponsored by Supervisor DiMezza, seconded by Supervisor Thomas.

Chairman Walters stated that the cost analysis on the equipment replacement has also been done and the information provided for review.

Supervisor Stagliano stated that he could not vote to borrow until the final numbers for 2004 are provided from the Treasurer's Office, which won't be until April 30, 2005.

Chairman Walters stated that if the equipment does not get replaced it will cost the County more money in the long run because the condition of the equipment is deteriorating quickly. The cost break down needs to be looked at seriously and a decision needs to be made as to what the

direction the road projects are headed. The resolution was moved to the full board with no recommendation.

With no further discussion a Motion to adjourn the General Services/Public Works/Solid Waste Committee was made by Supervisor Mancini, seconded by Supervisor Schumann. Chairman Walters 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 - FINANCE
7:30 PM, February 15, 2005

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 9:45 p.m.

Roll Call indicated Committee members present included Supervisors DiMezza, Dybas, McMahon, Schumann, Stagliano and Thomas

Additional present were Supervisors: Jonker, Mancini, Cechnicki, Walters, Strevy, Sinicropi, Brodie and Paton

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

1. Resolution Recommending the State Legislature Pass A.1882/S.947 Which Would Amend Such Sections of the NYS Tax Law to Authorize the County of Montgomery to Increase Mortgage Recording Tax and Expend Same in any Appropriate Manner
2. Discussion regarding the role of the Finance Committee for the 2006 Budget Process.
3. Resolution canceling delinquent tax liens and directing County Treasurer to issue certificate of prospective cancellation
4. Resolution authorizing Chairman to sign agreement - litigation settlement (County Attorney)
5. Other

Resolution Recommending The State Legislature Pass A.1882/S.947 Which Would 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 sponsored by Supervisor DiMezza, seconded by Supervisor Sinicropi. The Committee moved the resolution to the full board with a positive recommendation. Supervisor Schumann abstained.

Chairman Quackenbush said early on he was challenged by the previous budget officer to come up with a structure regarding the budget process when it comes to budget time. He stated that he has met with Budget Officer Shawn Bowerman and they both discussed the Budget Officer's plan that currently is in the Chairman's possession. He did note that the Budget Officer's plan is basically similar to what is being proposed tonight.

Chairman Quackenbush presented the Committee Members with a hand out outlining the budget process timeline and the Finance Committee Assignments. He did stress that in order for the budget process to work there needed to be complete involvement from the Committee.

Chairman Quackenbush proceeded to outline his timeline process as follows:

March 1, 2005-Assign Finance Committee Members to respective portions of the budget.

March 1-July 31, 2005-Finance Committee members familiarize themselves with their respective portion of the budget as well as communicating with Department Heads, Chairman of respective committees and the Budget Officer.

August 1-August 31, 2005-Address budget issues with the Department Heads, Committee Chairman, as well as the Budget Officer prior to the presentation of the Preliminary Budget.

September 1, 2005-Proposed presentation of the Preliminary Budget.

September 2-September 30, 2005-Finance Committee Members continue to communicate with the respective Department Heads and Committee Chairman on their portion of the budget. Continue communication with the Budget Officer.

October 1, 2005-Presentation of the Tentative Budget.

October 1-October 11, 2005-Review of the Tentative Budget and respective meetings of Departments if necessary.

October 20, 2005-Submission of Finance Committee report or proposed Budget Amendments.

Supervisor DiMezza stated he was not concerned if the Finance Law was violated and referenced the State of New York violating the Finance Law every year and does not agree how the state dictates the law. He said that if the Budget Officer presents a budget that is over the tax cap, ultimately it is the responsibility of the Board of Supervisors to bring the budget to where it is balanced prior to December 20th.

Supervisor Stagliano stated historically we followed Finance Law as long as the records go back and said that Supervisor DiMezza makes a valid point and it is the responsibility of the Board of Supervisors to present a budget that is balanced. But he also cited an example in which the tentative budget comes in unbalanced and then is not adopted by a majority of the Board, by Finance Law, that tentative budget becomes the budget.

Chairman Quackenbush stated his aim is not to cut positions, his aim is for committee members to familiarize themselves with the budget and its process.

Supervisor Strevy reiterated Chairman Quackenbush's comments and said the intent is for committee members to become familiar with department heads and their departments so that there is some input.

Supervisor Stagliano stated that he was not a departmental advocate and that he was elected for oversight and when the Budget Officer submits the tentative budget the oversight begins.

Chairman Quackenbush stated that the Budget Officer will also be presenting his own time line and his own process.

Supervisor Dybas stated that he takes his oath of office very seriously and the oath of office states that he will obey the law. What the law says very simply is the Budget Officer is going to present the budget within the 1.65% tax cap, so the Board should be looking to the Budget Officer to comply with the law and not to exceed the 1.65% tax cap.

Resolution canceling Delinquent Tax Liens And Directing County Treasurer To Issue Certificate of Prospective Cancellation sponsored by Supervisor Stagliano, seconded by Supervisor DiMezza. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman To Sign Agreement - Litigation Settlement (County Attorney) sponsored by Supervisor Thomas, seconded by Supervisor DiMezza. The Committee moved the resolution to the full board with a positive recommendation.

Chairman Quackenbush stated that under Other business the Committee will entertain two add on resolutions.

Resolution Authorizing Chairman To Sign Agreements - Service Provider Contracts (Community Services/Mental Health) sponsored by Supervisor Schumann, seconded by Supervisor Dybas.

Supervisor Dybas agreed with the resolution, but requested that the dollar amounts be added when presented to the full board for approval. Chairman Quackenbush acknowledged the request and stated that this will be provided. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Grant Agreements - Governor's Office for Small Cities (Power Pallet, Inc.) sponsored by Supervisor Strevy, seconded by Supervisor DiMezza. The Committee moved the resolution to the full board with a positive recommendation.

Motion to adjourn Finance Committee Meeting was made by Supervisor Dybas, seconded by Supervisor Schumann. Chairman Quackenbush adjourned the meeting at 10:15 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
6:40 PM , February 22, 2005

PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 2 OF 2004

PUBLIC HEARING DISCUSSION

"A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1990 WHICH ESTABLISHED THE MONTGOMERY COUNTY OCCUPANCY TAX ADVISORY BOARD"

Chairman Strevy called the Public Hearing to order at 6:40 p.m. in the Supervisors' Chambers.

The following notice was read:

INTRODUCTORY LOCAL LAW NO. 2 OF 2005

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 6:40 p.m. on Tuesday, February 22, 2005 for the purpose of holding a public hearing on Introductory Local Law No. 2 of 2005-"A Local Law Amending Local Law No. 2 of 1990 which Established the Montgomery County Occupancy Tax Advisory Board".

FURTHER NOTICE is hereby given that copies of said Introductory Local Law No. 2 of 2005 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 Strevy asked whether anyone from the public wished to speak.

No Speakers

Chairman Strevy adjourned the public hearing at 6:52 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
6:50 PM , February 22, 2005

PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 1 OF 2004

PUBLIC HEARING DISCUSSION

"A LOCAL LAW ESTABLISHING THE 2005 SALARIES OF VARIOUS COUNTY OFFICIALS"

Chairman Strevy called the Public Hearing to order at 6:50 p.m. in the Supervisors' Chambers.

The following notice was read:

INTRODUCTORY LOCAL LAW NO. 1 OF 2005

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, February 22, 2005 for the purpose of holding a public hearing on Introductory Local Law No. 1 of 2005-"A Local Law Establishing the 2005 Salaries of Various County Officials".

FURTHER NOTICE is hereby given that copies of said Introductory Local Law No. 1 of 2005 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 Strevy asked whether anyone from the public wished to speak.

No one spoke.

Chairman Strevy adjourned the public hearing at 6:52 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 22, 2005

CALL TO ORDER

Chairman Strevy called the Regular Meeting of the Montgomery County Board of Supervisors for February 22, 2005 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, Mancini, DiMezza, Walters, Chairman Strevy, Thomas, Quackenbush, Paton, Jonker, and Cechnicki were present. Supervisors McMahon and Stagliano were absent.

PRIVILEGE OF THE FLOOR

PUBLIC COMMENT

Andie Zajaceskowski, Recruitment Assistant for Experience Works thanked the Board of Supervisors for allowing time for a brief presentation on the services that Experience Works provides. Mr. Zajaceskowski introduced Larry Finkle, Field Operations Coordinator to give an overview of the program.

Mr. Finkle stated that Experience Works is a Federal Program which administers Title V funding through the Older Americans Act that helps people age 55 and older find training and employment.

Currently according to Mr. Finkle there are 10 slots open in Montgomery County and those jobs ranged in pay from \$6.00 to \$7.00 per hour to as much as \$35,000.00 a year. The benefits of the program include paid training, subsidized federally at a nonprofit organization or government agency that is not being utilized.

Mr. Finkle stated that the Experience Works program is income-based and highly recommended that people contact their office for more information.

Mr. Finkle thanked the Board of Supervisors for allowing him to speak on behalf of Experience Works.

For the next presentation Chairman Strevy acknowledged Assemblyman Paul D. Tonko who presented to the Board of Supervisors his overview on the report "A Practical Solution to New York State's Medicaid Funding Crisis".

Assemblyman Tonko stated the rising Medicaid costs have placed a great deal of pressure on New York Counties. To make matters worse, the way that Medicaid costs are passed down from New York State onto County budgets continues to be highly inequitable.

He stated that there are a number of different alternatives that have been proposed recently, but they do not address the real issues. In the best case, a full takeover of the Medicaid local share would be the optimal solution and the legislature should continue to move in that direction, but an expenditure of that magnitude during the current fiscal shortfall is unrealistic.

Other remedies, as proposed in this report, would require that the Counties give up one percentage point of their sales tax levy to assist in defraying the cost of a takeover to the State. In light of this, Assemblyman Tonko is proposing a middle-ground that would help New York's Counties in an effective and equitable manner.

Assemblyman Tonko stated that is necessary to address every County's needs as well as the City of New York, which is to provide Counties a payment mechanism. He further stated that different scenarios were looked into and the following scenario provides a "winners across the board" concept that provides 2 billion dollars in relief. The scenario uses taxes paid in terms of a surcharge for people making \$100,000.00 for an individual, \$150,000.00 for couples and an added surcharge for \$500,000.00 households on the gross adjusted income. The recommendation is to keep that surcharge in place and continue to collect the taxes that people pay today and then apply that to a relief effort to cap or equalize the percentage of the pie that each County bears in terms of Medicaid payment.

Assemblyman Tonko stated that there has been mounting advocacy for a capping of Medicaid costs,

rooted in some base year, so that Counties will no longer be affected by increasing program costs. Initially, this seems like a reasonable idea as County officials know that going forward their budgets would not have to handle the growth of Medicaid and their future liability can be greatly limited. He also noted that the Counties that tend to have the higher need, also tend to have a lower ability to pay and to make these inequities permanent by a capping mechanism would be unacceptable.

Assemblyman Tonko said that it has been well documented that a complete State takeover of Medicaid would be very costly and politically, a difficult process; otherwise, it would have already have taken place. A full takeover would require some new or revamped revenue sources, and those sources may not achieve the end solution in an equitable fashion. He further stated that he continues to support the three major components of a full takeover. First, the State would assume all liability of Medicaid funding. Second, in order to fund such a takeover, the state would also need to assume 1% of the current county sales tax, increasing the state sales tax to 5%, and decreasing the county share by one full percentage point, the balance to be made up by increasing the personal income tax. Finally, the state should also takeover all administrative functions of County Social Services, through a phase-out process. However, there will be some Counties that are disadvantaged under this plan, and will be forced to reconcile with their own structural fiscal issues. It is also important to realize that politically, this cannot be undertaken in one fell swoop and at best, would be done through an incremental, staged process. The swap of the sales tax would not generate enough funds on its own. In order to create the most progressive situation, New York would also have to raise the personal income tax to generate the needed revenue. This proposal, unfortunately, would not be a universal benefit to all of New York's Counties, and would be politically unpalatable and difficult to enact, at least in the very near future.

Assemblyman Tonko stated throughout this examination, he has isolated two of the main problems: 1. The cost of Medicaid is placing a heavy burden on New York's counties, and 2. The burden is not evenly distributed among all counties. The investment recommended is \$2 billion initially, and can be implemented in a relatively short timeframe. First \$1 billion of the local Medicaid share in New York City will be taken over. The second \$1 billion will be necessary to ensure that all Counties only be required to contribute the same share of their locally-generated revenue from sales and property taxes.

In closing, he stated that the funding of Medicaid needs to be addressed in an equitable manner, to fix the structural inequities between Counties that already exist. This proposal combines sound health policy, progressive tax policy and true economic development policy.

Assemblyman Tonko thanked the Board of Supervisors for allowing him the time to give this presentation.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION by Supervisor Quackenbush, seconded by Supervisor Mancini, passed with Aye(1629). Supervisors McMahon and Stagliano were absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor DiMezza, seconded by Supervisor Jonker, passed with Aye(1629). Supervisors McMahon and Stagliano were absent.

UNFINISHED BUSINESS

RESOLUTION NO. 29 of 2005

DATED: January 25, 2005

RESOLUTION TRANSFERRING FUNDS - SELF-INSURED FUND

Resolution by Supervisor: McMahon

Seconded by Supervisor: Quackenbush

WHEREAS, the Excess Liability Insurance has increased because FMCC has joined our Workers Compensation Self-Insured plan as of 9/1/04, and

WHEREAS, since the new rate reflects the increased insurability of their employees, plus the normal increase of the policy, and

RESOLVED, that a transfer of \$13,000 is needed to pay for the insurance premium increase, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized to transfer funds as follows:

From:
MS-10-4-1720-00-4464 (Workers Comp. Benefits) 13,000

To:
MS-10-4-1910-00-4480 (Insurances) 13,000

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor McMahon, passed with Aye(1688).
Supervisors Thomas and Stagliano voted Nay. (1/25/2005)

MOTION TO REMOVE FROM TABLE by Supervisor Dybas, seconded by Supervisor Thomas, passed with
Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

RESOLUTION ADOPTED with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

NEW BUSINESS

It was requested by Supervisor Dybas that Resolutions 81, 82, and 83 be moved to the top of the
new business list of Resolutions.

MOTION TO AMEND AGENDA by Supervisor Dybas, seconded by Supervisor Quackenbush, passed with
Aye(1629). Supervisors McMahon and Stagliano were absent.

RESOLUTION NO. 81 of 2005

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

DATED: February 22, 2005

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 2 OF 2005 - A LOCAL LAW AMENDING LOCAL
LAW NO. 2 OF 1990 WHICH ESTABLISHED THE MONTGOMERY COUNTY OCCUPANCY TAX ADVISORY BOARD

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Cechnicki

WHEREAS, on January 25, 2005 a proposed Local Law for the County of Montgomery, entitled: "A
Local Law Amending Local Law No. 2 of 1990 which Established the Montgomery County Occupancy Tax
Advisory Board" was presented to the Board of Supervisors for consideration, and

WHEREAS, on January 25, 2005 Resolution No. 38 of 2005 was adopted authorizing and directing that
a Public Hearing be held by the Board of Supervisors on the 22nd day of February, 2005, at the
time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 2 of 2005, entitled: "A Local
Law Amending Local Law No. 2 of 1990 which Established the Montgomery County Occupancy Tax
Advisory Board" 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(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 82 of 2005

DATED: February 22, 2005

RESOLUTION RECOGNIZING THE 100TH ANNIVERSARY OF ROTARY INTERNATIONAL

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, Rotary International is an organization of business and professional leaders united
worldwide to provide humanitarian service, encourage high ethical standards in all vocations, and
help to build goodwill and peace throughout the world; and

WHEREAS, Rotary International was founded on February 23, 1905 and currently has over 1.2 million
members comprised of professional and business leaders in over 31,000 clubs in more than 165
countries; and

WHEREAS, The Rotary motto "Service Above Self" inspires members to provide humanitarian service, encourage high ethical standards, and promote good will and peace in the world; and

WHEREAS, Rotary funds club projects and sponsors volunteers with community expertise to provide medical supplies, health care, clean water, food production, job training, and education to millions in need, particularly in developing countries; and

WHEREAS, Rotary is the world's largest privately-funded source of international scholarships and promotes international understanding through scholarships, exchange programs and humanitarian grants; and

WHEREAS, More than 35,000 students from 110 countries have studied abroad since 1947 as Rotary Ambassadorial Scholars; and

WHEREAS, Rotary's Group Study Exchange program has helped more than 46,000 young professionals explore their career fields in other countries; and

WHEREAS, 8,000 secondary-school students each year experience life in another country through Rotary's Youth Exchange Program; and

WHEREAS, There are 47 clubs in Rotary District #7190 sponsoring service projects to address such critical issues as poverty, health, hunger, illiteracy and the environment in their local communities; therefore, be it

RESOLVED, that the Montgomery County Board of Supervisors hereby congratulates District 7190 of Rotary International on its 100th anniversary, and further congratulates the Mohawk Valley Rotary Club and the Amsterdam Rotary Club on their celebration.

RESOLUTION ADOPTED with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 83 of 2005

DATED: February 22, 2005

RESOLUTION IN SUPPORT OF THE COMMUNITY SERVICES BLOCK GRANT (CSBG) AND THE 52 COMMUNITY ACTION AGENCIES WHICH ADMINISTER THIS PROGRAM FOR LOW-INCOME FAMILIES IN THE STATE OF NEW YORK

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, the Community Services Block (CSBG) provides core funding for a network of 1,100 local organizations, including Fulmont Community Action Agency, Inc., to fight poverty and promote self-sufficiency for low-income, individuals, families and communities in 96% of the nation's counties, and

WHEREAS, CSBG supports programs for the neediest in our communities, targeted to individuals and families with incomes at or below the poverty line (\$15,670 for a family of three in 2004), including the working poor, and

WHEREAS, CSBG assisted more than 13 million individuals in 6 million families, reaching as many as 27% of people in poverty in 2002 (the most recent year for which data has been reported), and

WHEREAS, the flexibility of CSBG allows Community Action Agencies (CAAs) to provide a broad range of programs and services, such as affordable housing, health care, job development and placement, education, elderly services, energy assistance and homeless prevention, which are integrated into a comprehensive, systematic approach to fighting poverty and promoting self-sufficiency, and

WHEREAS, WIC, Weatherization, Head Start, Wheels for Work, Community Services and Child Care Resources would not exist without CSBG support, and

WHEREAS, the Tripartite Boards of CAAs, with equal representation from the local private sector, local public sector and low-income communities being served, define the roles of local CAAs, establish their priorities for serving the local communities and design solutions to meet the needs of the low-income individuals and communities being served, and

WHEREAS, CSBG provides resources to CAAs to serve as catalysts for engaging local partners, including government representatives, area citizens, local business, neighborhood civic groups and the faith community in rebuilding and strengthening the low-income, communities in which they reside, and

WHEREAS, CSBG leveraged almost \$9 billion in other federal, state, local and private resources in

fiscal year 2002 for services administered by CAAs and their partners. Every CSBG dollar was matched by \$15.52 from all other sources, with \$5 of that match coming from the state, local and private resources,

RESOLVED, that the Montgomery County Board of Supervisors requests the Governor the State of New York to work with the United States Congress to preserve the Community Services Block Grant as an independent program administered by the U.S. Department of Health and Human Services, and to provide an appropriation for fiscal year 2006 that meets if not exceeds the fiscal year 2005 level of \$636.6 million.

RESOLUTION ADOPTED with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Dybas questioned the contents of Resolution No. 53 and noted that there was no indication in the body of the Resolution referencing the amending of Resolution No. 66 and was looking for an explanation from County Attorney Doug Landon.

Attorney Landon response indicated that in the FURTHER RESOLVED clause of the Resolution there should be an additional provision for amending Resolution No. 66, but did note to Supervisor Dybas that the body of the Resolution No. 53 does not follow the usual format of Resolutions. Attorney Landon also stated that the means of amending Resolution No. 66 is in the FURTHER RESOLVED and if this Resolution were adopted it would be as if that provision were added to Resolution No. 66.

Supervisor Dybas noted, according to the explanation the County Attorney, that he may be comfortable with the body of the resolution, but for the record Supervisor Dybas was not and would be voting accordingly.

RESOLUTION NO. 53 of 2005

DATED: February 22, 2005

RESOLUTION AMENDING RESOLUTION 66 OF 2004

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Strevy

WHEREAS, the Labor Management Committee duties will also include negotiations with all Unions, including Non-Bargaining personnel, and

RESOLVED, that the Labor Management Committee will include in their realm of responsibilities grievance reconciliation, and

FURTHER RESOLVED, that the dollar settlement limit that can be negotiated and agreed to by the Labor Management Committee can not exceed \$1,000.00, and

FURTHER RESOLVED, that any grievance that cannot be resolved, or if the cost of the settlement exceeds \$1,000.00, the grievance will be forwarded to the Personnel Committee for further review.

MOTION TO TABLE by Supervisor Sinicropi, Jr., seconded by Supervisor Jonker, was defeated with Aye(388). Supervisors Sinicropi, Jr., Dybas and Jonker voted Aye. Supervisors McMahon and Stagliano were absent. (2/22/2005)

MOTION TO AMEND by Supervisor Jonker, seconded by Supervisor Quackenbush, to provide for a third FURTHER RESOLVED clause as follows "FURTHER RESOLVED that the Labor Management Committee will provide verbal reports to the Personnel Committee on a monthly basis regarding the disposition and status of all grievances filed and any grievance resolved," passed with Aye(1492). Supervisor Sinicropi, Jr. voted Nay. Supervisors McMahon and Stagliano were absent. (2/22/2005)

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Schumann, in the first FURTHER RESOLVED and second FURTHER RESOLVED delete the dollar amount "\$1,000.00" and in its stead insert "\$500.00", passed with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

RESOLUTION ADOPTED with Aye(1241). Supervisors Sinicropi, Jr., Dybas and Jonker voted Nay. Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Dybas questioned again if Attorney Landon felt the form of Resolution No. 54 was proper. And again Attorney Landon stated that the Resolution does not follow the usual format.

RESOLUTION NO. 54 of 2005**DATED:** February 22, 2005**RESOLUTION AMENDING RES. # 311 OF 2004**

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Quackenbush

WHEREAS, Resolution # _____ of January 2005 transferred \$13,000.00 more funds to cover Excess Liability Workers Compensation Insurance, and

RESOLVED, that the cost is hereby increased from \$70,000 to \$92,000 and

RESOLVED, that the one year renewal commencing 1/1/05 be renewed with Benetech/Safety National, and

FURTHER RESOLVED, that said agreement be for one year commencing 1/1/05 and ending on 12/31/05.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Walters, to insert in the WHEREAS clause "29", passed with Aye(1492). Supervisor Sinicropi, Jr. voted Nay. Supervisors McMahon and Stagliano were absent. (2/22/2005)

RESOLUTION ADOPTED with Aye(1356). Supervisors Sinicropi, Jr. and Dybas voted Nay. Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Quackenbush stated that at the previous meeting there were questions regarding the insurance contracts and with Rich Baia, Personnel Director present it would be helpful to have an explanation about the changes.

Supervisor Dybas referenced minutes from the Personnel Committee Meeting dated February 9, 2005 and questioned if any board member has received from Mr. McNamara any letters that were written that notified the County of any increases in our insurance plans. It was noted that no member of the Board of Supervisors has received any information from Benetech, Inc.

Supervisor Dybas stated that the major issue with the insurance contracts was the language where it states that there would be written notification of any increases to the Board of Supervisors and that that notice has not been provided.

The Personnel Officer noted that another issue was the County's lack of a contract policy which creates inconsistencies among the department heads. The Personnel Officer stated that he has been following all the contract policy procedures that are in effect.

Supervisor Schumann questioned if the contract referenced in Resolution No. 55 is currently signed and is in effect. It was noted by the Chairman of the Board that the contract was signed.

RESOLUTION NO. 55 of 2005**DATED:** February 22, 2005**RESOLUTION AMENDING RESOLUTION 83 OF 2002**

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Quackenbush

WHEREAS, APA Partners, Inc. has been purchased by CDPHP, and

WHEREAS, APA Partners, Inc. has split from their owner which was Benetech, Inc., and

RESOLVED, that Benetech, Inc. replaces APA Partners, Inc. in # 5 and 6 of Resolution 83 of 2002 effective 1/1/05 through 12/31/07, and

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

RESOLUTION ADOPTED with Aye(1036). Supervisors Sinicropi, Jr., Schumann, Dybas, Jonker and Cechnicki voted Nay. Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor DiMezza stated that last year during the budget process the Board cut a number of

positions to firm up hiring for unfilled vacancies and this Resolution No. 56 which would require the Finance Committee to approve the hiring requests made by the Department Heads would only tie up the process further.

Supervisor Sinicropi stated that he is trying to offer a reasonable solution to the financial situation the County will be facing during budget time.

Supervisors Schumann, Jonker and Dybas all stated that they will support Resolution No. 56 due to the fact that they have not been contacted by any department head regarding any vacancies that exist. Supervisor Dybas noted that the positions should be scrutinized and this is a good place to start.

Supervisor Thomas stated, in his opinion, that this resolution is premature without seeing any numbers from the 2004 closeout from the Budget Officer Shawn Bowerman that are expected at the end of April.

Supervisor Sinicropi stated the financial situation in Montgomery County is looking grim and the resolution that is being proposed tonight would be saving the County money. He further stated that this was one way of trying to do the right thing.

RESOLUTION NO. 56 of 2005

DATED: February 22, 2005

RESOLUTION MODIFYING POLICY REGARDING FILLING OF BUDGETED POSITION VACANCIES

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Stagliano

WHEREAS, it has been recommended that certain modification be made to the policy covering approval required to fill budgeted position vacancies,

RESOLVED, that authorization to fill budgeted position vacancies will be granted to appointing authorities upon approval of requests by the Finance Committee and the adoption of a resolution by the Board of Supervisors effective February 23, 2005 through December 31, 2005, and

FURTHER RESOLVED, that positions related to the Montgomery Meadows and the Sheriff's Office shall be excluded from said policy, and

FURTHER RESOLVED, that previous resolutions related to the filling of vacancies are hereby rescinded.

MOTION TO TABLE by Supervisor Mancini, seconded by Supervisor Jonker, was defeated with Aye(457). Supervisors Schumann, Mancini, Jonker and Cechnicki voted Aye. Supervisors McMahon and Stagliano were absent. (2/22/2005)

RESOLUTION DEFEATED with Aye(593). Supervisors Sinicropi, Jr., Schumann, Dybas, Jonker and Cechnicki voted Aye. Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 57 of 2005

DATED: February 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MVEDD (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Mancini

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, 2005, and ending on December 31, 2005.

RESOLUTION ADOPTED with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 58 of 2005

DATED: February 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - EMPIRE ZONE ADMINISTRATIVE SERVICES (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Mancini

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

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

WHEREAS, New York State will match local contributions,

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

FURTHER RESOLVED, that said agreement, commencing on July 1, 2005 and ending on June 30, 2006, shall provide for a total annual payment of \$11,700 to the City Controller.

RESOLUTION ADOPTED with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 59 of 2005

DATED: February 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ADMINISTRATIVE AND STAFF SUPPORT SERVICES AGREEMENT - MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

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 in exchange for compensation from the MCIDA in the amount of \$65,000, and

FURTHER RESOLVED, that said agreement shall be for a period commencing on January 1, 2005 and ending on December 31, 2005.

RESOLUTION ADOPTED with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 60 of 2005

DATED: February 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - AGRICULTURE ECONOMIC DEVELOPMENT FUNDING SUPPORT - COOPERATIVE EXTENSION (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Quackenbush

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 2005, in an amount not to exceed \$15,000.

RESOLUTION ADOPTED with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 61 of 2005

DATED: February 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GOVERNOR'S OFFICE FOR SMALL CITIES - POWER PALLET, INC - (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Di Mezza

WHEREAS, Montgomery County is the recipient of federal funds through the Governor's Office for Small Cities in the amount of \$615,000, and

WHEREAS, said funds will be used to purchase machinery and equipment for Power Pallet Corporation in the Town of Amsterdam,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized and directed to sign a contract agreement with Power Pallet, Inc. for an amount not to exceed \$599,000, and

FURTHER RESOLVED, that said agreement with Power Pallet will include the terms and conditions set for the by the Governor's Office for Small Cities, and

FURTHER RESOLVED, that \$16,000 in proceeds will be allocated to the Montgomery County Department of Economic Development for project administration and program delivery.

RESOLUTION ADOPTED with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 62 of 2005

DATED: February 22, 2005

RESOLUTION CHANGING POSITION IN ALTERNATIVE COMMUNITY SERVICES DEPARTMENT (YOUTH BUREAU/ACSD)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Schumann

WHEREAS, in the operation of the Alternative Community Services Department, the Director has recommended that the position of Work Project Supervisor P/T be changed, and

WHEREAS, the Alternative Community Services Department has established a need for additional clerical support, and

WHEREAS, this clerical support position will enhance the capabilities of the Community Services Program Coordinator as well as the Pretrial Release Project Coordinator to spend their time out in the field, and

RESOLVED, that the following funds be transferred:

FROM:

A-21-4-3155-00-1120 (157)	Work Project Supervisor (P/T)	\$10,000.00
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TO:

A-21-4-3155-00-1120 (456)	Account Clerk Typist (P/T)	\$10,000.00
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FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005 Operating Budget to reflect the transfer.

RESOLUTION ADOPTED with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 63 of 2005**DATED:** February 22, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SECURITY SERVICES - ONEIDA COUNTY SHERIFF'S OFFICE (SHERIFF)**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, Resolution 255 of 2003 authorized the execution of a optional one-year extension agreement with the Oneida County Sheriff's Office for the period January 1, 2004 - December 31, 2004 at the rate of \$125 per day per inmate, and

WHEREAS, said agreement provides for security arrangements by the Oneida County Sheriff's Office for the inmates of the Montgomery County Jail who are housed at the Central New York Psychiatric Center, and

WHEREAS, it has been recommended by the Montgomery County Sheriff that the County enter into a new contract for a two-year period with an optional one-year extension to continue its arrangement with the Oneida County Sheriff's Office,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, hereby is authorized and directed to execute an agreement with the Oneida County Sheriff's Office for the provision of security arrangements for inmates of the Montgomery County Jail who are housed at the Central New York Psychiatric Center, and

FURTHER RESOLVED, that said agreement shall be for the period January 1, 2005 through December 31, 2006 at the rate of \$125 per day per inmate.

RESOLUTION ADOPTED with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 64 of 2005**DATED:** February 22, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - INMATE DENTAL SERVICES - DR. DANIEL KANA (SHERIFF)**

Resolution by Supervisor: Jonker

Seconded by Supervisor: Dybas

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, 2005 and ending on December 31, 2005, with compensation at the rate of \$1,200 per month, not to exceed \$14,400 annually.

RESOLUTION ADOPTED with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 65 of 2005**DATED:** February 22, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (SHERIFF)**

Resolution by Supervisor: Schumann

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, the County has been notified of the availability of a \$30,000 FY05 Law Enforcement Terrorism Prevention Program (LETPP) Grant, and

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

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the application by the Sheriff's Office to the US Department of Homeland Security and the Local Program Assistance Bureau for 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 Application.

RESOLUTION ADOPTED with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 66 of 2005

DATED: February 22, 2005

RESOLUTION ACCEPTING COMMUNITY PROJECTS APPROPRIATION GRANT (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

WHEREAS, the Montgomery County Emergency Management Office has been awarded and \$8,000 grant to be used for the purchase of protective clothing and portable radios for the EMS Coordinator's Team, and

WHEREAS, acceptance of said grant requires a budget amendment,

RESOLVED, that the Montgomery County Board of Supervisors hereby accepts said \$8,000 Community Projects Appropriation Grant, and

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

FURTHER RESOLVED, that the County Treasurer is hereby directed to amend the 2005 Operating Budget as follows:

INCREASE REVENUE:

A-02-3-3389	PUBLIC SAFETY COM SYS E911	\$8000
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INCREASE APPROPRIATIONS:

A-02-4-3640-00-2250	TECHNICAL EQUIPMENT	\$5250
A-02-4-3640-00-4447	CLOTHING AND UNIFORMS	\$2750

RESOLUTION ADOPTED with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 67 of 2005

DATED: February 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - STATE HOMELAND SECURITY PROGRAM (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Schumann

Seconded by Supervisor: McMahon

WHEREAS, the County has been notified of the availability of a \$65,000 FY05 State Homeland Security Program (SHSP) Grant, and

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

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the application by the Emergency Management Office to the US Department of Homeland Security and the Local Program Assistance Bureau for a \$65,000 State Homeland Security 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 Application.

RESOLUTION ADOPTED with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 68 of 2005****See Appendix for Resolution Attachment******DATED:** February 22, 2005**RESOLUTION FOR THE CARRYING OF FIREARMS BY MONTGOMERY COUNTY PROBATION OFFICERS**

Resolution by Supervisor: McMahon

Seconded by Supervisor: Di Mezza

WHEREAS, Probation Officers in Montgomery County are Certified Peace Officers

WHEREAS, in their capacity as Peace Officers they are permitted by law to carry firearms with the authorization of the Director of Probation

WHEREAS, the carrying and/or use of firearms is strictly to enhance the personal safety of Probation Officers whose job duties entail personal contact with convicted felons and misdemeanants both in the office and in other venues including their homes, courts, and at other locations where other protective measures are not available

WHEREAS, the use of said firearms is delineated in the copy of the policy attached hereto and made part of this resolution

RESOLVED, that the Board of Supervisors approves the authorization of the Director of Probation to expand the duties of Probation Officers/Peace Officers in Montgomery County to include the carrying and/or use of firearms pursuant to the established policy and procedures manual formulated by the Probation Department.

RESOLUTION ADOPTED with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Dybas questioned whether the Capital Projects in the next four resolutions will be bonded individually or grouped all together. Treasurer, Shawn Bowerman stated that when the bonding resolution comes through, the projects will be listed separately and it will, ultimately, be up to the Board of Supervisors to determine what projects will be bonded.

RESOLUTION NO. 69 of 2005**DATED:** February 22, 2005**RESOLUTION APPROVING 2005 CAPITAL PROJECTS - FEDERAL PASS-THRU BRIDGE REPLACEMENT (DPW)**

Resolution by Supervisor: Thomas

Seconded by Supervisor: McMahon

WHEREAS, the Commissioner of Public Works has recommended that various bridge replacement projects be undertaken during 2005,

RESOLVED, that the Board of Supervisors hereby approves the replacement of various bridges under the Federal Pass-Thru Process as Capital Projects at a cost not to exceed \$171,165.00;

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(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 70 of 2005**DATED:** February 22, 2005**RESOLUTION APPROVING 2005 CAPITAL PROJECTS - BRIDGE REPLACEMENT (DPW)**

Resolution by Supervisor: Mancini

Seconded by Supervisor: Di Mezza

WHEREAS, the Commissioner of Public Works has recommended that three bridge replacement projects be undertaken during 2005,

RESOLVED, that the Board of Supervisors hereby approves replacement of Mapletown Road, B.I.N. 3309800, in the Town of Canajoharie, Vandeusenville Road, B.I.N. 3309610, in the Town of Canajoharie; and Dunlap Road, B.I.N. 3310180, in the Town of Florida, 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(1217). Supervisors Sinicropi, Jr., Schumann and Dybas voted Nay. Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 71 of 2005

DATED: February 22, 2005

RESOLUTION APPROVING 2005 CAPITAL PROJECTS - ROAD RECONSTRUCTION (DPW)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Paton

WHEREAS, the Commissioner of Public Works has recommended reconstruction of Brower Road, Borden Road and Church Street in the proposed 2005 Road Program,

RESOLVED, that the Board of Supervisors hereby approves the reconstruction of Brower Road, Borden Road and Church Street at 2005 Capital Projects, at a cost not to exceed \$853,500, 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(1217). Supervisors Sinicropi, Jr., Schumann and Dybas voted Nay. Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Walters supported his position regarding the Resolution approving Capital Project - Equipment Replacement and reiterated his comments from the General Services/Public Works/Solid Waste Committee Meeting which was held February 15, 2005. He stressed to the Board that they have to act responsibly and not deny the people that pay the taxes the right and privilege to ride on well maintained roads.

Supervisor Walters stated to the Board that bridge list continues to get longer and the rental of equipment is not a feasible option and to neglect the roads is not sensible government. He noted to the Board of Supervisors that this is a long term effect that needs to be carefully looked at.

Supervisor Schumann stated that this resolution is premature and before a decision is made the Board needs to have the Budget Officer's 2004 year-end numbers and a projection as to what the financial situation the County will be in. She also stated that without knowing the finances it would be irresponsible government and suggested seeing the numbers so that an informed decision can be made and what effect that decision will have on the increase of property tax.

Supervisor Walters stated again that the most important thing to him is the people of Montgomery County and if the County does not maintain the roads or bridges then the Board is seriously neglecting their jobs.

RESOLUTION NO. 72 of 2005

DATED: February 22, 2005

RESOLUTION APPROVING CAPITAL PROJECT - EQUIPMENT REPLACEMENT (DPW)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thomas

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 2005 Capital Project, at a cost not to exceed \$875,500, 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(1217). Supervisors Sinicropi, Jr., Schumann and Dybas voted Nay.

Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 73 of 2005

DATED: February 22, 2005

RESOLUTION RECOMMENDING THE STATE LEGISLATURE PASS A. 1882/S. 947 WHICH WOULD 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: Di Mezza

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, in the 2005 budget process, it was determined that, in light of the fiscal challenges, it was 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 determined that an additional recording tax of fifty cents for each one hundred dollars of real property secured by a mortgage was 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,

WHEREAS, Resolution 256 of 2004 which requested such amendment, and

WHEREAS, the New York Legislature has drafted legislation (A. 1882/S. 947) which would amend such sections of the NYS Tax Law to increase mortgage recording tax in Montgomery County and allow for the expenditure in any appropriate manner,

RESOLVED, that the Montgomery County Board of Supervisors hereby supports and advocates for the passage of A. 1882/S. 947 by the NYS Legislature.

RESOLUTION ADOPTED with Aye(1490). Supervisor Schumann abstained. Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 74 of 2005

DATED: February 22, 2005

RESOLUTION CANCELING DELINQUENT TAX LIENS AND DIRECTING COUNTY TREASURER TO ISSUE CERTIFICATE OF PROSPECTIVE CANCELLATION.

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Di Mezza

WHEREAS, the following seven parcels of property were included in the county's current foreclosure list but have been since withdrawn from the foreclosure proceeding, and

SBL	Address	Town
40.6-1-8.1	188 Pioneer Street	Amsterdam
63.18-1-1.2	44 Mill Street	Canajoharie
84.6-1-40	3784 State Highway 161	Glen
46.5-1-7	Willett Street, Fort Plain	Minden
46.46-2-18	Railroad Street, Fort Plain	Minden
35.-1-23	State Highway 334	Mohawk
35.11-4-55.1	State Highway 334	Mohawk

WHEREAS, it is recommended by the county treasurer and the county attorney that the tax liens on these parcels be cancelled and that certificates of cancellation be issued,

RESOLVED, that pursuant to section 1138 of Real Property Tax Law it is hereby determined that there is no practical method to enforce the collection of the delinquent taxes and that supplementary proceedings to enforce collection of taxes would not be effective, and

FURTHER RESOLVED, that the delinquent tax liens on said parcels are hereby cancelled and the county treasurer is directed to issue certificates of prospective cancellation, thereby exempting the parcels from future taxation.

MOTION TO AMEND by Supervisor Thomas, seconded by Supervisor DiMezza, to add in the first WHEREAS clause "137. -1-17.1" "Lape Road (Abandoned)" "Town of Charleston" passed with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

RESOLUTION ADOPTED with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 75 of 2005

DATED: February 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - LITIGATION SETTLEMENT (COUNTY ATTORNEY)

Resolution by Supervisor: Thomas

Seconded by Supervisor: DiMezza

WHEREAS, Montgomery County is the defendant in certain litigation brought by Equity One, Inc., over the county's foreclosure process involving a parcel of property known as SBL 40.4-2-23, 322 State Highway 67, Town of Amsterdam (former Ferrandi's Restaurant), and

WHEREAS, the county attorney has worked out a proposed resolution of the litigation,

RESOLVED, that the county attorney is hereby authorized to settle said litigation on behalf of the county and the Chairman of the Board of Supervisors, upon review and approval by the county attorney, is hereby authorized and directed to execute documents necessary to effectuate such settlement.

RESOLUTION ADOPTED with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 76 of 2005

DATED: February 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - SERVICE PROVIDER CONTRACTS (COMMUNITY SERVICES/MENTAL HEALTH)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Dybas

WHEREAS Section 41.05 of the Mental Hygiene Laws of the State of New York requires that each local government establish a local government unit to plan for and administer mental health, mental retardation, alcoholism and substance abuse services, and

WHEREAS Section 41.13(2)6. provides the authority for the local government unit to enter into contracts with local services providers to implement the local services plan for mental health, mental retardation, alcoholism and substance abuse services,

RESOLVED that following the approval of the County Attorney the Chairman of the Board of Supervisors is hereby authorized and directed to sign and execute any and all prospective agreement documents entered into between the County and agencies providing mental health, mental retardation, alcoholism and substance abuse services as listed below:

- 1) St. Mary's Hospital Community Mental Health and Alcoholism Center for community mental health services, not to exceed \$ 1,600,000
- 2) St. Mary's Hospital Community Mental Health and Alcoholism Center for alcoholism services, not to exceed \$ 400,000.
- 3) National Alliance for the Mentally Ill of Montgomery, Fulton and Hamilton Counties, Inc. (NAMI) for mental health services, not to exceed \$ 33,000.
- 4) Mental Health Association in Fulton and Montgomery Counties (MHA) for mental health services, not to exceed \$ 218,000.
- 5) Montgomery Transitional Services Inc. (MTS) for mental health services, not to exceed \$ 138,000.
- 6) Catholic Charities of Montgomery County for alcoholism and substance abuse preventative services not to exceed \$ 319,000.
- 7) Other organizations approved by the Community Services Board of Montgomery County pursuant to the By-Laws of the Community Services Board not to exceed \$ 20,000.

RESOLUTION ADOPTED with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 77 of 2005

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

DATED: February 22, 2005

RESOLUTION ADOPTING COUNTY FIRE MUTUAL AID PLAN (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Di Mezza
Seconded by Supervisor: Schumann

WHEREAS, the Director of Emergency Management has advised the Board of Supervisors that the County is required by the State of New York to submit a Fire Mutual Aid Plan that has been accepted by the Board of Supervisors,

RESOLVED, that the Fire Mutual Aid Plan hereby submitted by the Director of Emergency Management and attached hereto is accepted by the Board of Supervisors.

RESOLUTION ADOPTED with Aye(1629). Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 78 of 2005

DATED: February 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MARVIN & COMPANY - MOSA RELATED MANAGEMENT SERVICES (BOARD OF SUPERVISORS)

Resolution by Supervisor: Siniropi, Jr.
Seconded by Supervisor: Dybas

WHEREAS, it is recognized that the operations of MOSA have the potential to have significant impact on Montgomery County finances, and

WHEREAS, it is deemed prudent for Montgomery County to monitor the actions and operations of MOSA,

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 Letter of Engagement with Marvin and Company, LLP for Management Advisory Services related to MOSA which shall include the attendance by Darryl Purinton of Marvin and Company, at monthly Board Meetings as well as Finance Committee Meetings, and other meetings as deemed appropriate and necessary, of the Board of Directors of MOSA.

RESOLUTION WITHDRAWN BY SPONSOR (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

After a brief discussion, it was determined by the Board of Supervisors that Chairman William E. Strevy will make the decision as to what meetings Darryl Purinton of Marvin & Company will attend. Supervisor Schumann explained in regard to Resolution No. 79 that in 2003 the New York State empowered the County of Montgomery to raise an additional 1% sales tax. The County decided in an agreement with the City of Amsterdam to give them 1/10th of 1% of the sales tax. She also stated that that was a stipulation by the sponsors of the legislation that the City of Amsterdam and the County come to an agreement on the entire re-authorization of the sales tax formula.

Supervisor Quackenbush had a concern regarding the current sales tax distribution and felt when the agreement with the City of Amsterdam was made the towns were not included. He stated that he has no problem with the city having a share, but it needs to be done equitably or not done at all.

RESOLUTION NO. 79 of 2005

DATED: February 22, 2005

RESOLUTION REQUESTING THE NYS LEGISLATURE TO REAUTHORIZE LEGISLATION WHICH INCREASES SALES TAX IN THE COUNTY OF MONTGOMERY

Resolution by Supervisor: Thomas
Seconded by Supervisor: Quackenbush

WHEREAS, in 2003 the NYS Legislature empowered the County of Montgomery to raise an additional 1% sales tax, and

WHEREAS, such authorization is due to expire November 30, 2005, and

WHEREAS, this additional sales tax revenue has been critical to the fiscal well-being of Montgomery County,

RESOLVED, the Montgomery County Board of Supervisors hereby asks the NYS Legislature to reauthorize legislation which amended Section 1210 of NYS Tax Law to increase the sale tax in Montgomery County from seven and one-quarter percent to eight and one-quarter percent, with the additional one percent to be retained by the County of Montgomery.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Jonker, to delete in the RESOLVED clause the wording "with the additional one percent to be retained by the County of Montgomery", was defeated with Aye(591). Supervisors Sinicropi, Jr., Dybas, Mancini, Jonker and Cechnicki voted Aye. Supervisor Schumann abstained. Supervisors McMahon and Stagliano were absent. (2/22/2005)

RESOLUTION ADOPTED with Aye(1354). Supervisors Schumann and Dybas abstained. Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 80 of 2005

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

DATED: February 22, 2005

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 1 OF 2005 - A LOCAL LAW ESTABLISHING 2005 SALARIES OF VARIOUS COUNTY OFFICIALS

Resolution by Supervisor: Thomas

Seconded by Supervisor: Di Mezza

WHEREAS, on January 25, 2005 a proposed Local Law for the County of Montgomery, entitled: "A Local Law Establishing the 2005 Salaries of Various County Officials" was presented to the Board of Supervisors for consideration, and

WHEREAS, on January 25, 2005 Resolution No. 28 of 2005 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 22nd day of February, 2005, at the time and place appointed,

RESOLVED, that said Local Law, known as Introductory Local Law No. 1 of 2005, entitled: "A Local Law Establishing the 2005 Salaries of Various County Officials" hereby is adopted and is incorporated and attached hereto, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors hereby is authorized and directed to file 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(1217). Supervisors Sinicropi, Jr., Schumann and Dybas voted Nay. Supervisors McMahon and Stagliano were absent. (2/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN, by Supervisor Thomas, seconded by Supervisor Jonker, passed with Aye(1629). Supervisors McMahon and Stagliano were absent. Chairman Strevy 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 - EDUCATION/GOVERNMENT
 6:00 PM, March 1, 2005

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors: Cechnicki, Dybas, Quackenbush, Schumann, Siniropi. Supervisor Walters was absent

Additional present were Supervisors: Thomas, Mancini, Strevy, Stagliano, Brodie, Paton and Jonker

Chairman McMahon noted the agenda:

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

1. Resolution Supporting S. 4354/A. 1544, Which Would Amend Civil Practice Law and Rules, in Relation to Equalizing the Treatment of Collateral Sources in Tort Actions
2. Resolution Establishing a 4-year Appointment Term for the Election Commissioners of the County of Montgomery
3. Resolution Granting Authority to the Montgomery County Board of Elections for Central Administration of the Purchase, Implementation and Administration of the New Voting Machines Required Under HAVA
4. Discussion regarding the establishment of a County-wide policy for entering into and signing contracts.
5. Discussion regarding the Board of Supervisors Proceedings for 2004
6. Discussion regarding the Committee Schedules of the Board of Supervisors
7. Discussion regarding the Public Referendum on the Question of Alternative Forms of County Government
8. Other

Resolution Supporting S. 4354/A. 1544, Which Would Amend NYS Civil Practice Law and Rules, In Relation To Equalizing The Treatment of Collateral Sources In Tort Actions sponsored by Supervisor Quackenbush, seconded by Supervisor Cechnicki. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Establishing a 4-Year Appointment Term For The Election Commissioners of the County of Montgomery sponsored by Supervisor Quackenbush, seconded by Supervisor Schumann. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Granting Authority to The Montgomery County Board of Elections for Central Administration of the Purchase, Implementation and Administration of the New Voting Machines Required under HAVA sponsored by Supervisor Schumann, seconded by Supervisor Quackenbush.

Chairman McMahon acknowledged Joan Grainer, Commissioner Board of Elections to give an explanation regarding the new voting machines required under HAVA (Help America Voting Act)

Ms. Grainer stated in October of 2002 President Bush signed into law HAVA and it is imperative that all voting districts in Montgomery County be in compliance. She said the Board of Elections needs authorization from the Board of Supervisors to purchase the new voting machines. It also was noted that possibly the State of New York would be purchasing the voting machines and then be distributing them in Montgomery County, but that information has not been confirmed.

Ms. Grainer stated that the new machines that are going to be purchased have special needs and noted that the machines have to be in a climate-controlled room and the batteries need to be maintained.

Supervisor Stagliano requested that a plan regarding the purchase of the voting machines, storage, maintenance, cost of the transporting of the machines to and from a destination and the cost of training needs be compiled so that the Board of Supervisors can review the information.

Supervisor Dybas also recommended that a plan from the Board of Elections be drafted because of the project size.

Ms. Grainer stated that she will compile all the information that is requested and will present it to the Board at a later date.

The Committee moved the resolution granting the Board of Elections central administration authority to the full board with no recommendation.

Discussion regarding the establishment of a County-wide policy for entering into and signing contracts.

Chairman McMahon stated that a resolution which proposes establishing a policy regarding contract processing is being distributed to the Board that Supervisor Jonker has drafted and is sponsoring.

Supervisor Stagliano stated that there is no formal policy and noted that every department head interprets the contract procedure differently and what needs to be accomplished is to create a uniform policy.

Supervisor Thomas stated that the logical step would be to contact all department heads and request an inventory of what contracts they are responsible for signing.

Supervisor Dybas stated that all contracts should be maintained in the purchasing department and believes that would be a function of a purchasing agent.

Marco Zumbolo, Auditor stated that there is a policy that states the contracts are to be maintained in the County Administrators Office. Supervisor Dybas requested a copy of the policy that Mr. Zumbolo made reference to.

After the discussion Chairman McMahon recommended that the plan suggested by Supervisor Thomas was workable and it was agreed upon that Administrative Aide, Jacki Meola would draft a letter from the Chairman of the Board to the department heads requesting an inventory of all the revenue and expense contracts. Also to be included in the list are the lease and maintenance agreements.

The Committee moved on to a discussion regarding the Board of Supervisors Proceedings for 2004 and Supervisors Dybas stated that last year this same discussion took place and it was recommended that the proceedings go to a print data file for the public's access.

Administrative Aide, Jacki Meola stated that the need for this discussion was not in relation to submitting the proceedings to the State as required by County Law, the discussion item on the agenda was to discuss the Board's wishes for the department heads and the public gaining access to the proceedings from 2004. The Data Processing Department and the Board of supervisor's staff have discussed the options available to allow inter-departmental access on the County's website and also the posting of the proceeding for the public on the County's website.

The Committee was split as to the idea of allowing public and department head access to the resolutions and minutes.

Supervisor Dybas discussed the cost of having the information put on a CD and possibly have the County collect a fee to generate a form of revenue.

Upon the recommendation of the Committee a resolution will be drafted and action will be taken at the next Education/Government meeting.

Discussion regarding the Committee Schedules of the Board of Supervisors took place and it was determined that the current system works and no changes would be made at this time.

Discussion regarding the Public Referendum on the Question of Alternative Forms of County Government.

Chairman McMahon made mention that he will be drafting a resolution in the very near future to bring back the position of a County Administrator.

Supervisor Stagliano stated that if there is a consensus among the Board of Supervisors to return to a County Administrator which is not an Alternative Form of County Government it would only need resolution creating a Local Law subject to permissive referendum. He further stated that County Administrator as a County Executive would be a mandatory referendum.

Supervisor Schumann referenced resolution No. 245 of 2004 that stated that the Board of Supervisors shall hold no fewer than three (3) public information sessions to get the information out to the people so that they know exactly what the issues will be when it is time to vote.

Supervisor Schumann suggested that at the next Government/Education Committee Meeting a discussion should take place as to how and who will be addressing the public on the alternative form of government. She stated that it should be a person who is very familiar with all the facets of the law and it would also be advantageous if the person is a neutral party.

Supervisor Strevy stated that the job of the Board of Supervisors is to inform the public and let them make a informative decision with the facts that will be presented.

Chairman McMahon stated that the topic of alternative form of government will be entertained at the next Government/Education Meeting after Supervisors Cechnicki and Schumann gather the additional information.

Motion to adjourn Education/Government Committee Meeting was made by Supervisor Quackenbush, seconded by Supervisor Dybas. Chairman McMahon 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 OF THE WHOLE
7:00 PM, March 1, 2005

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 7:20 p.m.

Roll call indicated that Supervisors McMahon, Cechnicki, Dybas, Quackenbush, Schumann, Sinicropi, Thomas, Mancini, Stagliano, Brodie, Paton, Jonker. Supervisor Walters was absent.

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

1. Discussion regarding issues related to the Montgomery Meadows
2. Other

Chairman Strevy stated that he has been approached by many Supervisors regarding the status of the Montgomery Meadows and tonight an update will be presented.

Chairman Strevy stated to the Board of Supervisors that the Purchase Agreement has been signed by the Providers, Inc.

Chairman Strevy acknowledged Donald Dalger, Administrator at the Meadows, who provided the Board with a Summary Report dated March 1, 2005 that outlined the current issues facing the facility.

Supervisor Stagliano stated one major concern at the facility is the problem with the Boiler at the facility. Through a discussion it was determined that the issue of the boiler needs to be remedied before the closing on the facility.

Supervisor Stagliano also stated the census is a very important issue and stressed that if the census falls below 90% it will jeopardize the sale of the Meadows because the Department of Health will not approve the transfer when the occupancy rate is running below 90%.

Supervisor Stagliano questioned the receivables and why \$1.2 million to \$2.2 million is still uncollected. He stated the suggestion of writing off \$850,000 to \$1 million is sheer insanity. He also stated that in 2002 there was a resolution passed to authorize the Nursing Home Administrator to hire a collection firm and at that point it was under \$1 million dollars. It was noted by Supervisor Stagliano that although there is a current issue with receivables, he was under the impression that the facility has spent a good amount of time to hire a full time accounts payable clerk.

Donald Dalger, Administrator stated that since the plans to sell the Nursing Home were announced it has been difficult to retain staff and the facility is trying to play catch up.

Supervisor Stagliano stated that he does not accept the sale of the facility as an argument for recruitment obstacles and stressed he is not accepting the sale as an excuse for not focusing effort on placing someone in necessary positions.

Supervisor Dybas referenced the resolution that the Board passed regarding the collection of the delinquent accounts and requested an update as to the progress of the resolution that was passed.

Supervisor Dybas asked for a motion to go into Executive Session Pursuant to Section 105 (f) of NYS Open Meeting Law to discuss the financial history of a particular person. Motion was made by Supervisor Mancini, seconded by Supervisor Jonker. Executive Session started at 7:40 p.m.

Motion to adjourn Executive Session was made by Supervisor Dybas, seconded by Supervisor Sinicropi, seconded by Supervisor Thomas. Chairman Strevy adjourned the Executive Session at 8:02 p.m.

As a result of the Executive Session the Board of Supervisors took no action.

Supervisor Dybas questioned if there was going to be an exit strategy in place before the sale of the Meadows is finalized. He stressed this needs to be looked into.

With no further discussion Motion to adjourn the Committee of the Whole was made by Supervisor Thomas, seconded by Supervisor Sinicropi. Chairman Strevy 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 - ECONOMIC DEVELOPMENT/AGRICULTURE & PLANNING
6:00 PM, March 8, 2005

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Jonker, Mancini, McMahon, Quackenbush, Sinicropi and Thomas

Additional present were Supervisors: DiMezza, Cechnicki, Schumann, Walters and Strevy

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

1. Discussion regarding Montgomery County Industrial Development Agency Board Member Vacancy
2. Discussion regarding Montgomery County Occupancy Tax Advisory Board Vacancy
3. Discussion regarding Montgomery County Planning Board Vacancy
4. Other

Chairman Dybas stated that there is currently a vacancy on the Montgomery County IDA Board and that he would like to solicit resumes of anyone that resides in Montgomery County who would want to serve on the Agency's Board of Directors. He also stated that he is looking to the press to getting the word out. He noted that resumes could be sent to his attention at the Board of Supervisors' Office, marked confidential.

Chairman Dybas noted the seconded item on the agenda and acknowledged Rich Brown of the Montgomery County Occupancy Tax Advisory Board.

Mr. Brown stated that last month, Local Law #2 of 2005 was adopted by the Board of Supervisors. This Local Law amended Local Law #2 of 1990 which created the Occupancy Tax Board. The Law was amended to change to terms of the members of the OTAB, but until the State responds that the Local Law has been accepted, these new terms are not in effect. Pending that acceptance, Mr. Brown stated that the next step in restructuring the OTAB is to fill one of the two vacancies on the current Board. This vacancy is a one-year term. Also according to the Local Law, the Chairman of the Board of Supervisors or another Supervisor is to be appointed as an ex-officio member to serve on the Board.

Mr. Brown stated that Bill Hisert who was a former Supervisor and also a former Occupancy Tax Board member has expressed a desire to serve again. Chairman Dybas acknowledged Supervisor Brian Cechnicki who has shown a willingness to volunteer his time to fill the position of ex-officio.

Chairman Dybas stated that a Resolution will be drafted by Administrative Aide Jacki Meola approving the individuals named above to serve on the Occupancy Tax Advisory Board and will be presented at the next full board meeting.

Chairman Dybas moved on to the next item on the agenda and stated that there is also a vacancy on the Montgomery County Planning Board, due to a resignation for a person who represents the 4th Ward in the City of Amsterdam. As this is Chairman Dybas' Ward, he has not had an interest by any of his constituents, but he will continue to solicit the position.

Supervisor Strevy questioned if all the positions were ward specific. Chairman Dybas stated that the Planning Board is comprised of a representative of each ward in the City and one from each town.

Chairman Dybas then acknowledged Gail Breen, representing the Workforce Development Board, Inc. The Workforce Development Board currently has a vacancy of a Montgomery County representative and Gail was present to give an overview of what type of person would have the qualifications to fill that vacancy.

Ms. Breen thanked the Board for allowing her the time to make this presentation and said that currently this vacancy is a Business Vacancy and distributed to the members a job description that would be required of the individual who expresses interest in filling the position.

Ms. Breen stated that this position would involve a very serious commitment from the candidate and briefly described the duties and responsibilities that will be required from the individual.

Ms. Breen also noted that the Workforce Development Board, Inc. is due for a re-authorization of its 3-Year Plan which means that this plan will need to be developed in conjunction with Fulton, Montgomery and Schoharie Counties and the Board of Supervisors in each County will be required, by law, to sign off on the plan. Ms. Breen indicated that she will keep the Board apprised of the plan's process and that she will probably be back in front of the Board sometime in the next couple of months.

Chairman Dybas also wanted to inform the Board members present that on March 7, 2005 there was a meeting at Fulton Montgomery Community College regarding negotiations with the faculty and staff and another date has been scheduled to further discuss their contracts.

With no further discussion, a Motion to adjourn the Economic Development/Agriculture & Planning Committee was made by Supervisor Mancini, seconded by Supervisor Cechnicki. Chairman Dybas 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 - PUBLIC SAFETY
6:15 PM, March 8, 2005

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 6:15 p.m.

Roll call indicated Committee members present included Supervisors Cechnicki, Jonker, Schumann and Walters. Supervisors Brodie and Stagliano were absent.

Additional present were Supervisors: Mancini, DiMezza, McMahon, Strevy, Dybas, Paton, and Quackenbush.

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

1. Resolution Establishing Rate Increase - Inboarding of Inmates - Montgomery County Public Safety Facility (Sheriff's Office)
2. Resolution Establishing Temporary Corrections Officer Position (Sheriff's Office)
3. Discussion regarding vehicles in the Sheriff's Office
4. Other

Resolution Establishing Rate Increase - Inboarding of Inmates - Montgomery County Public Safety Facility (Sheriff's Office) sponsored by Supervisor Quackenbush, seconded by Supervisor Cechnicki. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Establishing Temporary Corrections Officer Positions (Sheriff's Office) sponsored by Supervisor McMahon, seconded by Supervisor Schumann. The Committee moved the resolution to the full board with a positive recommendation.

Chairman Thomas entertained discussion on the purchase of vehicles in the Sheriff's Office and acknowledged Sheriff Amato to address the Committee.

Sheriff Amato stated that after a discussion with the Chairman of the Board William Strevy his recommendation was to present his case to the Committee and get a consensus of adding the vehicles into the bonding resolution that will be coming in front of the Board in the near future regarding the DPW Equipment.

Supervisor DiMezza stated that he does not recommend bonding for vehicles and said that it should not be the intent of the Board to bond anything that has a useful life span of three years. He suggested that the Sheriff work within the budget or talk to the Shawn Bowerman, the Budget Officer, for his recommendations.

Upon the recommendation of the Committee the discussion regarding the two vehicles for the Sheriff's Department will be moved to the next Finance Committee Meeting which is scheduled for March 15, 2005.

Sheriff Amato stated to the Board that the Jail's Physician, Dr. Glenn, has requested to come before to the Board to address some cost savings measures in the jail. Chairman Thomas suggested that the Sheriff contact Administrative Aide to schedule the discussion.

With no further discussion Motion to adjourn the Public Safety Committee was made by Supervisor Cechnicki, seconded by Supervisor Jonker. Chairman Thomas 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 - PERSONNEL
6:30 PM, March 8, 2005

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Cechnicki, Mancini, Paton, Quackenbush and Stagliano. Supervisor Brodie was absent.

Additional present were Supervisors: Thomas, Jonker, Schumann, Walters, McMahon, and Strevy.

Chairman DiMezza noted the agenda:

Chairman DiMezza has called a meeting of the Personnel Committee for 6:30 p.m. on Tuesday, March 8, 2005 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. Review of Grievances
2. Discussion regarding Clerk of the Board vacancy
3. Other

Chairman DiMezza asked for a Motion to go into Executive Session Pursuant to Section 105 (f) to discuss the employment history of a particular person. Motion was made by Supervisor Quackenbush, seconded by Supervisor Mancini. Executive Session started at 6:33 p.m.

Motion to adjourn Executive Session was made by Supervisor Cechnicki, seconded by Supervisor Mancini. Chairman DiMezza ended Executive Session at 7:16 p.m.

As a result of the Executive Session no action was taken by the Committee. Chairman DiMezza did advise the union representatives present that the Personnel Committee would not be agreeing to a settlement regarding this grievance and it would be the responsibility of the union to move the grievance forward to the next step, if those so choose.

Discussion regarding the Clerk of the Board vacancy.

Chairman DiMezza stated to the Committee that the Clerk of the Board, Christine Pasquarelli has expressed that she wanted to step down from her position as the clerk of the Board of Supervisors. This leaves the Board of Supervisors the task of finding a replacement.

Chairman DiMezza stated that there are a couple of issues that need to be addressed regarding the vacancy which include the hours that the Clerk of the Board will maintain, if the position will be a full or part time and how the transition will take place. Also the issue of the remaining staff in the Board of Supervisors Office and how the Office will be restructured.

Chairman DiMezza stated there has been conversations that have took place between him and the Chairman of the Board regarding the part time/full time status of the Clerk of the Board position, as well as the concept of the internal auditor initiative that was entertained in the 2005 budget process. Marco Zumbolo, who is currently the County Auditor would become the Internal Auditor, and Jacki Meola, Administrative Aide, would be utilized by the Internal Auditor.

Supervisor Schumann stated that there needs to be a management structure in place and how the positions will interact with the Board of Supervisors and the Chairman before any decisions can be made.

Chairman DiMezza agreed that the Board does need to have a sense of direction to resolve the issue of the Clerk of the Board along with the duties and responsibilities of the three people associated with the Board's office.

Supervisor Strevy questioned if the job of the Clerk of the Board could be simplified.

Supervisor Walters stated that the Clerk's responsibility that is outlined under County Law is a full time position with specific duties and he also agreed with Chairman DiMezza that the structure of the Supervisors' office needs to be looked at. He did recommend the Board look into the concept of the task force that is being proposed and felt that it would be beneficial to the County.

Supervisor Stagliano recommended that a discussion take place in the next Education/Government Committee to determine what the function of the office needs to be.

Chairman DiMezza recommended that a Personnel Meeting be scheduled for March 29, 2005 to further discuss the office restructure and if the position of the Clerk of the Board should be full or part time. He also solicited the help of Supervisor Stagliano regarding the concept of the task force as he had originally initiated the project.

Chairman DiMezza recommended Auditor, Marco Zumbolo, draft the duties and responsibilities of the Internal Auditor and Administrative Aide, Jacki Meola, do the same for the administrative aide. Chairman DiMezza stated he would work with Personnel Director Richard Baia to obtain the duties and responsibilities for the Clerk of the Board.

Chairman DiMezza conducted an informal poll of the Board members to advertise for the position of the Clerk immediately. The consensus was that the advertising of the position will be done after the March 29th meeting takes place when all the information is presented,

Administrative Aide Jacki Meola had a concern if adequate time will be given to train the new Clerk of the Board and recommended that the Board act as soon as possible.

Supervisor Quackenbush agreed with Supervisor Walters regarding the Clerk being a full time position, but did have a concern regarding the outcome of the Alternative Form of Government referendum that will be on the ballot in the 2005 November elections and how the possible decision of the people electing a County President would effect the Clerk of the Board position as well as other members of the Board's staff.

After the discussion, Chairman DiMezza stated that an E-Mail will be forwarded to the Board of Supervisors requesting their recommendations for the Clerk of the Board vacancy, Internal Auditing Task Force Concept and the restructuring of the staff and their responsibilities.

With no further discussion a Motion to adjourn the Personnel Committee Meeting was made by Supervisor Cechnicki, seconded by Supervisor Mancini. Chairman DiMezza 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 - HEALTH & HUMAN SERVICES/SOCIAL SERVICES
6:00 PM, March 15, 2005

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Stagliano, DiMezza, Dybas and Paton. Supervisors Brodie and Sinicropi were absent.

Additional present were Supervisors: Thomas, Mancini, Cechnicki, Schumann, Walters, McMahon, Strevy, Dybas and Quackenbush

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

1. Resolution Amending 2005 Operating Budget and Authorizing Chairman to Sign Agreement(s) (Public Health) – Contractual Services to Establish the Montgomery County Public Health Department as an Early Intervention Program Evaluator
2. Resolution Authorizing Updated Transportation Payment Schedule - Parents of Special Education Children (Public Health)
3. Resolution Authorizing Chairman to Sign Renewal Agreement - Transportation of Fulton County Veterans (Veterans Services)
4. Resolution Amending 2005 Operating Budget - TANF Services (Social Services)
5. Resolution Appointing Members - Montgomery County Community Services Board (Mental Health)
6. Other

Resolution Amending 2005 Operating Budget and Authorizing Chairman to Sign Agreement(s) (Public Health) - Contractual Services to Establish the Montgomery County Public Health Department as an Early Intervention Program Evaluator sponsored by Supervisor Jonker, seconded by Supervisor DiMezza. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Updated Transportation Payment Schedule - Parents of Special Education Children (Public Health) sponsored by Supervisor Jonker, seconded by Supervisor Strevy. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Renewal Agreement - Transportation of Fulton County Veterans (Veterans Services) sponsored by Supervisor Dybas, seconded by Supervisor DiMezza. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Amending 2005 Operating Budget - TANF Services (Social Services) sponsored by Supervisor Dybas, seconded by Supervisor DiMezza. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Appointing Members - Montgomery County Community Services Board (Mental Health) sponsored by Supervisor McMahon, seconded by Supervisor Dybas. The Committee moved the resolution to the full board with a positive recommendation.

Chairman Jonker asked for a Motion to go into Executive Session Pursuant to Section 105 (f) of NYS Open Meeting Law to discuss matters leading to the employment of particular persons. Motion was made by Supervisor DiMezza, seconded by Supervisor Strevy. Executive Session started at 6:05 p.m.

Motion to adjourn Executive Session was made by Supervisor Schumann, seconded by Supervisor DiMezza. Chairman Jonker adjourned the Executive Session at 6:50 p.m.

As a result of the Executive Session the Board of Supervisors took no action.

Motion to adjourn Health & Human Services/Social Services Committee was made by Supervisor Strevy, seconded by Supervisor McMahon. Chairman Jonker adjourned the meeting 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
COMMITTEE MEETING - GENERAL SERVICES/PUBLIC WORKS/SOLID WASTE
6:15 PM, March 15, 2005

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:00 p.m.

Roll call indicated that Supervisors Cechnicki, Mancini, Paton, Schumann, and Thomas were present. Supervisor Brodie was absent.

Additional Supervisors present Jonker, DiMezza, McMahon, Strevy, Stagliano, Dybas, and Quackenbush.

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

1. Resolution Awarding Bridge Replacement Contract - Arch Bridge Contracting Corp. (Public Works)
2. Resolution Establishing Structural Maintenance Helper's Position - Court Maintenance (Public Works)
3. Resolution Awarding Bid No. 02-05 (Public Works)
4. Other

Resolution Awarding Bridge Replacement Contract - Arch Bridge Contracting Corp. (Public Works) sponsored by Supervisor DiMezza, seconded by Supervisor Mancini. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Establishing Structural Maintenance Helper's Position - Court Maintenance (Public Works) sponsored by Supervisor DiMezza, seconded by Supervisor Thomas. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Awarding Bid No. 02-05 (Public Works) sponsored by Supervisor DiMezza, seconded by Supervisor Paton. The Committee moved the resolution to the full board with a positive recommendation.

With no further discussion a Motion to adjourn the General Services/Public Works/Solid Waste Committee was made by Supervisor Schumann, seconded by Supervisor Jonker. Chairman Walters 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 - FINANCE
6:30 PM, March 15, 2005

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:06 p.m.

Roll Call indicated Committee members present included Supervisors DiMezza, Dybas, McMahon, Schumann, Stagliano and Thomas

Additional present were Supervisors: Jonker, Mancini, Cechnicki, Walters, Strevy, Sinicropi, and Paton

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

Chairman Quackenbush has called a meeting of the Finance Committee for 6:30 p.m. on Tuesday, March 15, 2005 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. Discussion regarding pending litigation
2. Discussion regarding tabled resolution to reestablish the Planning Department
3. Discussion regarding 2006 Budget Process Timeline
4. Discussion regarding vehicles in the Sheriff's Office
5. Presentation - Annual Report - Ag/Economic Development Committee
6. Other

Chairman Quackenbush asked for a Motion to go into Executive Session Pursuant to Section 105 (d) of NYS Open Meeting Law to discuss current litigation. Motion was made by Supervisor DiMezza, seconded by Supervisor Mancini. Session started at 7:07 p.m.

Motion to adjourn Executive Session was made by Supervisor Dybas, seconded by Supervisor Schumann. Chairman Quackenbush adjourned the Executive Session at 7:15 p.m.

As a result of the Executive Session the Board of Supervisors took no action.

Discussion regarding the tabled resolution reestablishing the Planning Department.

Supervisor McMahon stated it was his understanding the resolution was tabled due to lack of information from the Treasurer's Office regarding the 2004 year-end financial numbers which will not be available until after April 30th.

Supervisor DiMezza supported the reestablishing of the Planning Department and stated that there are outstanding projects that need to be completed and this is only delaying the process.

Supervisor Stagliano stated that the issue of the planning department needs to be discussed in Executive Session as there is currently pending litigation that could possibly be affected by this decision.

The Committee agreed to go into Executive Session but would first move on to the other items on the agenda, so as not to keep attendees waiting.

Discussion regarding 2006 Budget Process Timeline.

Chairman Quackenbush stated that the Budget Officer has distributed his timeline and Supervisor Dybas has responded by letter to the Finance Chairman and the Chairman of the Board as to what his expatiations are of the 2006 Budget Process.

Chairman Quackenbush acknowledged Budget Officer Shawn Bowerman to respond to Supervisor Dybas' request for Guidelines to the various administrative units and authorized agencies for the preparation of their 2006 Budget of revenues and appropriations.

Budget Officer Bowerman stated that he has no problem with complying with item 1, item 2 a and b, but has a problem with item 2 c - "The Budget Officer's guesstimate of the actual final amounts for each of the administrative units and agencies for 2005 versus the 2005 Budget".

Budget Officer Bowerman stated that if the Board of Supervisors expects his department to analyze the whole budget, then additional staff needs to be added because he does not have the time or the personnel to complete the request of Supervisor Dybas.

Supervisor Dybas stated that the Board of Supervisors should dictate to the Department Heads what will be expected of them during the Budget process and the direction the Board will have is whether the County will be staying in the 1.65% tax cap or if the Board will be raising the cap.

Supervisor Schumann stated that the Board should entertain a resolution increasing the tax cap in conjunction with the timelines set by the Budget Officer, the Finance Chair and the request of Supervisor Dybas. To do so, a public hearing will need to be set for April and a resolution entertained at the April Full Board Meeting. It was the consensus of the Committee to draft a resolution to hold a public hearing on raising the tax cap to 2% for this coming Full Board Meeting.

Discussion regarding vehicles in the Sheriff's Office.

The committee discussed ways to finance this expenditure. Supervisor Stagliano suggested that due to the increase in daily boarding rate of Federal prisoners, it was realistic to expect additional revenue that was not placed in the 2005 budget. He suggested this additional revenue be utilized to purchase the two new vehicles for the Sheriff's Department. The Committee recommended that a resolution amending 2005 Operating Budget be drafted by Administrative Aide Jacki Meola and be presented to the full board meeting on March 22, 2005.

Chairman Quackenbush acknowledged Marilyn Smith of Cornell Cooperative Extension to give a presentation on the Ag/Economic Development Committee Annual Report.

Ms. Smith thanked the Board for allowing the time for this presentation and introduced Chris Nellis to give the report.

Ms. Nellis, Chairman of the Ag/Economic Development Committee, distributed to the Board packets of information for review. She stated that the Committee has made a lot of progress and is headed in the right direction.

Ms. Nellis stated that the Committee developed new marketing concept with the "Mohawk Valley Fresh" Campaign. The Ag/Economic Development Committee hopes the logo, which was unveiled for the first time in the chambers, will become the symbol of the products that are grown in Montgomery County and that will be displayed in various markets and restaurants throughout the County.

Ms. Nellis stated that "Farm Fresh" Guide is being compiled with a list of participants and should be available in May of 2005.

Chairman Quackenbush thanked Ms. Nellis and Ms. Smith for their presentation to the Board.

Chairman Quackenbush stated under other that Supervisor Dybas has presented him with a agreement that has been drafted by the City of Amsterdam allowing for the sales tax to be distributed based on population as opposed to assessment.

Supervisor Dybas stated that the proposal is a working document. Several Supervisors had stated concerns regarding the population-based distribution and felt this proposal would create a divide among the City and Towns. In addition that several towns would be losing a substantial amount of revenue.

In the City's proposal, the City would waive its right of preemption pursuant to Section 1262 of the Tax Law of New York State. The proposal calls for sales tax distribution in the following amounts to begin January 1, 2006, -

of the County's basic three percent sales tax, 50 percent would be retained by the County and the additional 50 percent would be distributed to the City, Towns and Villages based on population distribution.

It was noted that, if permitted by the State, and if the County approves, of the additional one percent sales tax, the county would retain 90 percent and the remaining one percent would be distributed on the basis of population to the City, Villages and Towns.

Supervisor DiMezza expressed frustration stating that in the past the proposal regarding a population-based distribution was discussed and it failed and strongly stated that the City of Amsterdam is trying again to take money away from several towns within the County and will not approve this change.

Supervisor Stagliano stated that the County could not realistically expect to keep all of the sales tax revenue and noted that the Supervisors need to come up with a compromise.

Assessor, Mike Chiara from the City of Amsterdam stated that the revenue from the sales tax is need from the County in order for the city to survive.

Supervisor Walters frustrated with the proposal of population base stated it will bankrupt the

Towns and that is just not right.

Chairman Quackenbush wrapped up discussion on the sales tax issue, stating that these talks will continue.

He then reminded the Committee of the request by Supervisor Stagliano to enter into Executive Session previously in the meeting.

Motion to go into Executive Session Pursuant to Section to 105 (d) of NYS Open Meeting Law to discuss current litigation. Motion was made by Supervisor Stagliano, seconded by Supervisor Quackenbush. Executive Session started at 7:25 p.m.

Motion to adjourn Executive Session was made by Supervisor DiMezza, seconded by Supervisor Strevy. Chairman Quackenbush adjourned the Executive Session at 7:45 p.m.

As a result of the Executive Session the Board of Supervisors took no action.

Chairman Quackenbush stated with no other business a Motion to adjourn the Finance Committee was made by Supervisor DiMezza, seconded by Supervisor Thomas. Chairman Quackenbush 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
REGULAR MEETING
7:00 PM, March 22, 2005

CALL TO ORDER

Chairman Strevy called the Regular Meeting of the Montgomery County Board of Supervisors for March 22, 2005 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 Schumann, Dybas, Mancini, DiMezza, McMahon, Walters, Chairman Strevy, Thomas, Quackenbush, Paton, Jonker, Cechnicki and Stagliano were present. Supervisors Brodie and Sinicropi were absent.

PRIVILEGE OF THE FLOOR

PRESENTATION - CAPITAL REGION OTB

Chairman Strevy acknowledged the representatives from the Capital Region Off-Track Betting Corporation to give an overview of the structure of OTB and the statutory obligations to the State of New York.

Mr. Mike Connery, President and CEO of the Capital District Regional Off-Track Betting Corporation introduced his associates John Signor, Capital Region's OTB Vice President/CFO and Keri Smith, Assistant Controller.

Mr. Connery stated that he was a former county legislator and a former Legislative County Chairman and said that he understands what local governments are up against and referenced the escalation of Medicaid costs being imposed on the County in addition to the increasing pension and health care costs that translates into increased property taxes.

Mr. Connery said that the Capital OTB has 17 Board Members representing separate municipalities and noted that the Off-Track Betting Corporations were created to generate a source of revenue for local governments as well as to support the racing industry.

Mr. Connery stated that the State actions have had a negative impact on OTB revenues and these changes have also made it more difficult for OTB's to compete for the gambling/entertainment dollar. As part of the recent actions by the State on OTB's, new taxes and fees have been added which will take more than \$1 million dollars from OTB's bottom line, money that would be going to our County partners will be directed to the State of New York.

Mr. Connery criticized the State of New York for creating competition for the entertainment dollar by introducing scratch offs, quick-draw and having numerous Casinos around New York State. He also stated that when the State Budget was facing billions of dollars in deficits the State was looking for new ways to generate money to close the budget gap and as a result the Capital OTB has to pay the State a fee to fund the State Racing and Wagering Board.

Mr. Connery stressed to the Board the money that was previously distribute to the counties will now go to the State and also indicated that the State of New York is proposing to increase the regulatory fee which means less money for the counties. Another negative impact the State is having on the Capital OTB is the no smoking ban and the racino that is located in Saratoga Springs, New York.

In closing Mr. Connery stated that there were other numerous issues that are creating a negative impact on the Off-Track Betting Corporations and will continue to press Albany for changes that will level the playing field and that will translate into more revenues for the counties not less.

PUBLIC COMMENT

Ron Briggs, President of CSEA Fulton County Local 818 and 1st Vice President of CSEA's Capital Region spoke on behalf of Kathy Garrison, Region President, who could not be present.

Mr. Briggs stated that he is speaking on behalf of the CSEA members here in Montgomery County. There are about 350 members and stressed that the CSEA members are the heart and soul of the County's workforce and they deserve better than stalled negotiations of their contract.

In closing Mr. Briggs stressed to the Board of Supervisors to do the right thing and give the CSEA members a fair contract now.

Ed Russo, 2nd Vice-President of CSEA Local 829 and Chairman of the DPW, Montgomery Meadows and the Office Building Bargaining Unit Negotiating Team, stated that the members attending tonight's rally are here urging the Board to negotiate a new contract since the bargaining units have been without a contract since December 2003.

Mr. Russo acknowledged the financial situation that Montgomery County is in and stated that the CSEA Members are also experiencing financial difficulties. He also stated that the expired contract was originally negotiated in 1998 and was extended for one year through 2003. Meetings were held in 2004 without any resolution of outstanding issues important to both sides. The refusal to negotiate a contract has left CSEA no choice but to file for impasse.

Mr. Russo stated to the Board of Supervisors that the message CSEA members are sending by the rally is to have honest, good-faith and substantive negotiations resulting in a fair and equitable contract and they are looking for negotiations to start now.

Michael Campon, Labor Relations Specialist, CSEA Regional Office, distributed to the Board of Supervisors a salary comparison chart of various positions within Montgomery County. The information provided in the chart deals with the wage differences among other similar counties and how Montgomery County lags behind.

Mr. Campon did state that the CSEA members deserve to be recognized as a valuable workforce and do deserve to have a contract in place.

Joleen Hornbeck, Unit Vice President at Montgomery Meadows stated that the CSEA members have been working without a contract since January 2004 and now the time has come to make a decision to start the negotiating process.

Ms. Hornbeck said that the staff at the Meadows have been working under pressure and not having a contract just compounds the issues and are outraged at the lack of interest.

Leonard Logan, Montgomery County Farmer stated, regarding the County's Budget, that the farmers have to live within their means and questioned why the Montgomery County Board of Supervisors can't live within their means. Mr. Logan, frustrated, stated that their cause to reduce taxes is not going to stop at the county level and that their concerns are going to be voiced at the State level.

Walter Hazzard, Montgomery County resident, stated that he is prepared to fight the fight to reduce taxes because he cannot exist in this County if the taxes continue to raise at the rate being proposed.

Tom Logan, resident of Palatine, stated that there was a wake up call when the Town of Palatine held their public hearing regarding a new reassessment proposal. He also stated that he, along with other county residents, will be taking their message to officials at the Town, County and State level.

Mr. Tom Logan feels that their needs to be some accountability to the taxpayers of Montgomery County.

Charles Knoblauch, resident of Stone Arabia, stated that the County is forcing the people on fixed incomes right out of their homes. Residents cannot afford the tax increases and are finding it hard to make ends meet. He recommended that the Board of Supervisors start standing up to the State Legislators and stress to them that the people of Montgomery County are up against a wall, financially.

Joanne Tinc, resident of Town of Root, stated that the town did a comprehensive plan and found that the salary of two people cannot support their family, put their children through college and pay their high taxes, she stated that it is impossible to do.

Ms. Tinc stated that the County needs to put a plan into place to generate revenue so that the taxpayers can have some relief.

Chairman Strevy asked if there were any other speakers. With no further speakers, he adjourned the Public Comment at 8:03 p.m.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION by Supervisor Mancini, seconded by Supervisor DiMezza, passed with Aye(1592). Supervisors Brodie and Sincropi, Jr. were absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor DiMezza, seconded by Supervisor Jonker, passed with Aye(1430). Supervisors Stagliano and Cechnicki voted Nay. Supervisors Brodie and Sinicropi, Jr. were absent.

UNFINISHED BUSINESS

NEW BUSINESS

MOTION TO AMEND AGENDA by Supervisor Schumann, seconded by Supervisor Quackenbush to include Resolution No. 100, passed with Aye(1592). Supervisors Brodie and Sinicropi, Jr. were absent.

RESOLUTION NO. 84 of 2005

DATED: March 22, 2005

RESOLUTION SUPPORTING S. 4354/A. 1544, WHICH WOULD AMEND NYS CIVIL PRACTICE LAW AND RULES, IN RELATION TO EQUALIZING THE TREATMENT OF COLLATERAL SOURCES IN TORT ACTIONS

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Cechnicki

WHEREAS, NYS Civil Practice Law and Rules (CPLR), Section 4545 regulates the use of collateral sources to reduce the amount of an award in certain legal proceedings, collateral consisting of but not limited to insurance, social security, workers' compensation and employee benefit programs payable for the same injury which is the subject of the legal proceeding, and

WHEREAS, the statute has as its intent, the desirable purpose of avoiding paying an individual twice for the same injury, and

WHEREAS, an anomaly exists under the interpretation of CPLR Section 4545 whereby public employers are held to a different standard than private employers and are not entitled to access collateral sources unless the benefits are utilized and paid for by the public employer, and

WHEREAS, Senate Bill 4354 and Assembly Bill 1544 would place public employers, such as Counties on equal footing with private employers by standardizing the treatment of the collateral source doctrine for public employers, and

WHEREAS, the bill is currently supported by numerous Counties and Cities throughout New York State,

RESOLVED, that the Montgomery County Board of Supervisors is in support of the enactment of Senate Bill 4354 and Assembly Bill 1544, and

FURTHER RESOLVED, that the Board of Supervisors hereby encourages other municipalities throughout Montgomery County who have not already done so to adopt similar legislation to be forwarded to our leaders in the Senate and the Assembly.

RESOLUTION ADOPTED with Aye(1592). Supervisors Brodie and Sinicropi, Jr. were absent. (3/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 85 of 2005

DATED: March 22, 2005

RESOLUTION ESTABLISHING A 4-YEAR APPOINTMENT TERM FOR THE ELECTION COMMISSIONERS OF THE COUNTY OF MONTGOMERY

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Schumann

WHEREAS, the term of office of an Election Commissioner of the Montgomery County is currently a two(2)-year term beginning January first of each odd numbered year for the Democrat Election Commissioner and January first of each even numbered year for the Republican Election Commissioner, and

WHEREAS, the New York State Election Law Section 3-202, Election Commissioners, Term of Office, states that the County Legislative Body may determine that the commissioner of elections thereafter appointed shall serve for a term of four (4) years,

RESOLVED, that the term of office for the Election Commissioners of Montgomery County shall be a

four-year term, and

FURTHER RESOLVED, that said term shall take effect at the expiration of the term of the Commissioners now in office.

RESOLUTION ADOPTED with Aye(1592). Supervisors Brodie and Sinicropi, Jr. were absent. (3/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Schumann stated that she would be withdrawing her sponsorship on Resolution No. 86 and recommended that Supervisor Quackenbush do the same. Supervisor Schumann stated that the Legislature is working on a three way negotiation that has determined Montgomery County would be lead agency and felt that it was not necessary to act on the resolution at this time.

Supervisor McMahon recommended that the Election Commissioner monitor the progress regarding the Legislature's negotiations.

With no one picking up the sponsorship the resolution died.

RESOLUTION NO. 86 of 2005

DATED: March 22, 2005

RESOLUTION GRANTING AUTHORITY TO THE MONTGOMERY COUNTY BOARD OF ELECTIONS FOR CENTRAL ADMINISTRATION OF THE PURCHASE, IMPLEMENTATION AND ADMINISTRATION OF THE NEW VOTING MACHINES REQUIRED UNDER HAVA

Resolution by Supervisor: Schumann

Seconded by Supervisor: Quackenbush

WHEREAS, the Federal Government has passed the Help America Vote Act, which mandates new voting machines throughout Montgomery County be in place by January 1, 2006, and

WHEREAS, it is imperative that all voting districts in Montgomery County be in compliance at that time, and

WHEREAS, currently, the Montgomery County Board of Elections does not have authority from the State of New York or Montgomery County to purchase the machines for the ten towns and the City of Amsterdam, as each municipality will be responsible for this task, and

WHEREAS, each municipality will need to independently choose the desired machine to purchase and arrange for its programming, training, maintenance, and voter education, a cost that could reach as much as \$10,000 per machine, and

WHEREAS, it is the desire of the Montgomery County Board of Elections to be granted the authority to purchase common machines and arrange for the supporting tasks involved with their implementation throughout the County to be more efficient and cost effective,

RESOLVED, that the Montgomery County Board of Supervisors hereby grants authority to the Montgomery County Board of Elections for the Central Administration of the purchase, implementation and administration of the new voting machines required under the federal Help America Vote Act.

RESOLUTION WITHDRAWN BY SPONSOR (3/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 87 of 2005

DATED: March 22, 2005

RESOLUTION ESTABLISHING RATE INCREASE - INBOARDING OF INMATES - MONTGOMERY COUNTY PUBLIC SAFETY FACILITY (SHERIFF'S OFFICE)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Cechnicki

WHEREAS, the Sheriff has evaluated the costs associated with the boarding of inmates at the Montgomery County Public Safety Facility, and

WHEREAS, the Sheriff, based on this evaluation, has recommended an increase in the daily amount charged to other Counties to inboard inmates at said facility,

RESOLVED, the Montgomery County Board of Supervisors hereby authorizes an increase in the daily amount charged to other Counties to inboard inmates at the Montgomery County Public Safety Facility effective May 1, 2005 at \$85 per day, per inmate.

RESOLUTION ADOPTED with Aye(1592). Supervisors Brodie and Sinicropi, Jr. were absent. (3/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 88 of 2005

DATED: March 22, 2005

RESOLUTION ESTABLISHING TEMPORARY CORRECTIONS OFFICER POSITION (SHERIFF'S OFFICE)

Resolution by Supervisor: McMahan

Seconded by Supervisor: Schumann

WHEREAS, the Sheriff has recommended the establishment of a Temporary Corrections Officer position, to provide for coverage while a fulltime Corrections Officer is out on military leave,

RESOLVED, that the Montgomery County Board of Supervisors hereby establishes a position for a Temporary Corrections Officer in the Montgomery County Public Safety Facility, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized to amend the 2005 Operating Budget as follows:

TRANSFER FROM:

A-15-04-3150-00-1110(65) Corrections Officer \$12,468

TRANSFER TO:

A-15-04-3150-00-1130(162) Temporary Employees \$12,468

RESOLUTION ADOPTED with Aye(1592). Supervisors Brodie and Sinicropi, Jr. were absent. (3/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 89 of 2005

DATED: March 22, 2005

RESOLUTION APPOINTING MEMBER TO THE MONTGOMERY COUNTY OCCUPANCY TAX BOARD

Resolution by Supervisor:

Seconded by Supervisor:

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, said Board currently has a vacancy that needs to be filled, and

WHEREAS, the Chairman of the Board of Supervisors has recommended that William Hisert of the Town of Palatine be appointed to fill an unexpired one-year term ending on December 31, 2005, and

WHEREAS, the Chairman has also designated Supervisor Brian Cechnicki to serve as an ex-officio member of said Board,

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

RESOLUTION ADOPTED with Aye(1453). Supervisor Schumann voted Nay. Supervisors Brodie and Sinicropi, Jr. were absent. (3/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 90 of 2005

DATED: March 22, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET AND AUTHORIZING CHAIRMAN TO SIGN AGREEMENT(S) (PUBLIC HEALTH) - CONTRACTUAL SERVICES TO ESTABLISH THE MONTGOMERY COUNTY PUBLIC HEALTH DEPARTMENT AS AN EARLY INTERVENTION PROGRAM EVALUATOR

Resolution by Supervisor: Jonker

Seconded by Supervisor: Di Mezza

WHEREAS, the Montgomery County Public Health Department is mandated to provide for Early Intervention evaluation services in accordance with Title II-A of Article 25 Public Health Law, Part 69 of Title 10 (Health), and

WHEREAS, the Montgomery County Public Health Department is currently approved, by the New York State Department of Health, as an approved provider of Early Intervention core and supplemental evaluation services, and

WHEREAS, establishment of the Montgomery County Public Health Department as an Early Intervention program evaluator is in the best interest of the county Early Intervention program, and

WHEREAS, the Montgomery County Public Health Department would provide said Early Intervention evaluations through contractual agreements with various professionals approved as Early Intervention program providers by the New York State Department of Health,

RESOLVED, that the Montgomery County Public Health Department may contract with an appropriate professional to serve as Evaluator/Coordinator at a rate of \$60.00/hour, not to exceed three hours per evaluation without prior county Early Intervention Official (EIO) approval, and various other professionals to serve as additional evaluators on the county Early Intervention evaluation team, as needed, at a rate of \$55.00/hour, not to exceed one and one-half hours per evaluation without prior county EIO approval, 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 agreements, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005 Operating Budget, as follows:

INCREASE:

Revenue:		
A-16-3-1601-00	Public Health Fees	\$12954.00

Appropriations:		
A-16-4-4010-00.4431	Professional Services	\$10080.00

DECREASE:

Revenue:		
A-16-3-3401-00	Public Health State Aide	\$ 2874.00

RESOLUTION ADOPTED with Aye(1456). Supervisor Dybas abstained. Supervisors Brodie and Sinicropi, Jr. were absent. (3/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 91 of 2005

DATED: March 22, 2005

RESOLUTION AUTHORIZING UPDATED TRANSPORTATION PAYMENT SCHEDULE - PARENTS OF SPECIAL EDUCATION CHILDREN (PUBLIC HEALTH)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Strevy

WHEREAS, Section 4410 of the New York State Education Law was amended to require that parents/legal guardians of preschool students with disabilities be encouraged to transport their children at public expense, where cost effective, at a rate per mile or public service fare established by the municipality, and

WHEREAS, Montgomery County established a schedule of parent/legal guardian transportation service fees per Resolution 50 of 1997, and

WHEREAS, said fee schedule has not been updated or revised since 1997 and is comprised of information pertaining to provider sites no longer in existence and fees that do not reflect the current cost of transportation services, and

WHEREAS, the Montgomery County Public Health Department proposes updating the current fee schedule to a daily rate, or actual mileage at the current year's IRS approved standard mileage rate, where such reimbursement shall be for daily round trip transportation service and determined based on the one-way mileage from the child's residence to the approved provider site in accordance with the proposed mileage fee schedule,

RESOLVED, that the Montgomery County Public Health Department hereby is authorized and directed to update and revise the schedule of service fees to compensate parents/legal guardians who, by agreement with the County, provide for the round trip transportation of their eligible children to and from approved preschool special education service sites as follows:

One-Way from Child's Residence to Provider Site	Daily Rate
Up to 10 Miles	\$ 8.00/Day
11 to 20 Miles	\$13.00/Day
21 to 30 Miles	\$20.00/Day
31 to 40 Miles	\$27.00/Day
41 to 50 Miles	\$35.00/Day
Over 50 Miles	IRS Mileage Rate/Miles to/from site

RESOLUTION ADOPTED with Aye(1456). Supervisor Dybas abstained. Supervisors Brodie and Sinicropi, Jr. were absent. (3/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 92 of 2005

DATED: March 22, 2005

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

Resolution by Supervisor: Dybas

Seconded by Supervisor: DiMezza

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, 2005, and

FURTHER RESOLVED, that said Agreement shall provide for transportation of Fulton County veterans, depending upon availability of space, at a charge of \$15.00 each way.

RESOLUTION ADOPTED with Aye(1592). Supervisors Brodie and Sinicropi, Jr. were absent. (3/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 93 of 2005**DATED:** March 22, 2005**RESOLUTION AMENDING 2005 OPERATING BUDGET - TANF SERVICES (SOCIAL SERVICES)**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Di Mezza

WHEREAS, the New York State Office of Children and Family Services has allocated 100% federal TANF funding to Montgomery County Department of Social Services to initiate programs to avoid or reduce detention for JD And PINS and for services to PINS, 16 and 17 years of age,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

INCREASE:**REVENUE:**

A-18-3-4610-00 Federal Aid DSS Administration \$21,431

APPROPRIATIONS:

A-18-4-6010-00-4462 DSS Administration TANF Services \$21,431

RESOLUTION ADOPTED with Aye(1592). Supervisors Brodie and Sinicropi, Jr. were absent. (3/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 94 of 2005**DATED:** March 22, 2005**RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY COMMUNITY SERVICES BOARD (MENTAL HEALTH)**

Resolution by Supervisor: Schumann

Seconded by Supervisor: McMahon

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:

Jeffery T. Smith
William Cranker

PO Box 432, Fultonville, NY
25 Knollwood Avenue, Amsterdam, NY

and

FURTHER RESOLVED, that said terms shall commence on January 1, 2005 and end on December 31, 2008.

RESOLUTION ADOPTED with Aye(1592). Supervisors Brodie and Sinicropi, Jr. were absent. (3/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 95 of 2005**DATED:** March 22, 2005**RESOLUTION AWARDING BRIDGE REPLACEMENT CONTRACT - ARCH BRIDGE CONTRACTING CORP. (PUBLIC WORKS)**

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Mancini

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 Arch Bridge Contracting Corp., of Delanson, New York for three bridge replacement projects, as follows:

Hilltop Road, B.I.N. 3309850

Old Trail Road, B.I.N. 3310040

Hughes Road, B.I.N. 3310050

, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney is hereby authorized and directed to sign a contract with Arch Bridge Contracting Corp. of Delanson, NY, and

FURTHER RESOLVED, that said contract shall provide for payment in an amount not to exceed \$1,566,350.00.

RESOLUTION ADOPTED with Aye(1592). Supervisors Brodie and Sinicropi, Jr. were absent. (3/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 96 of 2005

DATED: March 22, 2005

RESOLUTION ESTABLISHING STRUCTURAL MAINTENANCE HELPER'S POSITION - COURT MAINTENANCE (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thomas

WHEREAS, the Commissioner of Public Works has recommended establishment of an additional Structural Maintenance Helper's position at the County Court House, and

WHEREAS, said position including fringe benefits will be completely reimbursed by the State,

RESOLVED, that an additional Structural Maintenance Helper's position hereby is established, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005 Operating Budget, as follows:

INCREASE:

Revenue:

A-12-3-3090-00	State Aid Court Maint. Oper.	\$16,300
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Appropriations:

A-12-4-1620-00.1110(149)	Buildings Hourly Employees	\$16,300
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RESOLUTION ADOPTED with Aye(1456). Supervisor Dybas voted Nay. Supervisors Brodie and Sinicropi, Jr. were absent. (3/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 97 of 2005

DATED: March 22, 2005

RESOLUTION AWARDING BID NO. 02-05 (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Paton

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

WHEREAS, said bids were opened March 1, 2005, 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. 02-05, as follows:

A-3 CIRCULAR PIPE & PIPE ARCH

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

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

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

Delaney Crushed Stone Products, Inc.
P.O. Box 1289
Northville, NY 12134

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

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

Callanan Industries, Inc.
P.O. Box 15087
Albany, NY 12212

A-21 TRAFFIC LINE PAINTING

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

A-27 RETREADING TIRES

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

A-31 FINE GRAVEL and A-32 FOUNDATION COURSE 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

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

Delaney Crushed Stone Products, Inc.
P.O. Box 1289
Northville, NY 12134

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

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

A-65 LIQUID CALCIUM CHLORIDE

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

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 + Hal I 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.
P.O. Box 15097
Albany, NY 12212

A-81 COLD PLANING

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

A-82 HOT IN-PLACE ASPHALT RECYCLING

Highway Rehab
2258 Route 22
Brewster, NY 10509

RESOLUTION ADOPTED with Aye(1592). Supervisors Brodie and Sinicropi, Jr. were absent.
(3/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 98 of 2005

DATED: March 22, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET - VEHICLES FOR SHERIFF'S OFFICE

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Schumann

WHEREAS, the Sheriff's office has been approved for an increase in the daily boarding rate of Federal prisoners, and

WHEREAS, said increase will provide additional revenue in the Sheriff's office, said revenue not provided for in the current 2005 Operating Budget, and

WHEREAS, it has been recommended that said additional revenue be utilized to purchase two new vehicles for the Sheriff's Road Patrol,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

INCREASE REVENUE:

A-15-03-2264	Jail Facility Other Gov't	\$38,010
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INCREASE APPROPRIATIONS:

A-15-04-3110-00-2230	Motor Vehicle Equipment	\$38,010
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RESOLUTION ADOPTED with Aye(1592). Supervisors Brodie and Sinicropi, Jr. were absent.
(3/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Quackenbush stated that as Chairman of the Finance Committee there needs to be a budget process in place and that is why Resolution No. 99 was created. He said that what this resolution does is allow the public to voice their concerns on the proposed tax increase.

Supervisor Quackenbush also stated that after the public hearing the department heads and the Board of Supervisors will have a sense of direction.

Supervisor Schumann wanted to go on record that she is not in favor of raising the tax limit.

Supervisor Walters stated that people are not moving into Montgomery County so we are not a growing County which is a problem. Another problem is the infrastructure that through the years of neglect is deteriorating and it is the Board's responsibility to the County's taxpayers to have safe roads and bridges.

Supervisor Walters stated that he supports the tax increase. He also noted that the Board needs to have the money available, but to use it wisely.

Supervisors DiMezza, Dybas and Jonker stated that they support the resolution to have the public hearing, but are not in favor of increasing the tax cap.

RESOLUTION NO. 99 of 2005

DATED: March 22, 2005

RESOLUTION PROPOSING AN INCREASE IN THE CONSTITUTIONAL TAX LIMIT FOR MONTGOMERY COUNTY AND ESTABLISHING A PUBLIC HEARING ON SAID PROPOSITION

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Stagliano

WHEREAS, Resolution 285 of 2003 established the Constitutional Tax Limit for Montgomery County to be 1.65%, and

WHEREAS, it is anticipated that the 2006 Tentative Budget will exceed the limits of the current Constitutional Tax Limit, and could require total elimination of several needed County Services

to remain within the cap, and

WHEREAS, it is necessary to increase said tax limitation in order to provide additional revenue to provide for said services, and

WHEREAS, the proposed increase tax limitation is 2.0%, 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 April 26, 2005 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.

MOTION TO AMEND by Supervisor Schumann, seconded by Supervisor Stagliano, to strike the word "Constitutional" which appears five (5) times - once in the title, in the first, second, and sixth WHEREAS clauses and in the RESOLVED clause, passed with Aye (1287). Supervisors Quackenbush and Paton voted Nay. Supervisors Brodie and Sinicropi, Jr. were absent. (3/22/2005)

MOTION TO AMEND by Supervisor Schumann, seconded by Supervisor Dybas, to strike in the RESOLVED clause "Supervisors' Chambers, County Office Building, Route 30A (Broadway)" and replace with "Montgomery County Court House, 58 Broadway" passed with Aye(1592). Supervisors Brodie and Sinicropi, Jr. were absent. (3/22/2005)

RESOLUTION ADOPTED with Aye(1091). Supervisors Schumann, DiMezza and McMahon voted Nay. Supervisors Brodie and Sinicropi, Jr. were absent. (3/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 100 of 2005

DATED: March 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - DIVISION OF CRIMINAL JUSTICE SERVICES (SHERIFF'S OFFICE)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Schumann

WHEREAS, the Montgomery County Sheriff's Office has been awarded a \$5,000 grant from the Division of Criminal Justice Services, and

WHEREAS, said funding will be used for the purchase of tank locks and additional supplies and equipment to assist in the prevention of illegal manufacturing of the narcotic Crystal Methamphetamine, and

WHEREAS, acceptance of said grant requires a budget amendment,

RESOLVED, that the Montgomery County Board of Supervisors hereby accepts said \$5,000 Grant, and

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

FURTHER RESOLVED, that the County Treasurer is hereby directed to amend the 2005 Operating Budget as follows:

INCREASE REVENUE:

A-15-3-3389	PUBLIC SAFETY COM SYS E911	\$5000
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INCREASE APPROPRIATIONS:

A-15-4-3110-00-4449	SPECIAL SUPPLIES AND MATERIALS	\$5000
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RESOLUTION ADOPTED with Aye(1592). Supervisors Brodie and Sinicropi, Jr. were absent. (3/22/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor DiMezza, seconded by Supervisor Dybas, passed with Aye(1592). Supervisors Brodie and Sinicropi, Jr. were absent. Chairman Strevy adjourned the meeting at 8:33 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
5:45 PM, April 5, 2005

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 5:45 p.m.

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

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

1. Interviews - Public Health Director Applications
2. Other

Pursuant to Section 105 (f) of NYS Open Meeting Law Chairman Strevy asked for a Motion to go into Executive Session to discuss the employment of particular persons. Motion was made by Supervisor McMahon, seconded by Supervisor Sinicropi. Executive Session started at 5:50 p.m.

Motion to adjourn Executive Session was made by Supervisor Dybas, seconded by Supervisor McMahon. Chairman Strevy adjourned the Executive Session at 7:05

As a result of the Executive Session the Committee of the Whole moved a resolution to appoint a Public Health Director to a Special Meeting which will be scheduled for April 12, 2005, the name of the selected candidate will be inserted at the Special Meeting.

Motion to adjourn the Committee of the Whole was made by Supervisor Mancini, seconded by Supervisor Dybas. Chairman Strevy adjourned the meeting at 7:06 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 - EDUCATION/GOVERNMENT
6:45 PM, April 5, 2005

COMMITTEE MEETING DISCUSSION

Chairman McMahon presided over the meeting commencing at 7:10 p.m.

Roll call indicated Committee members present included Supervisors: Cechnicki, Dybas, Quackenbush, Sinicropi and Walters. Supervisor Schumann was absent.

Additional present were Supervisors: Mancini, DiMezza, Strevy, Thomas, Paton, Jonker and Stagliano

Chairman McMahon noted the agenda:

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

1. Discussion regarding FMCC Capital Project
2. Resolution Establishing Procedure for Distribution of Montgomery County Board of Supervisors Proceedings on the Montgomery County Website
3. Resolution Establishing Procedure for Amending Resolutions
4. Discussion regarding the establishment of a County-wide policy for entering into and signing contracts.
5. Discussion regarding the Public Referendum on the Question of Alternative Forms of County Government
6. Other

Chairman McMahon noted that the Board of Supervisors approved projects under the FMCC Capital Plan and stated that the Board needs to decide the funding options.

Chairman McMahon acknowledged Dave Morrow, Vice President for Administration and Finance at FMCC and he updated the Board on the progress of the projects from Phillips Associates with the cost estimates.

Supervisor Sinicropi stated that additional information is needed on the Capital Project and recommended that discussion be continued in the next Finance Committee Meeting.

Administrative Aide, Jacki Meola stated that Planning Director James Mraz requested a resolution from Montgomery County to authorize Phillips Associates to proceed with the final design and submit the project out to bid.

Chairman McMahon stated because of the additional information needed he recommended that the FMCC Capital Project be forward to the Finance Committee where resolutions will be drafted to be acted upon.

Resolution Establishing Procedure for Distribution of Montgomery County Board of Supervisors Proceedings on the Montgomery County Website sponsored by Supervisor DiMezza, seconded by Supervisor Quackenbush.

Chairman McMahon acknowledged Deb Bain, Director of Data Processing and she stated to the Board that her staff has gathered all the information that was needed to maintain the web site and recommended that her department be in charge of maintaining that site opposed to every department entering information. It would be a centralized and the updating would be accurate.

Supervisor Dybas agreed that the web site maintenance needs to be one entity.

Chairman McMahon curtailed the discussion regarding the maintenance of the County website, which will be addressed in a future General Services/DPW/Solid Waste committee meeting and reminded his Committee that the discussion was regarding the Distribution Procedure of the Board of Supervisors Proceedings.

The Committee moved the resolution to the full board with a positive recommendation.

Resolution Establishing Policy Regarding Contract Processing, sponsored by Supervisor Jonker,

seconded by Supervisor Thomas

It was noted by Administrative Aide Jacki Meola that in the March 1, 2005 Education/Government Committee Meeting the committee recommended that a letter be drafted and sent to all the department heads from the Chairman requesting an inventory of what contracts are currently in effect in each department. She said that the office received numerous contracts, but after review, noticed that some departments did not respond and others only submitted about 70% of what they considered contracts.

After a discussion Supervisor DiMezza recommended that the resolution that has been presented be modified to provide that the department heads submit their contracts to the Chairman of the Board. Supervisors Dybas and Jonker also recommended a Further Resolved Clause which rescinded all previous resolutions granting department heads contract signing authority.

The Committee moved the resolution to the full board with a positive recommendation.

It was noted that after the approval of the resolution a new contract policy will be distributed to the department heads that will be in effect that will rescind the current contract procedure.

Discussion regarding the Public Referendum on the Question of Alternative Forms of County Government.

Supervisor Cechnicki stated he spoke to the Dean at New Paltz and indicated he was willing to address the public on the issues of an Alternative Form of County Government.

Supervisor Quackenbush stated that he has had numerous conversations with his constituents regarding the Alternative Form of County Government and they indicated that they have no interest in changing the present form of government.

Supervisor Quackenbush proposed a resolution to rescind Resolution No. 245 of 2004 the Resolution Establishing a Public Referendum on the Question of Alternative Forms of County Government. He also stated that the Board needs to work on the present form of government or go to a County Administrator.

Supervisor Stagliano stated that the Alternative Forms of County Government needs to be explained to the public and have them make a decision after all the information is presented. He did note that the idea has some value.

Supervisor DiMezza stated that he also has had numerous conversations with his constituents and the consensus was there was no interest in changing to another form of County Government. He also stated that there should be qualifications if a County President Form of Government is adopted.

Supervisor DiMezza also stated that for the Alternative Forms of County Government to be adopted every township, village and city a majority.

Supervisor Cechnicki agreed with Supervisor DiMezza that a majority is needed, but strongly indicated that the people need to be educated on the Alternative Forms of County Government and he also indicated to the Board that the people he spoke to expressed interest in adopting to a County President.

Supervisor Walters stated that his constituents were not in favor of any change to the structure of County Government. He also stated the message he received from his town was to "just do your job" and not rely on a scapegoat.

Supervisor Strevy stated he would recommend putting up a resolution to bring back a County Administrator.

Supervisors Dybas and Mancini stated that the people should be given the information and they should ultimately decide.

Supervisor Cechnicki did state that there still is a petition process that can be implemented.

It was determined after the discussion that a resolution will be drafted by Administrative Aide Jacki Meola sponsored by Supervisor Quackenbush, seconded by Supervisor McMahon rescinding Resolution No. 245 of 2004.

The Committee moved the resolution to the full board with a positive recommendation.

Supervisor DiMezza requested a Motion to go into Executive Session Pursuant to Section 105 (d) of NYS Open Meeting Law to discuss pending litigation. Chairman McMahon acknowledged the request and a Motion by Supervisor DiMezza, seconded by Supervisor Quackenbush was made. Executive Session started at 8:35 p.m.

Motion to adjourn Executive Session was made by Supervisor Dybas, seconded by Supervisor Mancini. Chairman McMahon adjourned the Executive Session at 8:45 p.m.

As a result of Executive Session no action was taken by the Board.

With no other business, Motion to adjourn the Education/Government Committee meeting was made by Supervisor Dybas, seconded by Supervisor Mancini. Chairman McMahon adjourned the meeting at 8:46 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 12, 2005

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for April 12, 2005 was called to order at 6:00 p.m. by Chairman Strevy.

SALUTE TO THE FLAG

Supervisor Mancini led the Salute to the Flag.

ROLL CALL

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

STATEMENT OF PURPOSE OF MEETING

Resolution Appointing Director of Public Health

Resolutions Pertaining to the Montgomery Meadows Residential Health Care Facility

RESOLUTION NO. 101 of 2005

DATED: April 12, 2005

RESOLUTION APPOINTING DIRECTOR OF PUBLIC HEALTH

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Thomas

RESOLVED, that _____ hereby is appointed, provisionally, as Director of Public Health at an annual base salary of _____, and

FURTHER RESOLVED, that said appointment shall be effective on _____, and

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Thomas, to insert in the RESOLVED clause "Kim Conboy" "54,000" and insert in the FURTHER RESOLVED clause "April 22, 2005", passed with Aye(1379). Supervisor Cechnicki voted Nay. Supervisor Schumann abstained. Supervisors Sinicropi, Jr. and Paton were absent. (4/12/2005)

RESOLUTION ADOPTED with Aye(1379). Supervisor Cechnicki voted Nay. Supervisor Schumann abstained. Supervisors Sinicropi, Jr. and Paton were absent. (4/12/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

MOTION TO ENTER EXECUTIVE SESSION Pursuant to Section 105 (f) of NYS Open Meeting Law to discuss the employment of a particular person was made by Supervisor Jonker, seconded by Supervisor Mancini, passed with Aye(1584). Supervisors Sinicropi, Jr. and Paton were absent. Executive Session started at 6:07 p.m.

MOTION TO EXIT EXECUTIVE SESSION by Supervisor Schumann, seconded by Supervisor McMahon, passed with Aye(1731). Supervisor Sinicropi, Jr. was absent. Executive Session ended at 6:45 p.m.

As a result of the Executive Session action was taken by the Board of Supervisors to move the Resolution Authorizing Chairman to Sign Agreements - Consulting Contracts (Montgomery Meadows) and a Resolution Appointing Nursing Home Administrator (Montgomery Meadows)

RESOLUTION NO. 102 of 2005

DATED: April 12, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - CONSULTING CONTRACTS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Thomas

WHEREAS, by Resolution 261 of 2004, the Board of Supervisors adopted Local Law No. 6 of 2004, which began the transfer of ownership of the Montgomery Meadows Residential Health Care Facility, and

WHEREAS, it has been recommended by the Health and Human Services Committee that the County enter into agreements with certain consultants to assist with the day-to-day clinical and financial issues during the pending transfer of said facility to provide for a smoother transition for the residents and employees,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign agreements with the following who will provide assistance to the Nursing Home Administrator, the Director of Nursing and the Business Office in the areas of clinical and financial management:

Michele Dygert, Financial Manager Consultant, for a maximum amount of 8 hours per week at an hourly rate of \$50 per hour

Heather Reynicke, Billing Specialist Consultant, for a maximum amount of 16 hours per week at an hourly rate of \$20 per hour

Pat Failing, Registered Nurse Clinical Consultant, for a maximum amount of 32 hours per week at an hourly rate of \$40 per hour

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (4/12/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 103 of 2005

DATED: April 12, 2005

RESOLUTION APPOINTING NURSING HOME ADMINISTRATOR (MONTGOMERY MEADOWS)

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Jonker

WHEREAS, Donald Dalger was appointed Nursing Home Administrator of the Montgomery Meadows Residential Health Care Facility by Resolution 151 of 2004, and

WHEREAS, By the adoption of Local Law No. 6 of 2004, Montgomery County entered into an agreement for the sale of the Montgomery Meadows, and

WHEREAS, due to said pending transfer, the County now requires a different specialty and experience to provide oversight to said facility during the transition,

RESOLVED, that Daniel H. Mumpton of Rome, New York, hereby is appointed Montgomery Meadows Nursing Home Administrator at an annual base salary of \$75,000 to serve at the Pleasure of the Board.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Mancini, to insert in the RESOLVED clause after the word Board "start date May 2, 2005" passed with Aye(1731). Supervisor Sinicropi, Jr. was absent. (4/12/2005)

RESOLUTION ADOPTED with Aye(1434). Supervisor Quackenbush voted Nay. Supervisor Schumann abstained. Supervisor Sinicropi, Jr. was absent. (4/12/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor McMahon, passed with Aye(1731). Supervisor Sinicropi, Jr. was absent. Chairman Strevy adjourned the meeting at 6:51pm.

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
6:20 PM, April 12, 2005

COMMITTEE MEETING DISCUSSION

Chairman Jonker presided over the meeting commencing at 6:55 p.m.

Roll call indicated Committee members present included Supervisors Stagliano, Brodie, DiMezza, Dybas and Paton. Supervisor Sinicropi were absent.

Additional present were Supervisors: Quackenbush, McMahon, Strevy, Cechnicki, Schumann, Walters, Thomas and Mancini

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

1. Resolution Authorizing Chairman to Sign Agreements - Youth Programs (Youth Bureau)
2. Resolution Appointing Members - Community Service Board (Mental Health)
3. Other

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

Resolution Appointing Members - Community Service Board (Mental Health) sponsored by Supervisor Mancini, seconded by Supervisor Paton. 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 Dybas, seconded by Supervisor Mancini. Chairman Jonker adjourned the meeting 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
COMMITTEE MEETING - PUBLIC SAFETY
6:30 PM, April 12, 2005

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 7:00 p.m.

Roll call indicated Committee members present included Supervisors Brodie Cechnicki, Jonker, Schumann, Stagliano and Walters

Additional present were Supervisors: Quackenbush, Paton, McMahon, Strevy, Dybas Mancini and DiMezza

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

1. Resolution Amending 2005 Operating Budget - LGRMI F (Sheriff)
2. Resolution Establishing Fees - (Sheriff)
3. Discussion - Dr. Glenn - Montgomery County Public Safety Facility Physician - regarding jail efficiencies
4. Resolution Transferring Funds - Stop DWI Reserve (STOP DWI)
5. Resolution Authorizing Chairman To Sign Agreement - Impaired Driving Deterrence Program Grant (STOP DWI)
6. Discussion regarding Safe Driving - Amish Community
7. Other

Resolution Amending 2005 Operating Budget - LGRMI F (Sheriff) sponsored by Supervisor Cechnicki, seconded by Supervisor Quackenbush

Supervisor Dybas requested from Treasurer Shawn Bowerman a list of grants that are a carry over from the year 2004 into 2005. The Treasurer acknowledged the request and will be providing Supervisor Dybas with the information.

The Committee moved the resolution to the full board with a positive recommendation.

Resolution Establishing Fees - (Sheriff) sponsored by Supervisor Quackenbush, seconded by Supervisor Cechnicki. The Committee moved the resolution to the full board with a positive recommendation.

Chairman Thomas acknowledged Under sheriff Jeff Smith and he introduced Dr. John Glenn who is the Montgomery County Public Safety Facility Physician.

Dr. Glenn indicated to the Board of Supervisors that he has been the facility's physician for 5 months and stated that he has been working closely with the Jail Administrator, Michael T. Franko and Sheriff Amato to look at services within the County to draw from and have the jail run more efficiently with a potential of saving Montgomery County money.

Resolution Transferring Funds Stop-DWI Reserve (Stop DWI) sponsored by Supervisor Cechnicki, seconded by Supervisor Mancini. The Committee moved the resolution to the full board with a positive recommendation.

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

Chairman Thomas stated to the Board that because of the increase in the Amish population there should be a responsibility to inform the surrounding communities that there are some safety precautions vehicle drivers need to be taking when encountering a horse and buggy which is the means of transportation used by the Amish.

Chairman Thomas presented to the Board a previous brochure that has been distributed to alert motorists to slow down and use caution. The Board upon reviewing the brochure recommended that the information be part of a community awareness program. It was also suggested that the printing of the brochure be handled in the County Print Shop for a nominal fee.

Chairman Thomas stated that an add on resolution has been submitted for consideration under other.

Resolution Authorizing Chairman to Sign Grant Agreements - Illegal Drug Trafficking Prevention Program (District Attorney) sponsored by Supervisor Quackenbush, seconded by Supervisor Jonker. 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 Cechnicki, seconded by Supervisor Brodie. Chairman Thomas adjourned the meeting at 7:13 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 - PERSONNEL
7:00 PM, April 12, 2005

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Cechnicki, Mancini, Paton, Quackenbush and Stagliano. Supervisor Brodie was absent.

Additional present were Supervisors: Thomas, Jonker, Schumann, Walters, McMahon, and Strevy.

Chairman DiMezza noted the agenda:

Chairman DiMezza has called a meeting of the Personnel Committee for 7:00 p.m. on Tuesday, April 12, 2005 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. Review of Grievances
2. Discussion regarding Internal Auditing Initiative
3. Other

Chairman DiMezza stated that item 1 on the agenda will not be acted on tonight because CSEA Labor Relations Specialist, Michael Campon, was unable to attend due to an emergency.

Resolution Transferring Funds (Auditing to Purchasing) sponsored by Supervisor DiMezza, seconded by Supervisor Thomas. The Committee moved the resolution to the full board with a positive recommendation.

Chairman DiMezza opened up the discussion regarding the Internal Auditing Initiative.

Chairman DiMezza suggested that a decision on the Internal Auditing Initiative should be put on hold.

Supervisor Jonker stated that he is in support of the Internal Auditing Initiative and felt that postponing the issue was not a solution.

Supervisor McMahon stated that he is not supporting the Internal Auditing Initiative and strongly felt that a solution to the problem would be to hire a County Administrator along with a full time Clerk of the Board.

Chairman DiMezza stated that there is no problem with the theory of the review team, but there is a concern regarding the job duties that will have an effect on the personnel with the way the office is currently structured.

Chairman DiMezza noted that with the discussion that took place the Internal Auditing Management Review Team/Task Force will be revisited at a future date.

Motion to adjourn the Personnel Committee was made by Supervisor Strevy, seconded by Supervisor Quackenbush. Chairman DiMezza adjourned the meeting at 7:35 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 OF THE WHOLE
6:00 PM, April 19, 2005

COMMITTEE MEETING DISCUSSION

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

Roll call indicated that Supervisors Brodie, Schumann, Dybas, Mancini, DiMezza, McMahon, Walters, Thomas, Quackenbush, Paton, Jonker, Cechnicki and Stagliano. Supervisor Sinicropi was absent.

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

1. Interviews - Clerk of the Board of Supervisors
2. Other

Pursuant to Section 105 (f) of NYS Open Meeting Law Chairman Strevy asked for a Motion to go into Executive Session to discuss the employment of a particular person. Motion was made by Supervisor Quackenbush, seconded by Supervisor McMahon. Executive Session started at 6:02 p.m.

Motion to adjourn Executive Session was made by Supervisor Dybas, seconded by Supervisor McMahon. Chairman Strevy adjourned the Executive Session at 7:05

As a result of the Executive Session the Committee of the Whole moved a resolution to appoint a Clerk of the Board of Supervisors at the Full Board Meeting scheduled for April 26, 2005 with the name of the selected candidate to be inserted at that time.

Motion to adjourn the Committee of the Whole was made by Supervisor Mancini, seconded by Supervisor Dybas. Chairman Strevy adjourned the meeting at 7:07 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 , April 19, 2005

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:10 p.m.

Roll call indicated that Supervisors Brodie, Cechnicki, Mancini, Paton, Schumann, and Thomas were present.

Additional Supervisors present Jonker, DiMezza, McMahon, Strevy, Stagliano, Dybas, and Quackenbush.

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

1. Resolution Authorizing the Montgomery County Data Processing Department Maintenance and Oversight Authority of the Montgomery County Website
2. Other

Resolution Authorizing the Montgomery County Data Processing Department Maintenance and Oversight Authority of the Montgomery County Website sponsored by Supervisor Thomas, seconded by Supervisor McMahon. The Committee moved the resolution to the full board with a positive recommendation.

Before the adjournment Chairman Walters referenced a letter that the Board of Supervisors received from Otsego County that the proposal presented to Otsego and Schoharie county to assist MOSA with the refinance of their debt was not acceptable.

Supervisor Walters indicated to the Board that the dialog with Otsego and Schoharie Counties will be on going in spite of the resistance among them. He also said that there has been misinformation circulating in the media that needs to be addressed and that dialog will be taking place in the near future.

Motion to adjourn the General Services/Public Works/Solid Waste Committee was made by Supervisor Strevy, seconded by Supervisor DiMezza. Chairman Walters 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 - FINANCE
7:15 PM, April 19, 2005

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:17 p.m.

Roll Call indicated Committee members present included Supervisors DiMezza, Dybas, McMahon, Schumann, Stagliano and Thomas

Additional present were Supervisors: Jonker, Mancini, Cechnicki, Walters, Strevy, Stagliano, Brodie and Paton

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

1. Resolution Appointing Member of Board of Directors of Montgomery County Cooperative Extension
2. Resolution Authorizing Purchase Contract - Natural Gas and Electric Energy Services Award
3. Discussion regarding Real Property Tax Exemption for Volunteer Firefighters and Members of Volunteer Ambulance Companies
4. Discussion - Montgomery County Occupancy Tax Board - New Appointments and Hospitality Grant Program
5. Discussion regarding FMCC Capital Projects
6. Discussion regarding Sales Tax Distribution Agreement
7. Other

Chairman Quackenbush indicated to the Board that there are going to be add on resolutions presented tonight under Other and proceeded with the first item on the agenda.

Resolution Appointing Member of Board of Directors of Montgomery County Cooperative Extension Association sponsored by Supervisor Dybas, seconded by Supervisor Cechnicki. The Committee recommended Supervisor Bob McMahon for the appointment. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Purchase Contract - Natural Gas and Electric Energy Services Award sponsored by Supervisor Stagliano, seconded by Supervisor Dybas. The Committee moved the resolution to the full board with a positive recommendation.

Discussion regarding Real Property Tax Exemption for Volunteer Firefighters and Members of Volunteer Ambulance Companies.

Chairman Quackenbush referenced a letter that has been received from Senator Farley and Assemblyman Tonko seeking input from the Board and its intent regarding the property tax exemption.

Supervisor Schumann stated that other counties felt the \$3,000.00 property tax exemption was a minimal benefit so the legislature wanted to do more for the volunteer firefighters and also the volunteer ambulance companies by introducing a 10 percent property tax exemption with no cap.

After a discussion Supervisor Walters proposed a resolution, seconded by Supervisor DiMezza to offer a 10 percent exemption with no cap of the assessed value of property.

Supervisor Walters felt that The exemption will help the municipalities attract qualified personnel.

The Resolution will be drafted by Administrative Aide Jacki Meola and will be presented at the full board meeting on April 26, 2005.

Discussion - Montgomery County Occupancy Tax Board - New Appointments and Hospitality Grant Program.

Mr. Rich Brown, Co-Chairman of the Occupancy Tax Advisory Board presented his recommendations regarding the terms of the Occupancy Tax Board Members and said it would best suit the Board to have the terms align with the amended Local Law No. 2 of 2005.

After a brief discussion a resolution sponsored by Supervisor Dybas, seconded by Supervisor Cechnicki would be drafted to have the Occupancy Tax Board coincide with the requirements of the said Local Law, said resolution will include appointments recommended by the OTAB.

The Committee moved the resolution with a positive recommendation to the full board.

In addition Rich Brown acknowledged Tracy Montoni, Co-Chairman OTAB who gave an overview of the Montgomery County Hospitality Grant Program.

Ms. Montoni stated the purpose of the grant program would be to attract more tourists to Montgomery County by using the money to support events and attractions. She also gave a breakdown of the proposal and how the funds will be distributed.

After the discussion the Committee moved the resolution establishing the Hospitality Grant Program to the full board with a positive recommendation.

Discussion regarding FMCC Capital Projects

Chairman Quackenbush stated that the Capital Projects for FMCC was in need of two resolutions and the financing for these capital projects needed to be determined by the Board.

Chairman Quackenbush indicated that the Fulton County Board of Supervisors have already passed separate resolutions to finance their portion of the Capital Project.

County Auditor Marco Zumbolo recommended that Montgomery County follow the same format in drafting two separate resolutions to finance the projects.

After the brief discussion, two separate Resolutions providing payment for capital projects at FMCC, one for the 2004 capital project and one for the 2005 capital project, sponsored by Supervisor DiMezza, seconded by Supervisor Schumann will be drafted by Administrative Aide Jacki Meola. The Committee moved the resolutions to the full board with a positive recommendation.

Ms. Meola indicated to the Board a third resolution would be needed authorizing Phillips Associates to prepare the final design plans for the Integrated Campus Fire Alarm System and HVAC Control Conversion Project at Fulton Montgomery Community College.

The resolution sponsored by Supervisor DiMezza, seconded by Supervisor Thomas will be drafted and be presented at the full board meeting on April 26, 2005.

Chairman Quackenbush acknowledged Supervisor's Schumann request to act on the two add-on resolutions ahead of the discussion regarding the Sales Tax Distribution.

Chairman Quackenbush indicated that the treasurer has recommended refinancing current outstanding debt.

Refunding Bond Resolution-Montgomery County, NY-April 26, 2005-Stating Plan of Refunding Appropriating Approximately \$6,580,000 and Authorizing Issuance of Approximately \$6,580,000 Refunding Serial Bonds-2005 to Finance said Appropriation and Related Costs sponsored by Supervisor Thomas, seconded by Supervisor DiMezza.

Treasurer Shawn Bowerman referenced the preliminary refunding analysis prepared by Advest/Lebenthal for outstanding Series 1996 and 1997 Bonds. Mr. Bowerman stated that it was their recommendation that the County could achieve significant savings.

After a detailed discussion the Committee moved the resolution to the full board with a positive recommendation.

Resolution Allowing Hatch, Leonard, Naples and Any Other Interested Party to Review and Explore Cost Saving Solutions and Alternatives to the County's Insurance Options sponsored by Supervisor Schumann, seconded by Supervisor Dybas.

Supervisor Schumann stated that a proposal was received from Hatch, Leonard, Naples to potentially save the County money on its health insurance and that is why the resolution was drafted. Ms. Schumann also stated that this analysis would be done for free.

Supervisor DiMezza indicated that the insurance companies are always offering savings, but in reality the savings are not there. He stated that the insurance contracts are negotiated with the unions and the unions basically drive the cost of the insurance premiums.

Supervisor DiMezza felt that the resolution that has been presented tonight is politically motivated and stressed that the County has an insurance contract with a current broker until 2007.

Supervisor Strevy indicated that he has had a phone conversation with Gina Longo, Employee Benefits Advisor for Hatch Leonard Naples (Employee Benefits Consulting Group) and also stated that the County currently has a contract in place until 2007.

Supervisor Strevy also stated that this resolution should not just limit one insurance company to do an analysis, but it should include other insurance carriers to give them an opportunity to present their analysis.

Supervisor Stagliano stated that this issue is not union related and felt that the County should be taking advantage of this review. He also stated that this resolution only authorizes Hatch, Leonard, Naples to ask questions of MVP, CDPHP and APA to see if Montgomery County is receiving the best possible rates.

Supervisor DiMezza reminded the Board that the Insurance Contract went out for RFP's and everyone had the opportunity to submit a proposal.

Supervisor Walters stated he has no problem with anyone looking at the County's insurance plans, but would feel more comfortable if the analysis was done by an independent who would have no other agenda than to save the County money.

Supervisor Strevy stated that the letter from Hatch, Leonard, Naples dated January 25, 2005 clearly states "If Montgomery County were to use or adopt these solutions, HLN would expect to be assigned the Broker of Record". He further indicated that this would be in direct conflict with the current contract in place.

After a lengthy discussion Supervisor McMahon recommended that the resolution be moved to the full board with no recommendation.

Chairman Quackenbush stated that this will provide County Attorney Doug Landon some time to research the contract currently in place and report to the Board of his findings.

Discussion regarding Sales Tax Distribution Agreement.

Supervisor Schumann stated that the City Supervisors along with the City Council have met recently and agreed to endorse the sales tax distribution based on population. She cited NYS Tax Law 1262c and indicated that Montgomery County has three choices under that section of the tax law.

1. The County can retain all the sales tax revenue for county purposes (city remains free to preempt in this case and towns receive distribution under 1262d).
2. The County can keep a portion of the sales tax revenue for county purposes, and can distribute the rest to the cities and other municipalities based on population, to be paid quarterly.
3. The County can keep a portion of the sales tax revenue for county purposes, and can distribute the rest, as may be agreed upon by the governing body of the County and the City (subject to State Comptroller approval).

Chairman Quackenbush along with Supervisor Stagliano presented their different approaches regarding the sales tax distribution and the effects on the City, County and Towns.

Supervisor DiMezza stated his frustration regarding the proposal of population based sales tax distribution and how the formula will hurt the Town of Amsterdam and also the villages. He further stated that the City of Amsterdam is unwilling to negotiate a fair tax distribution proposal.

Chairman Quackenbush stated that Montgomery County will be faced with financial difficulties and his proposal for the 1% to be retained at the County Level. In addition he stated that the County is not here to balance the budget in the City of Amsterdam.

Supervisor Walters suggested that the City of Amsterdam reduce their budget and stated that it was unfair that the City of Amsterdam demand the population based tax distribution. He also said if the sales tax stays status quo everyone can survive.

Chairman Quackenbush stated that there are two proposals before the Board and was looking for a recommendation from the Committee as to the action it is willing to take.

Supervisor DiMezza stated that he is recommending a third proposal that will keep the sales tax distribution status quo.

After a lengthy and heated discussion the committee has moved three resolutions to the full board with no recommendation.

1. A resolution with 1% being retained at the County, sponsored by Supervisor Quackenbush, seconded by Supervisor Paton.
2. A resolution retaining the current agreement, sponsored by Supervisor DiMezza, seconded by Supervisor Strevy.
3. A resolution for population-based distribution, sponsored by Supervisor McMahon, seconded by Supervisor DiMezza.

Upon The Committee's recommendation, Administrative Aide Jacki Meola will be drafting the three resolutions with all the pertinent information that will be presented at the April 26, 2005 full board meeting.

With no further discussion, a Motion to adjourn the Finance Committee was made by Supervisor DiMezza, seconded by Supervisor Dybas. Chairman Quackenbush adjourned the meeting at 8:20 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
6:30 PM, April 26, 2005

A Proposal to Increase Montgomery County's Constitutional Tax Limitation

PUBLIC HEARING DISCUSSION

Chairman Strevy called the Public Hearing to order at 6:30 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, April 26, 2005 for the purpose of holding a public hearing on the Proposal of Increasing the 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 Strevy stated to the public that there will be a sign up sheet, each will be acknowledged and given the opportunity to speak. He asked each person to indicate for the record their name and address.

Kurt Semon, Town of Amsterdam recommended that the tax cap remain at the current level of 1.65%. He noted that it is premature to ask for additional funding before a preliminary budget has been created and the final numbers are made available.

Mr. Semon also stated that the sales tax distribution issue has not been decided by the Board, but if the population based formula is adopted the Town of Amsterdam residents, including the Villages of Hagaman and Fort Johnson will suffer a considerable loss of revenue.

He also noted that raising the tax cap would only compound the hardship for the residents.

Bill Grzyb, 415 Lepper Road, Fort Johnson, New York distributed to the local media a breakdown of the population in the City of Amsterdam along with the 10 towns. He stated to the Board of Supervisors that there is equity problems when taxes are being levied.

Mr. Grzyb stressed that there should be talk of consolidation and also questioned the fund balance that was spent. In closing he stated that he was opposed to raising the tax cap.

Jim Saltsman, 1012 State Highway 334, Fonda, New York stated that he does not agree with raising the tax cap.

Charlie Knoblach, 1076 Stone Arabia Road, Fort Plain, New York stated that he does not favor increasing the tax cap.

Mr. Knoblach stressed to the Board of Supervisors that in five years there will be no Montgomery County and that increasing the tax cap would only drive businesses out.

Len Logan, resident of Fort Plain stated he has issues and one is Social Services and how the system works. He suggested that the Commissioner of Social Services needs to be held accountable to the people who are being faced with the constant increase in taxes due to the programs in his department.

Mr. Logan firmly stated to the Board that he would challenge them to raise the tax cap.

Mike Beyer, 132 Popar Drive, Town of Amsterdam spoke in favor of the Real Property Tax Exemption for the Volunteer Fire Fighters and Ambulance Corps Members who serve and reside in Montgomery County.

Mr. Beyer went on to thank Supervisor Walters for sponsoring the resolution along with Supervisor DiMezza for their support.

Chairman Strevy asked if there were any other speakers. With no further speakers, he adjourned the Public Hearing 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
REGULAR MEETING
7:00 PM, April 26, 2005

CALL TO ORDER

Chairman Strevy called the Regular Meeting of the Montgomery County Board of Supervisors for April 26, 2005 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, Mancini, DiMezza, McMahon, Walters, Chairman Strevy, Thomas, Quackenbush, Paton, Jonker, Cechnicki and Stagliano were present.

PRIVILEGE OF THE FLOOR

PRESENTATION -

Chairman Strevy acknowledged Supervisor Thomas who would be presenting a Proclamation to Jean Karutis, Alcohol Prevention Educator entitled "Parents Who Host, Lose The Most - Don't Be A Party To Teenage Drinking" who accepted the proclamation.

Ms. Karutis thanked the Board of Supervisors for their time and support.

Chairman Strevy opened up the Public Comment at 7:05 p.m. and acknowledged the first speaker.

PUBLIC COMMENT

Charlie Knoblach, resident of Fort Plain stated that a group of concerned residents had a meeting and the consensus was that there is a problem with the welfare programs and suggested that random drug testing to Social Service recipients would be a way of reducing the Social Service Budget.

Bill Grzyb, resident of Fort Johnson stated that the Board of Supervisors needs to distribute the tax levy based on population and felt this would only be fair to the tax payers of the County.

Kurt Semon, resident Town of Amsterdam stated that of the three choices of sales tax distribution he supports the present system based on assessment values.

Mr. Semon also reminded the Board that the Town of Amsterdam and the neighboring Villages of Hagaman and Fort Johnson have provided many infrastructures at the town's cost to promote a significant economic boom for the benefit of all in Montgomery County. He continued to state that the rural character along Route 30 corridor has been sacrificed to help promote this growth.

In Closing, Mr. Semon stated to keep the sales tax distribution the way it currently is.

Mr. Semon also wanted to comment on the resolution rescinding the Alternative Form of County Government. He stated that the status quo is not effective enough to meet the future needs of Montgomery County.

Mr. Semon stated that in the past he supported having a County Administrator, but the Board of Supervisors eliminated that position. He wanted to send a message, that Democracy is a powerful value in our society and one that requires great faith in the people. He stated that the board should allow the public referendum to continue.

Leonard Logan, resident of Fort Plain referenced last years' budget process and how the threat of cutting services produced a public outcry. He stressed to the Board that the biggest problem facing Montgomery County is Social Services and that they needed to go to Albany with a message to reform the welfare system.

Jim Hoffman, resident of Fonda stated that he does not support raising the tax cap and referenced the problem that Montgomery County is facing with the welfare system presently in place. He said a message needs to be sent to Albany that the people can no longer afford the high taxes associated with all the mandated programs.

Chairman Strevy asked if there were any other speakers. With no further speakers, he adjourned the Public Comment at 7:20 p.m.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

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

APPROVAL OF BUDGETARY TRANSFER

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

UNFINISHED BUSINESS

NEW BUSINESS

RESOLUTION NO. 104 of 2005

DATED: April 26, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - YOUTH PROGRAMS (YOUTH BUREAU)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Paton

WHEREAS, funds were appropriated in the 2005 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	RECOMMENDED FUNDING
Alcoholism & Substance Abuse Council (Eckerd Drug Quiz Show)	\$ 250.00
Amsterdam Sea Rams (Community Group Swim Team)	500.00
Association of American University Women (Sister-to-Sister Summit)	500.00
Boy Scouts of America (Troop #32)	200.00
Canajoharie Central School (After Prom Party)	500.00
Canajoharie Youth Football (Youth Football)	300.00
Fonda-Fultonville Central School (After Prom Party)	500.00
Fonda-Fultonville Girls Biddy Basketball (Biddy Basketball)	250.00
Fort Hunter Free Library (Summer Reading Program)	750.00
Fort Plain Biddy Basketball (Biddy Basketball)	300.00
Fort Plain Central School (After Prom Party)	500.00
Fort Plain Free Library (Summer Reading Program)	600.00
Fort Plain AYSO (Youth Soccer)	300.00
Friends of the Visual & Performing Arts (Summer Concert Band & Ensemble)	750.00
Hispanic Outreach Services (Hispanic Youth Summer Life Enrichment)	500.00
Inter-Church Basketball League (Youth Recreational Basketball)	300.00
Margaret Reaney Memorial Library (Kids and Libraries)	500.00
Schoharie River Center (Archaeology Field School for Youth)	500.00
	\$ 8,000.00

RESOLUTION ADOPTED with Aye(1868). (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 105 of 2005

DATED: April 26, 2005

RESOLUTION APPOINTING MEMBERS - COMMUNITY SERVICE BOARD (MENTAL HEALTH)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Paton

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:

Jackson F. Douglass	268 Dygert Road, Canajoharie, NY
Lucille Sitterly	Montgomery County Probation Department,
	PO Box 1500, Fonda, NY

and

FURTHER RESOLVED, that said terms shall commence on January 1, 2005 and end on December 31, 2008.

RESOLUTION ADOPTED with Aye(1868). (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 106 of 2005

DATED: April 26, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET - LGRMIF (SHERIFF)

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Quackenbush

WHEREAS, the Board of Supervisors authorized acceptance of a grant award from the New York State Local Government Records Management Improvement Fund for the period commencing August 31, 2004 and ending August 30, 2005, and

WHEREAS, said funds were appropriated in the 2004 Operating Budget and the unexpended balance should be carried forward in the 2005 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005 Operating Budget, as follows:

INCREASE:

Revenue:		
A-15-3-3389	Other Public Safety	\$ 10,374

Appropriations:		
A-10-4-9001-00-8810	FICA	\$ 332
A-10-4-9001-00-8823	Retirement	\$ 520
A-15-4-3110-00-1120(319)	PT Account Clerk Typist	\$ 9,522

RESOLUTION ADOPTED with Aye(1868). (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 107 of 2005

DATED: April 26, 2005

RESOLUTION ESTABLISHING FEES - (SHERIFF)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Cechnicki

WHEREAS, it has been recommended by the Sheriff to establish a new fee for conducting criminal background check services provided in the Sheriff's Office,

RESOLVED, that effective immediately, the fee imposed for conducting criminal background check services provided in the Sheriff's Office will be as follows:

\$25 - an individual charge per criminal background check

\$2,500 - an annual contract charge for up to 350 criminal backgrounds checks per year per agency requesting

, and

FURTHER RESOLVED, that the above fees will be payable to the Sheriff of Montgomery County and shall be credited as departmental revenue.

RESOLUTION ADOPTED with Aye(1868). (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 108 of 2005

DATED: April 26, 2005

RESOLUTION TRANSFERRING FUNDS STOP-DWI RESERVE (STOP DWI)

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Mancini

WHEREAS, the Stop-DWI Advisory Board has recommended an increase in funding for the Sheriff's Office for a DWI deputy,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005 Operating Budget, as follows:

INCREASE:

A-511	Appropriated Reserve - Stop-DWI	\$10,934.00
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INCREASE:

A-32-4-3315-00.4520	Stop-DWI /Law Enforcement Program	\$10,934.00
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RESOLUTION ADOPTED with Aye(1868). (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 109 of 2005

DATED: April 26, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - IMPAIRED DRIVING DETERRENCE PROGRAM GRANT (STOP-DWI)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Jonker

WHEREAS, the Montgomery County Stop-DWI program has been awarded a \$2,698.00 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 2005 Operating Budget as follows:

INCREASE:

Revenue:

A-32-3-3324-00	Law Enforcement/Drug Enforcement Program	\$2,698.00
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Appropriations:

A-32-4-3315-00.4520	Stop-DWI/Law Enforcement Program	\$ 698.00
A-32-4-3315-00.4550	Stop-DWI Grants -Other Gov't/Agency	\$2,000.00

RESOLUTION ADOPTED with Aye(1868). (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 110 of 2005

DATED: April 26, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENTS - ILLEGAL DRUG TRAFFICKING PREVENTION PROGRAM (DISTRICT ATTORNEY)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Jonker

WHEREAS, the District Attorney has been advised that Montgomery County has been awarded monies to be utilized for an Illegal Drug Trafficking Prevention Program, and

WHEREAS, said monies are comprised of a \$30,000 Byrne Grant from the NYS Division of Criminal Justice and a \$10,000 Legislative Grant from the NYS Legislature to be utilized for the matching funds portion of the said grant,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes acceptance of a \$30,000 Byrne Grant from the NYS Division of Criminal Justice and a \$10,000 Legislative Grant from the NYS Legislature to be utilized for an Illegal Drug Trafficking Prevention Program, and

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

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

INCREASE:		
A-25-4-3089	State Aid, Other	\$40,000

INCREASE:		
A-25-4-1165-00-2250	Technical Equipment	\$10,000
A-25-4-1165-00-4408	Office Supplies	600
A-25-4-1165-00-4422	Equipment Rental/Lease/Repair	500
A-25-4-1165-00-4431	Professional Services	5,400
A-25-4-1165-00-4522	D.A./Law Enforcement Programs	23,500

		\$40,000

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza abstained. (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 111 of 2005

DATED: April 26, 2005

RESOLUTION TRANSFERRING FUNDS (AUDITING TO PURCHASING)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Thomas

WHEREAS, the previous Purchasing Agent had been acting in a dual role as Interim County Auditor for the County from November 2003 through December 31, 2004, and

WHEREAS, said former Purchasing Agent has requested \$7,000 payment for performing additional duties in his dual role,

RESOLVED, the Montgomery County Board of Supervisors approves payment to the former Purchasing Agent for the performance of additional duties, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized to transfer funds to provide for said payment as follows:

FROM:

TO:

MOTION TO AMEND by Supervisor Cechnicki, seconded by Supervisor Dybas, to insert in the RESOLVED clause a "period" after the word "duties" and to strike the "comma" and the word "and", and to strike the FURTHER RESOLVED clause in its entirety, passed with Aye(1868). (4/26/2005)

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann voted Nay. (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Cechnicki stated that rescinding Resolution No. 245 of 2004 would be a great disservice to the people in Montgomery County by not allowing them an opportunity to have a voice in the process.

Supervisor Walters had concerns regarding the "President" Alternative Form of Government and that potentially it could have increased costs to the County.

Supervisor Schumann stated that she would not support resolution No. 112 to rescind the Public Referendum for the Alternative Forms of County Government and urged her colleagues to do the same.

Supervisor DiMezza stated that he would not vote to rescind the resolution, but felt confident that there will be no support among the public to have a County President. He further stated that this would create another layer of bureaucracy.

RESOLUTION NO. 112 of 2005

DATED: April 26, 2005

RESOLUTION RESCINDING RESOLUTION NO. 245 OF 2004 - A RESOLUTION ESTABLISHING A PUBLIC REFERENDUM ON THE QUESTION OF ALTERNATIVE FORMS OF COUNTY GOVERNMENT

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: McMahon

RESOLVED, that Resolution No. 245 of 2004 - A Resolution Establishing a Public Referendum on the Question of Alternative Forms of County Government- is hereby rescinded.

RESOLUTION DEFEATED with Aye(453). Supervisors McMahon, Walters, Strevy and Quackenbush voted Aye. (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 113 of 2005

DATED: April 26, 2005

RESOLUTION ESTABLISHING PROCEDURE FOR DISTRIBUTION OF MONTGOMERY COUNTY BOARD OF SUPERVISORS PROCEEDINGS ON THE MONTGOMERY COUNTY WEBSITE

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Quackenbush

WHEREAS, the Data Processing Department and the Board of Supervisors staff have worked in conjunction to design a new Windows-based system for the recording of the Proceedings of the Montgomery County Board of Supervisors, and

WHEREAS, said system is capable of converting proceedings to be available on the County's website as an interactive system for searching, viewing and printing only, and

WHEREAS, the Board of Supervisors staff currently fulfills manually numerous requests from

Departments as well as the public to disseminate said proceedings as there is no other avenue available for the information to be retrieved by the individual requiring or requesting said proceedings, and

WHEREAS, in the light of the County's fiscal restraints, utilizing a web-based system suitable for the searching, viewing and printing of said information by the County Department or public would provide for a more efficient use of staff and allow for a more open form of government,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the conversion of its proceedings, consisting of resolutions and meeting minutes, to an interactive system suitable for searching, viewing and printing on the Montgomery County website, and

FURTHER RESOLVED, only those proceedings that have been formally adopted by the Board of Supervisors and then signed by the Clerk of the Board and the County Attorney shall be available.

RESOLUTION ADOPTED with Aye(1868). (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 114 of 2005

DATED: April 26, 2005

RESOLUTION ESTABLISHING PROCEDURE FOR AMENDING RESOLUTIONS

Resolution by Supervisor: Jonker

Seconded by Supervisor: Di Mezza

WHEREAS, throughout the years the Montgomery County Board of Supervisors has amended many resolutions to more concisely meet current conditions and trends, and

WHEREAS, the original and the amended intent of said resolutions have, to a degree, become difficult to interpret for content,

RESOLVED, henceforth, resolutions from prior proceedings of the Board of Supervisors coming before the Board of Supervisors are no longer to be amended, and

FURTHER RESOLVED, that the procedure for future changes to existing resolutions be as follows:

1. A draft of a new resolution, along with a copy of the current resolution and all pertinent backup documentation is to be submitted for consideration of the Board as outlined in the adopted Rules of Procedure.
2. As part of the language of the new resolution, the resolution currently in effect is to be rescinded.

RESOLUTION ADOPTED with Aye(1622). Supervisors McMahon and Strevy voted Nay. (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 115 of 2005

DATED: April 26, 2005

RESOLUTION ESTABLISHING POLICY REGARDING CONTRACT PROCESSING

Resolution by Supervisor: Jonker

Seconded by Supervisor: Di Mezza

WHEREAS, the Board of Supervisors has the responsibility to assure all contractual agreements entered in to, between the County of Montgomery and outside agencies, are properly executed, and

WHEREAS, all contractual agreements commit the County and its residents to certain obligations for the duration of said contractual agreements,

RESOLVED, all department heads are to submit to the Chairman of the Board of Supervisors office all contractual agreements effective 4/27/05 to be processed using the procedure as follows:

1. Review all contracts 120 days before expiration date to determine if it should be renewed
2. Send at least three (3) copies, already signed by vendor, directly to the Supervisor's office with:

a. Sign Contract Sheet (1 copy) with top portion filled out (typed and signed), by the Department. Include all, properly completed, Insurance Certificates, attachments and exhibits. Attach all pertinent information to the contract to be signed, with the Sign Contract Sheet on top.

b. Attach 1 copy of a resolution authorizing the contract to be signed. If there has not been a resolution approving the contract, send your request for a resolution to the appropriate Committee Chairman and the Chairman of the Board at the Supervisors' Office.

3. The contract is to be logged in and processed through the Chairman of the Board of Supervisors' Office first and is to be reviewed for signature from the County Attorney.

4. After the contracts have been review and signed by the Chairman of the Board and the County Attorney, the Department is to get back two (2) original contracts, (one for the Department and one for the vendor), along with one copy of the Sign Contract Sheet.

, and

FURTHER RESOLVED, all previous resolutions granting authority for department heads to sign contracts are hereby rescinded.

RESOLUTION ADOPTED with Aye(1868). (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Cechnicki questioned Treasurer Shawn Bowerman on the status of the AUD (Annual Update Document) for the fiscal year ending 2004? Treasurer Bowerman stated that the report has not been completed as of yet.

Supervisor Schumann stated that she would be voting "no" on Increasing the Constitutional Tax Limit from 1.65% to 2%.

RESOLUTION NO. 116 of 2005

DATED: April 26, 2005

RESOLUTION INCREASING THE CONSTITUTIONAL TAX LIMIT FOR THE COUNTY OF MONTGOMERY

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Stagliano

WHEREAS, Resolution 285 of 2003 established the Constitutional Tax Limit for Montgomery County to be 1.65%, and

WHEREAS, it is anticipated that the 2006 Tentative Budget will exceed the limits of the current Constitutional Tax Limit, and could require total elimination of several needed County Services to remain within the cap, and

WHEREAS, it is necessary to increase said tax limitation in order to provide additional revenue to provide for said services, and

WHEREAS, the proposed increase tax limitation is 2.0%, 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 April 26, 2005 at 6:30pm,

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(0). (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 117 of 2005

DATED: April 26, 2005

RESOLUTION AUTHORIZING THE MONTGOMERY COUNTY DATA PROCESSING DEPARTMENT MAINTENANCE AND OVERSIGHT AUTHORITY OF THE MONTGOMERY COUNTY WEBSITE

Resolution by Supervisor: Thomas

Seconded by Supervisor: McMahon

WHEREAS, Montgomery County currently maintains a website on the world wide web, and

WHEREAS, it is imperative that all departments within the County who maintain information on the County's website be in compliance with a certain protocol to provide minimal risk to the County's server, and

WHEREAS, currently, the Montgomery County Data Processing Department does not have authority from the Board of Supervisors to maintain the County Website, and

WHEREAS, it is the desire of the Montgomery County Data Processing Department to be granted the maintenance and oversight authority of the Montgomery County Website to be more efficient and cost effective,

RESOLVED, that the Montgomery County Board of Supervisors hereby grants maintenance and oversight authority of the Montgomery County website to the Montgomery County Data Processing Department, and

FURTHER RESOLVED, that all department heads are required to consult with the Data Processing Department regarding information to be placed on the Montgomery County Website.

RESOLUTION ADOPTED with Aye(1868). (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 118 of 2005

DATED: April 26, 2005

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

Resolution by Supervisor: Dybas

Seconded by Supervisor: Cechnicki

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, and

WHEREAS, there is currently a vacancy for said appointment,

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

RESOLUTION ADOPTED with Aye(1868). (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 119 of 2005

DATED: April 26, 2005

RESOLUTION AUTHORIZING PURCHASE CONTRACT - NATURAL GAS AND ELECTRIC ENERGY SERVICES AWARD

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Dybas

WHEREAS, the Purchasing Agent is soliciting sealed bids for procurement of natural gas and electric energy services, said bids to be received by May 5, 2005 and

WHEREAS, given the volatility of natural gas and electric energy prices, it is in the best interest of the County to award contracts to the lowest responsible bidders 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 natural gas and electric energy purchase contracts, for a 12-month period beginning June 1, 2005 and ending May 31, 2006 to the lowest responsible bidders.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 120 of 2005

DATED: April 26, 2005

REFUNDING BOND RESOLUTION-MONTGOMERY COUNTY, NY- APRIL 26, 2005-STATING PLAN OF REFUNDING, APPROPRIATING APPROXIMATELY \$6,580,000 & AUTHORIZING ISSUANCE OF APPROXIMATELY \$6,580,000 REFUNDING SERIAL BONDS-2005 TO FINANCE SAID APPROPRIATION & RELATED COSTS

Resolution by Supervisor: Thomas

Seconded by Supervisor: Di Mezza

WHEREAS, the County of Montgomery, New York (the "County"), has heretofore issued its \$9,844,420 PUBLIC IMPROVEMENT (TERM) BONDS - 1996, dated May 13, 1996, now outstanding in the approximate aggregate principal amount of \$3,435,000, which bonds mature in the principal amount of \$3,435,000 on May 1 in 2016, and which bonds bear interest at the rate of 5.750% per annum, payable semi-annually on June 15 and December 15 in each year to maturity; and

WHEREAS, the County of Montgomery, New York (the "County"), has heretofore issued its \$4,875,000 PUBLIC IMPROVEMENT (SERIAL) BONDS - 1997, dated June 18, 1997, now outstanding in the approximate aggregate principal amount of \$2,500,000, which bonds mature in the principal amounts of (i) \$250,000 on June 15 in years 2005 and 2006 and (ii) \$200,000 on June 15 in year 2007 through 2016, inclusive, and which bonds bear interest at varying rates between 5.100% per annum and 5.250% per annum, payable semi-annually on June 15 and December 15 in each year to maturity; and

WHEREAS, Section 90.10 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), permits the County to refund all or any portion of outstanding serial bonds by the issuance of new bonds, the issuance of which will result in present value debt service savings for the County;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, NEW YORK (by the favorable vote of two-thirds of all the members of said Board), AS FOLLOWS:

Section 1. In this resolution, the following definitions apply, unless a different meaning clearly appears from the context:

(a) "Bonds To Be Refunded" means all of the outstanding \$9,844,420 PUBLIC IMPROVEMENT (TERM) BONDS - 1996, dated May 13, 1996 and \$4,875,000 PUBLIC IMPROVEMENT (SERIAL BONDS) - 1997, dated June 18, 1997. The aggregate principal amount of the Bonds To Be Refunded is approximately \$5,950,000.

(b) "Non-Callable Bonds To Be Refunded" means the portion of the Bonds To Be Refunded, if any, which are not subject to prior redemption at the election of the County.

(c) "Present Value Savings" means the dollar savings which result from the issuance of the Refunding Bonds computed in accordance with Section 90.10-b.2(a) of the Law by discounting the principal and interest payments on both the Refunding Bonds and the Bonds To Be Refunded from the respective maturities thereof to the date of issue of the Refunding Bonds, at a rate equal to the effective interest cost of the Refunding Bonds. The effective interest cost of the Refunding Bonds shall be that rate which is arrived at by doubling the semi-annual interest rate (compounded semi-annually), necessary to discount the debt service payments on the Refunding Bonds from the maturity dates thereof to the date of issue of the Refunding Bonds and to the bona fide initial public offering price including estimated accrued interest, or, if there is no public offering, to the price bid including estimated accrued interest.

(d) "Redemption Date" means the date on which the Bonds To Be Refunded, excepting the Non-Callable Bonds To Be Refunded, if any, are to be redeemed, which Redemption Date shall be on or about June 1, 2005.

(e) "Refunding Bond" or "Refunding Bonds" means a portion or all of the approximate \$6,580,000 Refunding Serial Bonds - 2005 of the County, authorized pursuant to Section 2 hereof.

(f) "Refunding Bond Amount Limitation" means an amount of Refunding Bonds which does not exceed (i) the principal amount of Bonds To Be Refunded; (ii) the aggregate amount of unmatured interest payable on such Bonds To Be Refunded to and including the Redemption Date of the Bonds To Be Refunded, which are subject to prior redemption (iii) redemption premiums, if any, payable on the Bonds To Be Refunded; plus (iv) costs and expenses incidental to the issuance of the Refunding Bonds including the development of the Refunding Financial Plan.

Section 2. The Board of Supervisors of the County of Montgomery (the "County Board"), hereby authorizes the refunding of all of the approximate aggregate \$5,950,000 Bonds To Be Refunded of the County, more particularly described and referred to in the Recitals hereof, and appropriates an approximate amount of \$6,580,000 to accomplish such refunding. The plan of financing said appropriation includes the issuance of approximately \$6,580,000 Refunding Bonds and the levy and collection of a tax upon all the taxable real property within the County to pay the principal of

and interest on said Refunding Bonds as the same shall become due and payable. Serial bonds of the County in the approximate aggregate principal amount of \$6,580,000 and designated "REFUNDING SERIAL BONDS - 2005" are hereby authorized to be issued pursuant to the provisions of the Law. The financial plan for the refunding (the "Refunding Financial Plan"), prepared for the County by the Advest, Inc. or other firm retained by the County for such purpose, annexed hereto as Exhibit "A", is hereby accepted and approved. The Refunding Financial Plan contemplates the principal of and interest on the Bonds To Be Refunded becoming due and payable on the Redemption Date.

Section 3. The approximate \$5,590,000 Bonds To Be Refunded referred to in Section 1 hereof are the unmatured aggregate outstanding balances of the \$9,844,420 PUBLIC IMPROVEMENT (TERM) BONDS - 1996, dated May 13, 1996 and \$4,875,000 PUBLIC IMPROVEMENT (SERIAL) BONDS - 1997, dated June 18, 1997, which were originally issued pursuant to their respective bond resolutions duly adopted by the County Board, authorizing the issuance of serial bonds of the County for various County purposes.

Section 4. The Refunding Bonds authorized in the approximate aggregate principal amount of \$6,580,000 shall mature in amounts and at dates to be determined by the County Treasurer, but tentatively in accordance with the maturity schedule set forth in the Refunding Financial Plan. The County Treasurer, as the chief fiscal officer of the County, is hereby authorized to approve all details of the Refunding Financial Plan not contained herein.

Section 5. The maximum period of probable usefulness of the Bonds To Be Refunded is forty (40) years, commencing on the date of issuance of the first bond anticipation notes issued in anticipation of the sale of the bonds or the date of issuance of the sale of bonds, whichever is earlier, referred to in Section 3 above. The issuance of the Refunding Bonds will not exceed the Refunding Bond Amount Limitation.

Section 6. The approximate aggregate amount of estimated present value savings, computed in accordance with subdivision two of paragraph b of Section 90.10 of the Law by discounting the principal and interest payments on both the Refunding Bonds and the Bonds To Be Refunded from the respective maturities thereof to the date of issue of the Refunding Bonds at a rate equal to the effective interest cost of the Refunding Bonds, is \$310,319.00.

Section 7. (a) The Refunding Bonds shall be sold at private or negotiated sale, and the County Treasurer, the chief fiscal officer of the County, is hereby authorized and directed to execute any and all documents and instruments necessary or desirable for the sale of said Refunding Bonds.

(b) The County Treasurer is hereby further authorized and directed to take any and all actions necessary to accomplish said refunding, and to execute any contracts and agreements for the purchase of and payment for services rendered or to be rendered the County in connection with said refunding.

Section 8. Each of the Refunding Bonds authorized by this resolution shall contain the recital of validity prescribed by Section 52.00 of the Law and said Refunding Bonds shall be general obligations of the County payable as to both principal and interest by a general tax upon all the taxable real property within the County without 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 Refunding Bonds and provision shall be made annually in the budget of the County for (a) the amortization and redemption of the Refunding Bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 9. Subject to the provisions of this resolution and of the Law, and pursuant to the provisions of Sections 50.00, 56.00 and 90.10 of the Law, the powers and duties of the County Board relative to prescribing the terms, form and contents and as to the sale and issuance of the Refunding Bonds, and to executing any arbitrage certification relative thereto as well as any other documents necessary or desirable in connection with such issuance, are hereby delegated to the County Treasurer, the chief fiscal officer of the County.

Section 10. The County hereby covenants and agrees with the holders from time to time of said Refunding Bonds that the County will duly and faithfully observe and comply with the provisions of the Internal Revenue Code of 1986, as amended, and any proposed or final regulations promulgated thereunder, unless, in the opinion of Bond Counsel to the County, such compliance is not required to maintain the federal tax exemption of interest on said obligations from federal income taxation.

Section 11. The County Treasurer is hereby authorized to enter into an escrow contract (the "Escrow Contract") with a bank or trust company located and authorized to do business in this state, for the purpose of having such bank or trust company act as the escrow holder (the "Escrow Holder") of the proceeds, inclusive of any premium from the sale of the Refunding Bonds, together with all income derived from the investment of such proceeds, if and to the extent such an Escrow Contract is recommended or required by bond counsel to the County. All monies held by the Escrow Holder shall be invested only in direct obligations of the United States of America or in obligations the principal of and interest on which are unconditionally guaranteed by the United States of America, which obligations shall mature or be subject to redemption at the option of the holder thereof not later than the respective dates when such monies will be required to make payments in accordance with the Refunding Financial Plan.

Section 12. The portion of the proceeds from the sale of the Refunding Bonds, together with interest earned thereon, if any, which shall be required for the payment of the principal of and interest on the Bonds To Be Refunded, in accordance with the Refunding Financial Plan, shall be irrevocably committed and pledged to such purpose and the holders of the Bonds To Be Refunded shall have a lien upon such monies and the investment thereof held by the Escrow Holder, if any. The pledge and lien provided for herein shall become valid and binding upon the issuance of the Refunding Bonds and the monies and investments held by the Escrow Holder, if any, shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof.

Section 13. The County Board hereby authorizes the call and redemption of all of the Bonds To Be Refunded in accordance with the Refunding Financial Plan, which redemption shall occur on or about the Redemption Date. The County Treasurer is hereby authorized and directed to cause a notice of such redemption to be given in the manner and within the times provided in Section 53.00.a of the Law and as otherwise in conformance with the terms and provisions of the Bonds To Be Refunded.

Section 14. The validity of the Refunding Bonds authorized by this resolution may be contested only if:

(a) Such obligations are authorized for an 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 days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 15. The resolution shall take effect immediately and shall be published, in full, in the official newspaper(s) of the County, together with a notice in substantially the form as prescribed by Section 81.00 of the Law.

Section 16. The resolution is not subject to a mandatory or permissive referendum pursuant to Section 90.00g(2) of the Law.

RESOLUTION ADOPTED with Aye(1868). (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 121 of 2005

DATED: April 26, 2005

RESOLUTION TO REQUEST THE NEW YORK STATE LEGISLATURE TO INTRODUCE AND ENACT A REAL PROPERTY TAX EXEMPTION OF TEN PERCENT (10%) WITH NO CAP FOR VOLUNTEER FIRE FIGHTERS AND AMBULANCE CORPS MEMBERS WHO SERVE AND RESIDE IN MONTGOMERY COUNTY

Resolution by Supervisor: Walters

Seconded by Supervisor: Di Mezza

WHEREAS, By Resolution 196 of 2004 the Montgomery County Board of Supervisors officially requested 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

WHEREAS, said Legislators have stated that said bill currently sets the exemption at 10%, but then caps the maximum amount at \$3,000 off the assessed value of a volunteer firefighter or ambulance corps member's home, and

WHEREAS, said Legislators have stated that it is the decision of the each County to offer a flat 10% exemption off the homes of volunteers with no cap which would provide for a greater property tax exemption, and

WHEREAS, it is the desire of the Montgomery County Board of Supervisors to provide for said exemption with no cap,

RESOLVED, that in conjunction with Resolution 196 of 2004 the Montgomery County Board of Supervisors 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

FURTHER RESOLVED, that said request is to offer flat 10% exemption off the homes of volunteers with no cap, to provide for a greater property tax exemption for those volunteering, and

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(1729). Supervisor Schumann abstained. (4/26/2005)

Douglas Landon

Christine Pasquarelli

County Attorney

Clerk, Board of Supervisors

RESOLUTION NO. 122 of 2005

DATED: April 26, 2005

RESOLUTION APPOINTING MEMBERS TO THE MONTGOMERY COUNTY OCCUPANCY TAX ADVISORY BOARD

Resolution by Supervisor: Dybas

Seconded by Supervisor: Cechnicki

WHEREAS, Resolution 81 of 2005 adopted Local Law No. 2 of 2005 -A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1990 WHICH ESTABLISHED THE MONTGOMERY COUNTY OCCUPANCY TAX ADVISORY BOARD, and

WHEREAS, said Local Law altered the appointment terms of the members of the Montgomery County Occupancy Tax Board as follows:

The Members of said Advisory Board shall serve three-year terms as follows:

Three of such members, of which one member shall be a representative of an organization of the lodging facility industry, shall serve terms the cycles of which shall coincide with starting on January 1, 2005 and every third year thereafter;

Two of such members, of which one member shall be a representative of an organization of the lodging facility industry, shall serve terms the cycles of which shall coincide with starting on January 1, 2006 and every third year thereafter;

Two of such members, of which one member shall be a representative of an organization of the lodging facility industry, shall serve terms the cycles of which shall coincide with starting on January 1, 2007 and every third year thereafter.

, and

WHEREAS, the adoption of said Local Law requires certain appointments to be made to the Occupancy Tax Board to coincide with the requirements of said Local Law, and

WHEREAS, the Chairman of the Board of Supervisors has recommended the following appointments:

William Hisert of the Town of Palatine for a term to expire on December 31, 2007

Shawn Bowerman, County Treasurer, for a term to expire on December 31, 2007

Ron Hezel of the Town of St. Johnsville, for a term to expire on December 31, 2006

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

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann abstained. (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Dybas commended the Montgomery County Occupancy Tax Advisory Board for developing and presenting a well thought out plan that will promote tourism and economic growth.

RESOLUTION NO. 123 of 2005

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

DATED: April 26, 2005

RESOLUTION ESTABLISHING GUIDELINES FOR THE EXPENDITURE OF THE MONTGOMERY COUNTY OCCUPANCY TAX

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Cechnicki

WHEREAS, the Montgomery County Occupancy Tax Advisory Board has met and developed guidelines for the expenditure of the Occupancy Tax collected in Montgomery County, and

WHEREAS, said guidelines provide for monies to be utilized for the I Love NY Matching Funds Program, with the remaining being utilized for a Hospitality Grant Program, as well as the awarding of funds which will be used to foster tourism and economic development of tourism sites,

RESOLVED, the Montgomery County Board of Supervisors hereby accepts the guidelines for the expenditure of the Montgomery County Occupancy Tax as set forth by the Montgomery County Occupancy Tax Advisory Board, said guidelines attached and made part hereto.

RESOLUTION ADOPTED with Aye(1868). (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 124 of 2005

DATED: April 26, 2005

RESOLUTION APPROVING 2004 CAPITAL PROJECTS - FMCC

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Schumann

WHEREAS, Resolution 127 of 2004 approved certain Capital Projects at Fulton-Montgomery Community College for a project cost to Montgomery County equaling \$113,478, and

WHEREAS, Resolution 218 of 2004 authorized the expenditure of \$10,700 from the contingency fund for design engineers associated with said Capital Projects, and

WHEREAS, the method of payment for the remaining \$102,778 of the Montgomery County share of the FMCC 2004 Capital Project has not been specifically delineated, and

WHEREAS, it is the desire to bond for said Capital Project at FMCC,

RESOLVED, that the County Treasurer hereby is authorized and directed to arrange for the preparation of appropriate legislation authorizing bonding for the remaining balance of the 2004 Capital Project at Fulton-Montgomery Community College as approved in Resolution 127 of 2004 at a cost not to exceed \$102,778.

MOTION TO AMEND, sponsored by Supervisor Stagliano, seconded by Supervisor Schumann to strike the last WHEREAS clause and to also strike the RESOLVED clause and replace with the following:

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400	Contingent Account	\$102,778
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TRANSFER TO:

A-06-4-9900-00-9950	Capital Project	\$102,778
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passed with Aye(1725). Supervisor McMahon voted Nay. (4/26/2005)

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas voted Nay. (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Di Mezza had concerns regarding the funds being taken out of the contingency fund and felt that the FMCC 2005 Capital Projects should be funded through a Bonding Resolution.

RESOLUTION NO. 125 of 2005

DATED: April 26, 2005

RESOLUTION APPROVING 2005 CAPITAL PROJECTS - FMCC

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Schumann

WHEREAS, it has been recommended that certain Capital Projects at Fulton-Montgomery Community College be undertaken in 2005, and

WHEREAS, Montgomery County is responsible for 25% of the costs of Capital Projects at FMCC, and

WHEREAS, it is also the desire to bond for said Capital Project at FMCC,

RESOLVED, that the Montgomery County Board of Supervisors hereby approves the following 2005 Capital Projects at Fulton-Montgomery Community College:

Replacement of Library Roof at a total estimated project cost of \$103,550 (Montgomery County

Share \$25,888)

Electrical Vault Repairs at a total estimated project cost of \$96,900 (Montgomery County Share \$24,225)

Design Projects for the Radiologic Technology Program and Student Services Building at a total estimated project cost of \$101,150 (Montgomery County Share \$25,288)

Pool Trench Drain/Deck Repairs at a total estimated project cost of \$14,700 (Montgomery County Share \$3,675)

Total Montgomery County Share - \$79,076

, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to arrange for the preparation of appropriate legislation authorizing bonding for the 2005 Capital Project at Fulton Montgomery Community College as outlined above at a cost not to exceed \$79,076.

MOTION TO AMEND, sponsored by Supervisor Stagliano, seconded by Supervisor Schumann to strike the last WHEREAS clause and to also strike the FURTHER RESOLVED clause and replace with the following:

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingent Account \$79,076

TRANSFER TO:

A-06-4-9900-00-9950 Capital Project \$79,076

passed with Aye(1049). Supervisors DiMezza, McMahon, Walters, Strevy, Quackenbush and Paton voted Nay. (4/26/2005)

RESOLUTION ADOPTED with Aye(1683). Supervisors Dybas and Walters voted Nay. (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 126 of 2005

DATED: April 26, 2005

RESOLUTION ACCEPTING PHILLIPS ASSOCIATES FINAL DESIGN PLANS AND AUTHORIZING ADVERTISEMENT FOR BIDS FOR THE INTEGRATED CAMPUS FIRE ALARM SYSTEM AND HVAC CONTROL CONVERSION PROJECT AT FULTON MONTGOMERY COUNTY COMMUNITY COLLEGE (2004 FMCC CAPITAL PROJECT)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Schumann

WHEREAS, Resolution 127 of 2004 identifies and approves an Integrated Campus Fire Alarm System and HVAC Control Conversion Project at Fulton Montgomery Community College and

WHEREAS, Resolution 218 of 2004 authorized a contract with Phillips Associates to prepare design plans and specifications for said project, and

WHEREAS, Phillips Associates recommends structuring said project to include a base bid and several alternative bids that can be awarded contingent upon available funds,

RESOLVED, that the final design plans for the Integrated Campus Fire Alarm System and HVAC Control Conversion Project at Fulton-Montgomery Community College, as prepared by Phillips Associates and approved by the Fulton County Finance Committee and Fulton County Planning Director are hereby accepted and

FURTHER RESOLVED, that in conjunction with the Fulton County Board of Supervisors, the Fulton County Purchasing Agent is hereby authorized and directed to advertise for sealed bids from Contractors for said projects, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors, in conjunction with the Fulton

County Board of Supervisors hereby reserves the right to reject any and all bids, and

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

RESOLUTION ADOPTED with Aye(1636). Supervisors Dybas and Stagliano voted Nay. (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Schumann stated that she would be supporting Resolution No. 127 because her intent is to have Hatch, Leonard, Naples explore cost savings options for the County.

Supervisor Quackenbush stated that he would not support Resolution No. 127 to allow the review of the County's health insurance policies and administrative contracts due to the fact that Montgomery County currently has a contract in place until the year 2007.

RESOLUTION NO. 127 of 2005

DATED: April 26, 2005

RESOLUTION ALLOWING HATCH, LEONARD, NAPLES AND ANY OTHER INTERESTED PARTY TO REVIEW AND EXPLORE COST SAVING SOLUTIONS AND ALTERNATIVES TO THE COUNTY'S INSURANCE OPTION.

Resolution by Supervisor: Schumann

Seconded by Supervisor: Dybas

WHEREAS, Montgomery County's fiscal situation calls for the utmost scrutiny over spending management and cost containment; and

WHEREAS, Statewide, municipalities and businesses have endured double digit insurance cost increases on an annual basis; and

WHEREAS, The spiraling costs of health insurance should lead municipal and business leaders to ensure that the benefits they are providing are as cost effective as possible; and

WHEREAS, A comprehensive review of the County's medical, dental, pharmaceutical, vision care, and disability insurance may lead to significant cost savings to the County at no risk to the county; and

RESOLVED, In an effort to ensure maximum efficiency at minimum cost, the County of Montgomery hereby authorizes the firm of Hatch, Leonard Naples, as well as any other qualified interested parties to review the County's health insurance policies and administrative contracts to find cost-savings alternatives; and

FURTHER RESOLVED, that the Personnel director and staff make necessary all information available for analysis and reporting to the Board of Supervisors; and

FURTHER RESOLVED, that the Chairman of the Board is authorized and directed to sign the requisite Broker of Authorization records to facilitate the process.

RESOLUTION DEFEATED with Aye(437). Supervisors Schumann, Dybas, Cechnicki and Stagliano voted Aye. (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 128 of 2005

DATED: April 26, 2005

RESOLUTION APPOINTING MEMBERS TO THE MONTGOMERY COUNTY PLANNING BOARD

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

WHEREAS, per Local Law No. 1 of 1987, the Chairman of the Board of Supervisors has authorization to appoint individuals to serve on the County Planning Board with the consent of the Montgomery County Board of Supervisors, and

WHEREAS, the Chairman has made recommendation for appointment of the following individuals for a new term to expire on June 30, 2008:

Phillip Lyford
Amsterdam, NY

4th Ward, City of Amsterdam

Tim Smith
St. Johnsville, NY

Town of St. Johnsville

RESOLVED, the Montgomery County Board of Supervisors hereby consents to said appointments.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Schumann, in the last WHEREAS clause to include under Phillip Lyford-"2 Norris Street" and under Tim Smith-"22 Bridge Street" passed with Aye(1868). (4/26/2005)

RESOLUTION ADOPTED with Aye(1868). (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 129 of 2005

DATED: April 26, 2005

RESOLUTION APPOINTING THE CLERK OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

RESOLVED, that pursuant to Section 475 of County Law, _____ is appointed Clerk of the Board of Supervisors of Montgomery County effective _____ at an annual base salary of _____, and

FURTHER RESOLVED, that said Appointee will serve at the pleasure of the Board.

MOTION TO AMEND by Supervisor Strevy, seconded by Supervisor Dybas, to insert in the RESOLVED clause "Kimberly Sanborn", "May 9, 2005", "\$7,000" into the blanks respectively, passed with Aye(1802). Supervisor Cechnicki voted Nay. (4/26/2005)

RESOLUTION ADOPTED with Aye(1516). Supervisors Schumann, Paton and Cechnicki voted Nay. (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor Quackenbush went on record stating that with the population based sales tax distribution the Town of Minden would gain \$100,000, but his town realized what devastating effects it would have on the many municipalities within the County, and they have chosen not to support the proposal.

Supervisor Quackenbush also stated that the people in the Town in Minden have expressed to him that the 1% be retained at the County Level.

Supervisor Walters stated that under the population based sales tax distribution the County does not gain anything and will be supporting Resolution No. 130.

Supervisor DiMezza stated that the City of Amsterdam is not paying their fair share when it comes to population and referenced that the City is collecting more in Social Service benefits than they are paying in the tax levy. He stressed that the City is becoming greedy by asking for more than what their share is.

Supervisor DiMezza also stated that staying status quo was a system that has been working for all the municipalities. Now the City is forcing a population-based sales tax distribution where some towns and villages are losing revenue. He strongly opposed this proposal and suggested that the City of Amsterdam go back to the table and renegotiate their plan.

Supervisor Schumann said the State of New York laws reads that the Sales Tax Distribution revenues is to be based on population and if the towns decide otherwise it has to be with the consent of the cities they are in.

Supervisor Schumann stated that the Mayor and the City Council of Amsterdam agreed that they were interested in pursuing the population based distribution they are entitled by the laws in New York State.

Supervisor Walters stated by the population-based proposal some towns are looking at grabbing a windfall at the expense of other towns which is wrong.

Supervisor Sinicropi stated that the City of Amsterdam is looking at their fair share. He also indicated that some negotiating needs to take place with the County.

Chairman Strevy stated that he would be supporting the resolution that would benefit Montgomery County and would be voting yes on Resolution No. 130.

RESOLUTION NO. 130 of 2005

DATED: April 26, 2005

RESOLUTION ENDORSING SALES TAX DISTRIBUTION PROPOSAL AND AUTHORIZING SALES TAX DISTRIBUTION AGREEMENT - 1% TO BE RETAINED AT THE COUNTY LEVEL

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Paton

WHEREAS, in 2003 the NYS Legislature empowered the County of Montgomery to raise an additional 1% sales tax, and

WHEREAS, such authorization is due to expire November 30, 2005, and

WHEREAS, this additional sales tax revenue has been critical to the fiscal well-being of Montgomery County, and

WHEREAS, by Resolution No 79 of 2005, the Montgomery County Board of Supervisors requested the NYS Legislature to reauthorize legislation which amended Section 1210 of NYS Tax Law to increase the sale tax in Montgomery County from seven and one-quarter percent to eight and one-quarter percent, with the additional one percent to be retained by the County of Montgomery, and

WHEREAS, State Legislative representatives have indicated that a sales tax distribution agreement with the City of Amsterdam must be in place before such sales tax increase will be considered by the State,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized and directed to execute a sales tax distribution agreement with the City of Amsterdam, which provides for distribution of Sales Tax Revenue as follows:

On the first 3%:

County of Montgomery	50 percent	
Towns/Villages	35 percent	distributed on assessed valuation
City of Amsterdam	15 percent	

On the additional 1%:

County of Montgomery 100 percent

RESOLUTION ADOPTED with Aye(1018). Supervisors Brodie, Siniropi, Jr., Schumann, Dybas, Mancini, Cechnicki and Stagliano voted Nay. (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor DiMezza stated that he would withdraw his sponsorship on Resolution No. 131. To continue the debate, Supervisor Cechnicki picked up the sponsorship.

Supervisor Walters would consider other alternatives only if the interest of the County and the municipalities effected would not be jeopardized financially, but as it stands now he would not be supporting this resolution.

Supervisor Quackenbush stated that Resolution No. 131 is actually what is being done presently and if this resolution passes, he felt that in time the City of Amsterdam would be looking for additional sales tax revenue.

Supervisor Cechnicki stated that it was his understanding that the City of Amsterdam holds the trump card. He has a concern that there will be no good faith negotiating among the City and the County because of the division.

Supervisor Cechnicki further stated that the City of Amsterdam has the option of pre-emption. It was noted that with pre-emption the City has the ability to statutorily decide to keep the sales tax it raises. It also has the final say with regards to any distribution of sales tax.

Supervisor Walters strongly opposed how the City of Amsterdam delivered the message that they are holding the trump card and felt for the City to do that knowing full well how the numbers would effect the other towns is wrong. He further stated that he would be voting "no" on Resolution 131.

Supervisor Schumann also indicated that she would be voting no.

RESOLUTION NO. 131 of 2005

DATED: April 26, 2005

RESOLUTION ENDORSING SALES TAX DISTRIBUTION PROPOSAL AND AUTHORIZING SALES TAX DISTRIBUTION AGREEMENT - 10% OF ADDITIONAL 1% TO BE DISTRIBUTED TO THE CITY OF AMSTERDAM

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Strevy

WHEREAS, in 2003 the NYS Legislature empowered the County of Montgomery to raise an additional 1% sales tax, and

WHEREAS, such authorization is due to expire November 30, 2005, and

WHEREAS, this additional sales tax revenue has been critical to the fiscal well-being of Montgomery County, and

WHEREAS, by Resolution No 79 of 2005, the Montgomery County Board of Supervisors requested the NYS Legislature to reauthorize legislation which amended Section 1210 of NYS Tax Law to increase the sale tax in Montgomery County from seven and one-quarter percent to eight and one-quarter percent, with the additional one percent to be retained by the County of Montgomery, and

WHEREAS, State Legislative representatives have indicated that a sales tax distribution agreement with the City of Amsterdam must be in place before such sales tax increase will be considered by the State,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized and directed to execute a sales tax distribution agreement with the City of Amsterdam, which provides for distribution of Sales Tax Revenue as follows:

On the first 3%:

County of Montgomery	50 percent	
Towns/Villages	35 percent	distributed on assessed valuation
City of Amsterdam	15 percent	

On the additional 1%:

County of Montgomery	90 percent
City of Amsterdam	10 percent

MOTION TO TABLE by Supervisor Quackenbush, seconded by Supervisor Paton, was defeated with Aye(420). Supervisors Quackenbush, Paton and Jonker voted Aye. (4/26/2005)

MOTION TO CALL THE QUESTION by Supervisor McMahon, seconded by Supervisor Schumann, passed with Aye(1338). Supervisors DiMezza, Walters, Paton and Jonker voted Nay. (4/26/2005)

RESOLUTION DEFEATED with Aye(66). Supervisor Cechnicki voted Aye. (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

Supervisor McMahon withdrew his sponsorship on Resolution No. 132 and Supervisor DiMezza withdrew his seconded.

The resolution was picked up by Supervisor Schumann, seconded by Supervisor Dybas.

Supervisor DiMezza stated that the City of Amsterdam has created this problem without any regards for Montgomery County and again stated that the City Supervisors brought forth this resolution that proposed population based distribution and it is only satisfying the City's needs at the expense of other towns in the County.

Supervisor DiMezza again stated that he would be voting no on Resolution No. 132.

Supervisor Thomas stated that one of the basic objections he has on the population based proposal is that the City of Amsterdam or any other municipality could not produce an accurate count of their population due to the fact that the data is five (5) years old. He strongly stated that he would have to see accurate numbers before he would consider Resolution No. 132.

Supervisor DiMezza stated that the only reason he seconded Resolution No. 132 was to give everyone a choice and for the record he does not support population-based distribution. He also questioned the State Law regarding the Sales Tax Distribution based on population for its accuracy.

Supervisor Quackenbush stated that he would like to see an agreement between the City and the County that would be fair.

RESOLUTION NO. 132 of 2005

DATED: April 26, 2005

RESOLUTION ENDORSING SALES TAX DISTRIBUTION PROPOSAL AND AUTHORIZING SALES TAX DISTRIBUTION AGREEMENT - POPULATION BASED DISTRIBUTION

Resolution by Supervisor: Schumann

Seconded by Supervisor: Dybas

WHEREAS, in 2003 the NYS Legislature empowered the County of Montgomery to raise an additional 1% sales tax, and

WHEREAS, such authorization is due to expire November 30, 2005, and

WHEREAS, this additional sales tax revenue has been critical to the fiscal well-being of Montgomery County, and

WHEREAS, by Resolution No 79 of 2005, the Montgomery County Board of Supervisors requested the NYS Legislature to reauthorize legislation which amended Section 1210 of NYS Tax Law to increase the sale tax in Montgomery County from seven and one-quarter percent to eight and one-quarter percent, with the additional one percent to be retained by the County of Montgomery, and

WHEREAS, State Legislative representatives have indicated that a sales tax distribution agreement with the City of Amsterdam must be in place before such sales tax increase will be considered by the State,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized and directed to execute a sales tax distribution agreement with the City of Amsterdam, which provides for distribution of Sales Tax Revenue as follows:

On the first 3%:

County of Montgomery	50 percent
Towns/City of Amsterdam	50 percent distributed on population

(The amount to be paid to any village shall be determined by the ratio that the full valuation of real property in the village or portion thereof within the town in which such village is located bears to the full valuation of real property in the entire town.)

On the additional 1%:

County of Montgomery	90 percent
Towns/City of Amsterdam	10 percent distributed on population

(The amount to be paid to any village shall be determined by the ratio that the full valuation of real property in the village or portion thereof within the town in which such village is located bears to the full valuation of real property in the entire town.)

MOTION TO CALL THE QUESTION by Supervisor Walters, seconded by Supervisor McMahon, passed with Aye(1510). Supervisors Schumann and DiMezza voted Nay. (4/26/2005)

RESOLUTION DEFEATED with Aye(784). Supervisors Brodie, Sincropi, Jr., Schumann, Dybas, Mancini and Stagliano voted Aye. (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

RESOLUTION NO. 133 of 2005

DATED: April 26, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET - LITIGATION SETTLEMENT (BOARD OF SUPERVISORS)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Thomas

WHEREAS, by Resolution 75 of 2005, the Board of Supervisors authorized the County Attorney to settle litigation on behalf of the County with Equity One, Inc., over the County's foreclosure process involving a parcel of property known as SBL 40.4-2-233, 322 State Highway 67, Town of Amsterdam (former Ferrandi's Restaurant), and

WHEREAS, the County Attorney has worked out a resolution to said litigation, said amount not in the current operating budget,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

TRANSFER FROM:

_____ \$51,969.00

TRANSFER TO:

A-01-4-1930-00-4433 Judgment & Claims \$51,969.00
Court related expenses

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Schumann, to insert in the RESOLVED clause the following:

"A-01-4-1990-00-4400" "Contingent Account" passed with Aye(1868). (4/26/2005)

RESOLUTION ADOPTED with Aye(1868). (4/26/2005)

Douglas Landon
County Attorney

Christine Pasquarelli
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor DiMezza, seconded by Supervisor Mancini, passed with Aye(1868). Chairman Strevey 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 - ECONOMIC DEVELOPMENT/AGRICULTURE & PLANNING
 6:00 PM, May 3, 2005

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors McMahon, Quackenbush, Siniropi and Thomas. Supervisors Jonker and Mancini were absent.

Additional present were Supervisors: Strevy, Cechnicki, DiMezza, Walters and Paton.

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

1. Discussion regarding Dairy Month
2. Resolution Amending 2005 Operating Budget - Soil and Water Conservation District Council (Board of Supervisors)
3. Resolution Authorizing Chairman to Sign Agreement - Tourism Promotion Agency Administration - Montgomery County Chamber of Commerce (Board of Supervisors)
4. Resolution Establishing Position - Economic Development Program Assistant (Economic Development/Planning)
5. Resolution Authorizing Chairman to Sign Agreement - Town of Florida - Target Small Cities Grant Administration (Economic Development/Planning)
6. Discussion Regarding MCIDA Board Vacancy
7. Discussion Regarding Montgomery County Agricultural District Review
8. Other

Discussion regarding Dairy Month

Chairman Dybas acknowledged the request from Elma Phillips of the Montgomery County Farm Bureau to serve ice cream sundaes to the Board of Supervisors at the June 2005 full board meeting. The event will be coordinated by Administrative Aide Jacki Meola.

Resolution Amending the 2005 Operating Budget - Restoring Soil and Water District Hudson Mohawk RC & D Council Funding sponsored by Supervisor Cechnicki, seconded by Supervisor Paton. 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 (Board of Supervisors) sponsored by Supervisor Thomas, seconded by Supervisor Quackenbush. The Committee moved the resolution to the full board with a positive recommendation.

Resolution Establishing Position - Economic Development Program Assistant (Economic Development/Planning) sponsored by Supervisor Quackenbush, seconded by Supervisor Thomas.

Chairman Dybas acknowledged Mike Yevoli, Director of Economic Opportunity and Development/Planning to give the Committee a brief overview of the new position that is being requested.

Mr. Yevoli stated that the position of a Senior Economic Development Specialist/Financial Analyst became vacant following its removal from the tentative budget for 2005, but was re-established in the 2005 Operating Budget. He went on to say that several new projects have been received by his department creating an increased work load. He felt that the added position will help alleviate some of the added responsibilities placed on his staff.

Mr. Yevoli stated when the position was re-established it was advertised but the individuals that responded did not meet the qualifications. He said in order to attract applicants the title needed to be changed along with the responsibilities.

The Committee moved the resolution to the full board with a positive recommendation.

Resolution Authorizing Chairman to Sign Agreement - Town of Florida - Target Small Cities Grant Administration (Economic Development/Planning) sponsored by Supervisor Thomas, seconded by

Supervisor DiMezza.

Upon recommendation of County Attorney Doug Landon the Small Cities Grant for the Town of Florida would be signed by the Vice-Chairman, Thomas Quackenbush, due to the fact that the Chairman of the Board is also the Supervisor in the Town of Florida who is the recipient of the federal funds. The resolution will reflect the recommended change and that will be presented at the full board meeting.

Discussion regarding MCIDA Board Vacancy

It was determined after the brief discussion that Mike Yevoli of Economic Opportunity along with the help of the press will try to recruit a qualified person to make up the seven member board of the Montgomery County Industrial Development Agency.

Discussion regarding Montgomery County Agricultural District Review

Mike Yevoli of Economic Opportunity stated a letter was received from Ronald J. Mead, Agricultural Districts Program Manager dated April 4, 2005 informing the County that the district review is a requirement of the Agriculture and Markets Law.

Mr. Yevoli indicated to the Board that the review may not be necessary and continued to say if the review needs to be implemented, every property owner in the Agricultural District would have to be surveyed and that would involve a tremendous amount of man hours.

The Committee determined after the brief discussion to have County Attorney, Doug Landon review the application and advise the Board of Supervisors of his findings and a further discussion will take place at the next Economic Development/Agriculture to explore the options if there are any.

Supervisor Walters requested that an Executive Session be called to discuss a personnel matter.

Chairman Dybas asked for a Motion to go into Executive Session Pursuant to Section 105 (f) of NYS Open Meeting Law to discuss the employment of a particular person. Motion was made by Supervisor Thomas, seconded by Supervisor Quackenbush. Executive Session started at 6:35 p.m.

Motion to adjourn Executive Session was made by Supervisor Thomas, seconded by Supervisor Sinicropi. Chairman Dybas adjourned the Executive Session at 6:50 p.m.

As a result of the Executive Session no action was taken by Board.

With no further discussion, a Motion to adjourn the Economic Development/Agriculture & Planning Committee was made by Supervisor Sinicropi, seconded by Supervisor Quackenbush. Chairman Dybas adjourned the meeting at 6:51 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
COMMITTEE MEETING - EDUCATION/GOVERNMENT
6:00 PM, May 17, 2005

COMMITTEE MEETING DISCUSSION

Chairman McMahon presided over the meeting commencing at 6:00 PM.

Roll call indicated Committee members present included Supervisors Cechnicki, Dybas Quackenbush, Schumann and Walters. Supervisor Sinicropi was absent.

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

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

1. Resolution Appointing Member of Montgomery County Sanitary District #1 Board of Directors
2. Resolution Endorsing 2005 Master Plan for Fulton-Montgomery Community College
3. Other

Item 1: Resolution Appointing Member of Montgomery County Sanitary District #1 Board of Directors, sponsored and seconded by Supervisors Quackenbush and Jonker, respectively. The committee moved the Resolution to the full board with a positive recommendation.

Item 2: Resolution Endorsing 2005 Master Plan for Fulton-Montgomery Community College

Chairman McMahon gave the Committee a brief outline of the Resolution's background.

The Resolution, sponsored and seconded by Supervisors Quackenbush and Thomas, respectively. The committee moved the Resolution to the full board with a positive recommendation.

Item 3 Other

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PUBLIC SAFETY
6:10 PM, May 17, 2005

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 6:08 PM.

Roll call indicated Committee members present included Supervisors Brodie, Cechnicki, Jonker, Stagliano, Schumann and Walters.

Additional Supervisors present were Supervisors Dybas Quackenbush, Strevy, Jonker, Brodie, and McMahon. Supervisor Sinicropi was absent.

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

1. Resolution Authorizing Chairman to Sign Agreement - FMCC Department of Public Safety MOU (Sheriff)
2. Resolution Transferring Funds - K9 Supplies (Sheriff)
3. Resolution Authorizing Chairman to Sign an Agreement - Centrex Service, Frontier (Sheriff)
4. Discussion Regarding Part-Time Salaries - Road Patrol and Corrections Officers (Sheriff)
5. Other

Item 1: Resolution Authorizing Chairman to Sign Agreement - FMCC Department of Public Safety MOU (Sheriff), sponsored and seconded by Supervisors Schumann and McMahon, respectively. The committee moved the Resolution to the full board with a positive recommendation.

Item 2: Resolution Transferring Funds - K9 Supplies (Sheriff), sponsored and seconded by Supervisors Quackenbush and Jonker, respectively. The committee moved the Resolution to the full Board with a positive recommendation.

Item 3: Resolution Authorizing Chairman to Sign an Agreement - Centrex Service, Frontier (Sheriff) sponsored and seconded by Supervisors Schumann and Jonker, respectively.

Supervisor Dybas acknowledged Sheriff Amato and asked him if there were any compatibility issues with Centrex. Sheriff Amato stated that no issues exist that he's aware of.

Sheriff Amato stated that the Sheriff's Department is happy with Centrex's performance.

Supervisor Jonker asked for clarification from Sheriff Amato of certain charges on lines 7 and 8 on the contract. It was determined that the charges are unavoidable service charges or access fees.

The committee moved the Resolution to the full Board with a positive recommendation.

Item 4: The Committee discussed Sheriff Amato's proposal to increase the salaries of the part time Deputy Sheriffs and Correction Officers. Supervisor DiMezza made a motion to bring to the Board a Resolution stating the increase in wage as recommended within Sheriff Amato's letter to Supervisor Strevy, dated May 5, 2005. The motion was sponsored and seconded by Supervisors DiMezza and Schumann, respectively. The committee moved the Resolution to the full board with a positive recommendation.

Motion to adjourn the Public Safety Committee at 6:05PM was made and seconded by Supervisors Stagliano and Schumann, respectively.

Chairman Thomas adjourned the Public Safety Committee meeting at 6:16PM.

Respectfully submitted,

Kimberly Sanborn
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, May 17, 2005

COMMITTEE MEETING DISCUSSION

Chairman Jonker presided over the meeting commencing at 6:30 PM.

Roll call indicated Committee members present included Supervisors Stagliano, Brodie, DiMezza, Dybas, and Paton. Supervisor Sinicropi was absent.

Additional Supervisors present were Supervisors McMahon, Quackenbush, McMahon, Mancini, Strevy, Schumann, Walters, and Thomas.

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

1. Resolution Authorizing Chairman to Sign Grant Agreement - Immunization Action Plan Grant and Amending 2005 Operating Budget (Public Health)
2. Discussion Regarding Various Issues - Montgomery Meadows
3. Other

Item 1: Resolution Authorizing Chairman to Sign Grant Agreement - Immunization Action Plan Grant and Amending 2005 Operating Budget (Public Health), sponsored and seconded by Supervisors Dybas and Schumann, respectively. The Committee moved the Resolution to the full board with a positive recommendation.

Chairman Jonker acknowledged Meadows Administrator Dan Mumpton to the Board of Supervisors. Mr. Mumpton presented recommendations for changes in the Business Office at the Meadows.

Supervisor Dybas requested clarification of the salary of the new Business Manager.

Supervisor DiMezza received confirmation from Personnel Officer Richard Baia that the position is classified as non-bargaining.

Administrator Dan Mumpton spoke in support for hiring Heather Reynicke as Business Manager.

Administrator Dan Mumpton stated that billing and receivables have been in arrears since January, and the Business Manager position is very timely.

Chairman Jonker and Supervisors Dybas and DiMezza expressed concern over the matter of delinquent billing of Medicare, Medicaid and private pay.

Supervisor DiMezza suggested that contacting Fulton County or another County Nursing Home for assistance with billing and updating technology might be beneficial.

Chairman Jonker stated that if technology assistance is needed, then the consultant team who was hired should be able to assist with that.

Supervisor Stagliano reminded the Committee that the county is subsidizing the Nursing Home \$2,300,000 per year, which equals \$6300 per day. He stressed the importance of timely billing.

Chairman Jonker stated that there are additional recommendations from the consultants from the Meadows that are still being looked at.

The Committee moved a Resolution Establishing Position of Business Manager (Montgomery Meadows), sponsored and seconded by Supervisors Thomas and Jonker, respectively. The Committee moved the Resolution to the full board with a positive recommendation.

The Committee also moved a Resolution Rescinding Resolution 102 of 2005 and Authorizing Chairman to Sign Amended Consulting Contracts (Montgomery Meadows), sponsored and seconded by Supervisors Thomas and Schumann, respectively. The Committee moved the Resolution to the full Board with a positive recommendation.

Item 3: Other.

Supervisor DiMezza reminded the Committee that the purchaser of the Meadows has not filed necessary permits with the Health Department in a timely manner to take over the Meadows facility and suggested that a Resolution be made stating that the purchaser must file by the end of the month or forfeit taking over the Meadows. He stated that the purchaser could be lagging their feet because of issues pertaining to the greenhouse concept. The Meadows was sold "as is", he stated.

Supervisor Quackenbush supports the purchasers and the greenhouse concept, but agrees that a commitment is needed, or at least additional discussion with the purchaser on their timeframe.

Supervisor DiMezza reminded the Committee that the Board has only budgeted for nine months of Meadows financial support, and that the situation is at a standstill.

Supervisors Quackenbush and DiMezza questioned why The Providers, Inc. couldn't take the Meadows in receivership, thereby alleviating the Board of any further financial burdens.

Chairman Jonker states he's spoken with The Providers, Inc., and suggested that further discussion of a sensitive financial nature should take place in Executive Session.

Supervisor Schumann expressed concern over the financial health of the buyer.

Supervisor Dybas reminded the Committee that the purchaser has until the end of May to submit a financial viability letter. Attorney Landon confirmed.

Supervisor Dybas stated that the Dept. of Health has the authority at any time to shut down a facility if it isn't financially viable.

Chairman Jonker states that in all fairness to The Providers, Inc. it must be recognized that some of the financial reports that are part of due diligence were late in coming. The audit hasn't been completed yet at the Meadows, so it is logical that financial statements are late in coming.

Chairman Jonker received confirmation from Suzanne Guttenberg, President of The Providers, Inc., that finances are not an issue, and the greenhouse concept is not a stumbling block. Chairman Jonker has confidence in the consulting team, also.

Supervisor DiMezza withdraws his motion to enter into a Resolution as stated above.

Motion to adjourn the Health & Human Services/Social Services Committee at 7:08PM was made and seconded by Supervisors DiMezza and Dybas, respectively.

Chairman Jonker adjourned the Health & Human Services/Social Services Committee meeting at 7:08PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PERSONNEL
6:45 PM, May 17, 2005

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 7:09 PM.

Roll call indicated Committee members present included Supervisors Brodie, Cechnicki, Mancini, Paton, Quackenbush and Stagliano.

Additional Supervisors present were Supervisors McMahon, Strevy, Dybas, Schumann, Walters, Thomas, and Jonker. Supervisor Sinicropi was absent.

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

1. Review of Grievances
2. Other

Chairman DiMezza stated that all items on the agenda should be discussed in Executive Session. Pursuant to Section 105 (f) of NYS Open Meeting Law, the motion was made and seconded by Supervisors Mancini and Thomas, respectively, to enter into Executive Session to discuss the employment history of a particular person. Executive Session commenced at 7:09PM.

Motion to adjourn the Executive Session at 8:20PM was made and seconded by Supervisors Quackenbush and Thomas, respectively.

As a result of Executive Session, the Board took no action.

Motion to adjourn was made and seconded by Supervisor McMahon and Jonker, respectively. Chairman DiMezza adjourned the Personnel Committee meeting at 8:21PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE
7:00 PM, May 17, 2005

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 8:23 PM.

Roll call indicated Committee members present included Supervisors Dybas, DiMezza, Schumann, McMahon, Stagliano, and Thomas.

Additional Supervisors present were Supervisors Brodie, Cechnicki, Jonker, Strevy, Brodie, and Walters. Supervisor Sinicropi was absent.

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

1. Discussion Regarding Parcel Viewer Software
2. Discussion Regarding Real Property Tax Exemption Sliding Scale for the Aged
3. Resolution Rejecting All Bids - RFP 02-05 - Natural Gas and Electric Energy Services
4. Resolution Awarding Bridge Replacement Contract (Public Works)
5. Discussion Requesting Exemption Request - Village of Canajoharie
6. Resolution Authorizing the Imposition of Motor Vehicles License Fees - County Clerk's Office
7. Discussion Regarding Sales and Compensating Use Tax Exemption Weeks for 2005
8. Bond Resolution - Montgomery County - 05/24/05 - Authorizing Replacement of Various Bridges & Reconstruction of Certain Roads within County; Est. Aggregate Costs - \$2,706,665; Appropriating Said Amount -Authorizing Issuance of \$2,706,665 Serial Bonds to Finance
9. Bond Resolution of Montgomery County, NY-05/24/05, Authorizing Replacement of Various Vehicles & Equipment; Est. Aggregate Cost - \$875,477; Appropriating said Amount; Authorizing Issuance of \$875,477 Serial Bonds to Finance
10. Discussion Regarding Collection of the County's Share of Delinquent Taxes from the City of Amsterdam
11. Other

Item 1: Discussion Regarding Parcel Viewer Software.

Chairman Quackenbush acknowledged Florence Stanton, Director of the Real Property Tax Service Agency, who spoke in favor of the software as being an asset to all who use it. The total investment would be approximately \$5,000.

Chairman Quackenbush acknowledged County Clerk Helen Bartone, who said that she has also utilized this software, and found it very easy to use.

Supervisor DiMezza stated that this software is a very useful and purposeful asset for tax maps, and a timesaver for Internet viewers.

Supervisors Schumann and Cechnicki state that they have used the software before and support it.

The motion was made and seconded by Supervisors Schumann and MacMahon, respectively, to make a Resolution to reactivate the Parcel Viewer Software on the website. The Board moved the resolution with a positive recommendation.

Item 2: Discussion Regarding Real Property Tax Exemption Sliding Scale for the Aged.

Chairman Quackenbush acknowledged Florence Stanton, Director of the Real Property Tax Service Agency, who stated that she contacted surrounding counties to get their related income and exemption figures.

Supervisor Schumann recommends pushing forward with this as a Resolution, with updating the figures every couple of years.

Supervisor Walters stated that a Resolution is well overdue and the exemption would be welcome for struggling senior citizens.

It was stated by the Real Property Director that it was necessary to hold a Public Hearing before a Resolution could be voted on to change the sliding scale.

The motion was made and seconded by Supervisors McMahon and Walters, respectively, to move forward with a Resolution to hold a Public Hearing prior to the next full board meeting on this matter. It was moved to the full Board with a positive recommendation.

Item 3: Resolution Rejecting All Bids - RFP 02-05 - Natural Gas and Electric Energy Services

Chairman Quackenbush stated that the word "electric" should be removed from the Resolution's title, because it pertains to only gas.

Supervisor Schumann inquired as to how the bids were solicited for this, with only three responses. The Purchasing Agent stated that bids were solicited from all energy providers in a timely manner.

The Resolution rejecting all bids was sponsored and seconded by Supervisors DiMezza and Thomas, respectively. The Committee moved the Resolution to the full Board with a positive recommendation.

Item 4: Resolution Awarding Bridge Replacement Contract (Public Works), sponsored and seconded by Supervisors DiMezza and Walters, respectively. The Committee moved the Resolution to the full Board with a positive recommendation.

Item 5: Discussion Requesting Exemption Request - Village of Canajoharie.

Florence Stanton, Director of the Real Property Tax Service Agency, stated that the Village Of Canajoharie's water filtration plant is located within the Town of Palatine Bridge. This exemption would set precedence and other towns would apply.

After additional discussion, it was determined that the board would not move forward with Canajoharie's request for exemption.

Item 6: Resolution Authorizing the Imposition of Motor Vehicles License Fees - County Clerk's Office

Supervisor DiMezza states that several counties have already passed duplicate Resolutions. This will raise approximately \$400,000 per year for county use, and this money could be used by the DPW for upgrading the County's infrastructure.

County Clerk Helen Bartone supports the Resolution and states it will take 4-6 months to implement this program if the Resolution is passed. This tax would be unavoidable, even if a resident registered their vehicle in another county. Agricultural vehicles would be exempt.

County Clerk Helen Bartone also stated that in October 2005, DMV rates would be going up.

Supervisor Strevy stated that he recommends the revenue be in a dedicated fund for road enhancements.

Supervisor Schumann doesn't support this Resolution. She states she's rather see a raise in taxes in general than these stated fees to be imposed by DMV. She also doesn't believe that dedicating the funds for road enhancements could be structured.

Supervisor Walters strongly supports this resolution as written, rather than to adding more to the property tax base.

Supervisor Stagliano does not support this resolution and believes the mechanics on dedicating the funds won't work on this.

The Resolution was sponsored and seconded by Supervisors DiMezza and Quackenbush, respectively. The Committee moved the Resolution to the full Board with no recommendation.

County Clerk Helen Bartone also stated that she wanted to inform the Board that she is concerned for the safety of the DMV employees. The Safety Committee met and these issues will be presented to the Board in the future.

Item 7: Discussion Regarding Sales and Compensating Use Tax Exemption Weeks for 2005.

Chairman Quackenbush stated that per the State of NY, because Montgomery County participated in the last Tax Exempt week, the Board would be required to take no action if they chose to participate in the upcoming Tax Exempt weeks.

The Committee agreed participation in the upcoming weeks was beneficial, therefore no action was taken.

Item 8: Bond Resolution - Montgomery County - 05/24/05 - Authorizing Replacement of Various Bridges & Reconstruction of Certain Roads within County; Est. Aggregate Costs - \$2,706,665; Appropriating Said Amount -Authorizing Issuance of \$2,706,665 Serial Bonds to Finance, sponsored

and seconded by Supervisors McMahon and DiMezza, respectively. The Committee moved the Resolution to the full Board with a positive recommendation.

Supervisors Dybas, Schumann and Stagliano did not approve of the positive recommendation.

Item 9: Bond Resolution of Montgomery County, NY-05/24/05, Authorizing Replacement of Various Vehicles & Equipment; Est. Aggregate Cost - \$875,477; Appropriating said Amount; Authorizing Issuance of \$875,477 Serial Bonds to Finance

Supervisor DiMezza stated that he has seen the current equipment and it is in deplorable condition. New equipment is necessary.

Supervisor Walters stated that, having seen the equipment, it is worn out, and any money spent on repair or maintenance is a waste. The need is urgent to replace this equipment, as the equipment is in the public eye. He stated that the Board has put off these purchases for too long.

Supervisor Stagliano suggested that the 2006 budget proposal should reflect these figures. It would be helpful to adopt a capital plan.

Supervisor Schumann suggested that the County would benefit if the DPW departments across the County were merged and coordinated and streamlined.

Supervisor DiMezza stated that a merging would only happen if it was a state mandate.

There was general discussion about whether paying by bond or cash was more beneficial.

Supervisor Stagliano is concerned about the economic health of the County and he feels the borrowing plan must be looked at again, so issues such as these aren't faced year after year.

Supervisor Strevy noted that last year, capital projects were paid for by cash on hand as opposed to bonding.

Supervisor Stagliano recommends that rather than wait for two-thirds vote on buying the equipment, the Board could put a Resolution together for purchase from the fund balance and only a simple majority would be needed.

Supervisor DiMezza recommends that cash not be used up, and instead borrow the money with a low interest rate.

Supervisor Walters stated he'd rather make an investment; to buy the equipment outright as cash, as he did in his town, so in two years it could be replaced, sold and take a return on it. Money could be returned on the state bid.

The Resolution, sponsored and seconded by Supervisors DiMezza and Quackenbush, respectively. The Committee moved the Resolution (#152) to the full Board with no recommendation.

Item 10: Discussion Regarding Collection of the County's Share of Delinquent Taxes from the City of Amsterdam.

Due to the lateness of the evening, Supervisor DiMezza asked that this discussion item be moved to the next Finance Committee meeting.

Item 11: Other.

Resolution Accepting Bids - 2005 County Auction, sponsored and seconded by Supervisors McMahon and Walters, respectively. The Committee moved the Resolution to the full Board with a positive recommendation.

Mike Yevoli, EOD Director, stated that Noteworthy Company has approached the County to co-locate their telecommunications equipment on the County's water tank in the Town of Florida Business Park. He further stated that there are a number of steps the company needs to go through including Planning Board review. He asked that the Board give some type of nod to the project so that he can move forward with the necessary reviews.

Resolution endorsing the Noteworthy project sponsored and seconded by Supervisors McMahon and DiMezza, respectively. The Committee moved the Resolution to the full Board with a positive recommendation.

County Attorney Doug Landon stated it was necessary to enter into Executive Session to discuss pending litigation (Section 105 (f) of the NYS Open Meeting Law).

*****Motion was made by Supervisor McMahon and seconded by Supervisor Thomas to enter into Executive Session at 9:32PM.

Motion to adjourn Executive Session at 9:42PM was called by Supervisor Stagliano and seconded by Chairman Quackenbush.

As a result of Executive Session, the Committee moved a Resolution to be drafted by the County Attorney to settle pending litigation, to the full Board.

A motion was made and seconded to adjourn the Finance Committee by Supervisors McMahon and Dybas, respectively.

Chairman Quackenbush adjourned the Finance Committee meeting at 9:42PM.

Respectfully submitted,

Kimberly Sanborn
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 24, 2005

CALL TO ORDER

Chairman Strevy called the Regular Meeting of the Montgomery County Board of Supervisors for May 24, 2005 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 Schumann, Dybas, McMahon, Walters, Chairman Strevy, Thomas, Paton, Jonker, Cechnicki, Thomas and Stagliani were present. Supervisors Brodie, Mancini, Quackenbush and DiMezza were absent.

PRIVILEGE OF THE FLOOR

PRESENTATION - CANAJOHARIE SCHOOL DISTRICT

Supervisor McMahon acknowledged the Canajoharie School District in their efforts to promote exemplary musical education. The Canajoharie School District was presented with a plaque from the Board of Supervisors and \$20,000 award and recognition as a "Grammy Signature Enterprise School" by the Grammy Foundation, for the school's exemplary music program.

PRESENTATION - NATIONAL MENTAL HEALTH MONTH

Supervisor Jonker, Chairman of the Health and Human Services Committee, read a PROCLAMATION to proclaim the month of May as Mental Health Month in Montgomery County to increase public awareness of severe mental illness and in so doing to promote greater access to effective treatments for those who suffer from the disabling symptoms of these disorders.

PRESENTATION - AMSTERDAM EMBLEM CLUB, NO. 273

Supervisor Dybas read a PROCLAMATION stating that the Montgomery County Board of Supervisors hereby recognizes the Amsterdam Emblem Club, No. 273 on its 50th anniversary as an exemplary organization which stands for truth, justice and charity, and further congratulated the members of the Amsterdam Emblem Club, No. 273 on their celebration.

Supervisor Dybas, a member of the Benevolent and Protective Order of Elks (BPOE), for which the Emblem Club (Ladies Auxiliary) is a subsidiary of, accepted the PROCLAMATION on behalf of the Club.

PUBLIC COMMENT

Ed Russo, 2nd Vice-President of CSEA Local 829 and Chairman of the DPW, Montgomery Meadows and the Office Building Bargaining Unit Negotiating Team stated that the members attending tonight's meeting are here urging the Board to negotiate a new contract.

Jim Arthurs, Senior Welfare Examiner in the Medicaid Unit, stated that a contract needs to be negotiated, and there is an increase in walk-in applicants, resulting in an increase in workload. Pay raises have not been forthcoming, and morale is low.

Bill Grzyb, resident of Ft. Johnson, expressed frustration with taxes and urged the Board not to enact the additional 1% sales tax or DMV fee.

Jolene Hornbeck, President of Montgomery Meadows, stated that there has been no contract since December 2003, and negotiations are needed. She is concerned with remarks made about the pending sale of the Meadows by the Board of Supervisors that have appeared in the press.

Roberta Hayes, Senior Welfare Examiner in the Temporary Assistance Food Stamp Union and Present of CSEA Local #29, stated that there has been no cost of living adjustments, and that she is concerned about understaffing and the lack of job security.

Sue Ann Wheadon, Accounting Clerk Typist of the Public Health Department, stated her support and empathy for the Union members as well as the Board of Supervisors, and acknowledged that a contract is needed.

Kurt Semon, Councilman for the Town of Amsterdam, stated that Northeast Biofuels is planning to

convert Miller Brewery in Fulton (Oswego County) into an ethanol production plant. He stated that NE Biofuels is going to be a guaranteed buyer of local corn. He urged Supervisor DiMezza to inform Michael Yevoli of the Economic Opportunity and Development Department about this agricultural opportunity, so that Mr. Yevoli can make immediate contact with NE Biofuels.

Mr. Semon also stated that the merger of Sears and Kmart might present an opportunity for jobs should the old Kmart store in Amsterdam be converted to a new "Sears Essential" store. Mr. Semon has been actively pursuing this avenue. He presented a proposal to Alan Lacy, Chairman and CEO of Sears, who forwarded the information to Richard Shoemaker, Director of Development East. Mr. Shoemaker stated that he will try to look at the property when his travels take him to New York.

Chairman Strevy asked if there were any other speakers. With no further speakers, he adjourned the Public Comment at 7:33 p.m.

OTHER

Supervisor Stagliano called a Democratic Caucus at 7:35PM.

The Democratic Caucus adjourned at 7:50PM.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION by Supervisor Dybas, seconded by Supervisor Cechnicki, passed with Aye(1076). Supervisor Schumann abstained. Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor McMahon, seconded by Supervisor Sinicropi, Jr., passed with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent.

UNFINISHED BUSINESS

NEW BUSINESS

RESOLUTION NO. 134 of 2005

DATED: May 24, 2005

RESOLUTION AMENDING THE 2005 OPERATING BUDGET - RESTORING SOIL AND WATER DISTRICT HUDSON MOHAWK RC&D COUNCIL FUNDING

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Paton

WHEREAS, the Montgomery County is part of the Hudson Mohawk Resource Conservation and Development Council, which delivers coordinated resource conservation and rural development assistance throughout a six-county area, and

WHEREAS, Montgomery County's membership fee, paid through the Montgomery County Soil and Water Conservation District, was not completely funded in the 2005 Operating Budget,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400	Contingency Contingent	\$800
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TRANSFER TO:

A-01-4-8710-00-4588	Conservation Council	\$800
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(5/24/2005)

RESOLUTION ADOPTED with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 135 of 2005

DATED: May 24, 2005

**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT -TOURISM PROMOTION AGENCY
ADMINISTRATION - MONTGOMERY COUNTY CHAMBER OF COMMERCE (BOARD OF SUPERVISORS)**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Quackenbush

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, 2005 and ending on September 30, 2006

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, 2005 and ending on September 30, 2006, 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(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 136 of 2005

DATED: May 24, 2005

RESOLUTION ESTABLISHING POSITION - ECONOMIC DEVELOPMENT PROGRAM ASSISTANT (ECONOMIC DEVELOPMENT/PLANNING)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

WHEREAS, the position of Senior Economic Development Specialist/Financial Analyst was established in the 2004 operating budget, and

WHEREAS the position became vacant following its removal from the tentative budget for 2005, and

WHEREAS, the position was re-established in the 2005 operating budget, and

WHEREAS, attempts to advertise have failed to yield qualified candidates,

RESOLVED that the Board of Supervisors establishes the position of Economic Development Program Assistant in the 2005 budget,

FURTHER RESOLVED, that the Treasurer is authorized to amend the budget as follows:

TRANSFER FROM:

A24-4-6430-00-1110 (674) Economic Development Specialist \$17,666

ADD AND TRANSFER TO:

A24-4-6430-00-1110 (367) Economic Development Program Assistant \$17,666

RESOLUTION ADOPTED with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 137 of 2005**DATED:** May 24, 2005**RESOLUTION AUTHORIZING VICE-CHAIRMAN TO SIGN AGREEMENT - TOWN OF FLORIDA - TARGET SMALL CITIES GRANT ADMINISTRATION (ECONOMIC DEVELOPMENT/PLANNING)**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Di Mezza

WHEREAS, the Town of Florida is a recipient of federal funds through the Governor's Office for Small Cities in the amount of \$1,000,000, and

WHEREAS, said funds will be used for start up and working capital for Target Corporation Town of Florida, and

WHEREAS, \$16,000 of the grant amount is to be allocated to project administration and program delivery,

RESOLVED that Vice-Chairman of the Board of Supervisors, following review and approval by the County Attorney, is authorized to sign an agreement with the Town of Florida for the purpose of providing project delivery and program administration in the amount of \$16,000.

RESOLUTION ADOPTED with Aye(1215). Supervisors Brodie, Mancini, Di Mezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

MIKE Yevoli, in regard to Resolution 138, explained Verizon's particular needs to the Board, in regard to tower location.

RESOLUTION NO. 138 of 2005**DATED:** May 24, 2005**RESOLUTION ENDORSING WIRELESS COMMUNICATION LEASE WITH NOTEWORTHY COMPANY - TOWN OF FLORIDA BUSINESS PARK WATER TANK**

Resolution by Supervisor: McMahon

Seconded by Supervisor: Di Mezza

WHEREAS, the County owns approximately 7.2 acres of land located off Hirschfield Road including a water tank and related infrastructure, and

WHEREAS, the County has been approached as the owner of said property to enter into a lease agreement with the Noteworthy Company, allowing them to place wireless communication equipment on said water tank, and

WHEREAS, prior to entering into said lease the County and the company must first obtain local site plan approval and perform a radio frequency interference study.

RESOLVED, that the County hereby endorses the concept of leasing a portion of the water tank property to Noteworthy Company for wireless communication purposes, and

FURTHER RESOLVED, that the Director of Economic Opportunity and Development is hereby authorized to obtain the necessary approvals for said project, including a complete radio frequency interference study.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Thomas,

#1: To strike the title of the Resolution and replace with:

RESOLUTION ENDORSING WIRELESS COMMUNICATION LEASES WITH THE NOTEWORTHY COMPANY AND VERIZON - FLORIDA WATER TANK

#2: To strike the text of the Resolution and replace with:

WHEREAS, the County owns approximately 7.2 acres of land located off Hirschfield Road including a water tank and related infrastructure, and

WHEREAS, the County has been approached as the owner of said property to enter into separate lease agreements with the Noteworthy Company and Verizon, allowing them to place wireless communication equipment on said water tank and related ground equipment, and

WHEREAS, prior to entering into said lease the County and the companies must first obtain local site plan approval and perform a radio frequency interference study.

RESOLVED, that the County hereby endorses the concept of leasing a portion of the water tank property to Noteworthy Company and Verizon for wireless communication purposes, and

FURTHER RESOLVED, that the Director of Economic Opportunity and Development is hereby authorized to obtain the necessary approvals for said projects, including a complete radio frequency interference study.

passed with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent.
(5/24/2005)

RESOLUTION ADOPTED with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 139 of 2005

DATED: May 24, 2005

RESOLUTION URGING CONGRESS TO MAINTAIN AND PRESERVE FUNDING FOR THE ECONOMIC DEVELOPMENT ADMINISTRATION IN ITS FISCAL YEAR 2006 SPENDING BILL

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Quackenbush

WHEREAS, as the current lead federal economic development agency, the Economic Development Administration (EDA) has earned an admirable reputation and amassed an exemplary track record, and

WHEREAS, in 2004 alone, according to the agency, EDA investments helped create more than 125,000 new jobs and leverage more than \$10 billion in public and private sector commitments, and

WHEREAS, these impressive results helped EDA earn among the highest performance rankings by the President's Office of Management and Budget of any of the 35 federal community and economic development programs, and

WHEREAS, Congress and the administration recognized this impressive performance by adopting a multi-year reauthorization bill for the agency in October 2004, and

WHEREAS, Most importantly, EDA funds are typically the glue or seed capital that make economic development and job creation projects a reality in distressed areas that are often overlooked or underserved by the private sector, and

WHEREAS, in Montgomery County, EDA resources were crucial in obtaining the Target Distribution Center, located in the Town of Florida, and

WHEREAS, at a time when nearly every business and community within our region is being confronted with intense competition from emerging and development nations, Congress and the administration should be expanding efforts through EDA and its partners to assist local community and economic development efforts,

RESOLVED, the Montgomery County Board of Supervisors strongly urges Congressman Michael McNulty to actively support EDA and sign the Boehlert-McIntyre "Dear Colleague" letter to Chairman Frank Wolf and ranking member Alan Mollohan currently being circulated by Reps. Sherwood Boehlert, Mike McIntyre, Bob Ney and James Oberstar which urges the House Science, State, Justice and Commerce Appropriations subcommittee to "maintain and preserve" funding for the Economic Development Administration in its fiscal year 2006 spending bill.

RESOLUTION ADOPTED with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 140 of 2005

DATED: May 24, 2005

RESOLUTION RECOMMENDING THE STATE LEGISLATURE PASS A. 6598A/S. 3432A WHICH WOULD REAUTHORIZE LEGISLATION WHICH INCREASES SALES TAX IN THE COUNTY OF MONTGOMERY

Resolution by Supervisor:

Seconded by Supervisor:

WHEREAS, in 2003 the NYS Legislature empowered the County of Montgomery to raise an additional 1% sales tax, and

WHEREAS, such authorization is due to expire November 30, 2005, and

WHEREAS, Resolution 79 of 2005 asked the NYS Legislature to reauthorize legislation which amended Section 1210 of NYS Tax Law to increase the sales tax in Montgomery County by an additional 1%, and

WHEREAS, the New York Legislature has drafted legislation (A. 6598a/S. 3432a) which would amend such sections of the NYS Tax Law to reauthorize the additional 1% sales tax,

RESOLVED, that the Montgomery County Board of Supervisors hereby supports and advocates for the passage of A. 6598a/S. 3432a by the NYS Legislature.

THE RESOLUTION DIED DUE TO LACK OF SPONSORSHIP. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 141 of 2005

DATED: May 24, 2005

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

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Jonker

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, 2005,

RESOLVED, that George Capece 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, 2005.

RESOLUTION ADOPTED with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 142 of 2005

DATED: May 24, 2005

RESOLUTION ENDORSING 2005 MASTER PLAN FOR FULTON-MONTGOMERY COMMUNITY COLLEGE

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

WHEREAS, the Montgomery County Board of Supervisors, as co-sponsor of Fulton-Montgomery Community College (FMCC), recognizes the need and importance of maintaining infrastructure, rehabilitating buildings and renovating spaces to meet the changing needs of FMCC, and

WHEREAS, in 1993, an initial FMCC Master Plan was completed which recommended the investment of \$14,030,000 into new construction and renovations at the Campus, and

WHEREAS, Resolution 282 dated September 28, 1993 endorsed this original Master Plan, and

WHEREAS, Resolution 172 dated July 22, 2003 authorized the hiring of Joy, McCool & Zilch Architects to prepare a new Master Plan for FMCC, and

WHEREAS, Joy, McCool & Zilch has completed the 2005 Master Plan for FMCC under the guidance and direction of officials from FMCC, SUNY Construction Fund, and both Counties, and

WHEREAS, the 2005 Master Plan, which builds on the original Master Plan, has two (2) primary objectives which are to 1) identify all foreseeable health, safety and preservation-of-facility

projects to ensure the ongoing operation of the College. 2) Identify all foreseeable building renovation and/or expansion needs to ensure the Campus Program requirements are met, and

WHEREAS, the 2005 Master Plan has been approved by the FMCC Board of Trustees,

RESOLVED, that the Montgomery County Board of Supervisors hereby endorses the 2005 Master Plan for FMCC at an estimated cost of approximately \$16,821,050, and

FURTHER RESOLVED, that FMCC shall submit to the State of New York appropriate applications and information necessary for approval of the 2005 Master Plan and to obtain the SUNY funding for this project; 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(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 143 of 2005

DATED: May 24, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FMCC DEPARTMENT OF PUBLIC SAFETY MOU (SHERIFF)

Resolution by Supervisor: Schumann

Seconded by Supervisor: McMahon

WHEREAS, the Sheriff has recommended entering into a Memorandum of Understanding (MOU) with the Department of Public Safety at Fulton Montgomery Community College, and

WHEREAS, said MOU sets forth the proper protocol to maintain a safe environment at the College,

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 Understanding with the Fulton-Montgomery Community College Department of Public Safety.

RESOLUTION ADOPTED with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 144 of 2005

DATED: May 24, 2005

RESOLUTION TRANSFERRING FUNDS - K9 SUPPLIES (SHERIFF)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Jonker

WHEREAS, gifts and donations have been made to the Sheriff's Department to assist with the cost of K-9 Supplies,

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	\$1,125
INCREASE:		
A-15-4-3150-00	K-9 and K-9 Supplies	\$1,125
.4587		

RESOLUTION ADOPTED with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 145 of 2005**DATED:** May 24, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CENTREX SERVICES, FRONTIER (SHERIFF)**

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

WHEREAS, the Sheriff has recommended renewal of a Digital Centrex Service Agreement with Frontier for a term of five years, and

WHEREAS, said agreement provides for 65 Digital Centrex Lines, as requested by the Sheriff,

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 Digital Centrex Service Renewal Agreement with Frontier, and

FURTHER RESOLVED, that said renewal shall be for a five-year term commencing on April 15, 2005.

RESOLUTION ADOPTED with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 146 of 2005**DATED:** May 24, 2005**RESOLUTION AUTHORIZING RATE INCREASES - PART-TIME DEPUTY SHERIFFS AND CORRECTIONS OFFICERS (SHERIFF)**

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Schumann

WHEREAS, the Sheriff has recommended that hourly compensation rates be increased for certain part-time Deputy Sheriffs and Correction Officers, and

RESOLVED, that the Board of Supervisors hereby authorizes and directs that compensation for part-time Deputy Sheriffs and Correction Officers be in accordance as follows:

CORRECTIONS OFFICERS

New – Untrained	\$8.75/Hour	1st. 3 months
	\$9.50/Hour	2nd. 3 months
	\$10.75/Hour	After 6 months

New < 1 yr. experience	\$9.50/Hour	1st. 3 months
	\$10.75/Hour	After 6 months

New > 1 yr. experience	\$10.75/Hour
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ROAD PATROL

New – Untrained	\$9.00/Hour	Basic Training
	\$11.00/Hour	After Basic

New < 1 yr. experience	\$9.75/Hour	1st. 3 months
	\$11.00/Hour	After 3 months

New > 1 yr. experience	\$11.00/Hour
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, and

FURTHER RESOLVED, that said increases shall take effect on June 13, 2005

RESOLUTION ADOPTED with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 147 of 2005**DATED:** May 24, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - IMMUNIZATION ACTION PLAN GRANT AND AMENDING 2005 OPERATING BUDGET (PUBLIC HEALTH)**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

WHEREAS, Montgomery County has been awarded an Immunization Action Plan Grant for the period of April 1, 2005 and ending on March 31, 2006,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the Immunization Action Plan 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 the 2005-2006 grant contract, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005 Operating Budget, as follows:

TRANSFER:

Public Health Grant

FROM:

A-16-4-4010-03.4445 Medical Supplies \$ 375.00

TO:

A-16-4-4010-03.4470 Travel Related Expense \$ 75.00
 .4471 Mileage \$ 300.00

RESOLUTION ADOPTED with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
 County Attorney

Kimberly Sanborn
 Clerk, Board of Supervisors

Supervisor Dybas, in regard to Resolution 148, stated that he believed that the position of Business Manager already exists (as opposed to creating a new position), and received confirmation from County Attorney Landon.

Supervisor Stagliano confirms that the Resolution should be amended so it reads "to re-establish".

Supervisor Dybas makes a motion and Supervisor Stagliano seconds.

RESOLUTION NO. 148 of 2005**DATED:** May 24, 2005**RESOLUTION ESTABLISHING POSITION OF BUSINESS MANAGER (MONTGOMERY MEADOWS)**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

WHEREAS, the Meadows Administrator has recommended establishing a new position in the business office at the Montgomery Meadows, and

WHEREAS, this position will work for and be supervised by the Meadows Administrator, and

WHEREAS, this position is in the non-bargaining management class with an annual base salary of \$28,000, and

RESOLVED, the Montgomery County Board of Supervisors hereby establishes the position of Business Manager at the Montgomery Meadows in the non-bargaining management class with an annual base salary of \$28,000, with a start date of June 6, 2005, and

FURTHER RESOLVED, that the county treasurer is hereby authorized and directed to amend the 2005 operating budget as follows

ADD: EH-34-4-6020-00-1110 (401) Business Manager

TRANSFER:

From: EH-34-4-6020-00-1110 (1038) Accountant \$15,100
 To: EH-34-4-6020-00-1110 (401) Business Manager \$15,100

MOTION TO AMEND by Supervisor Dybas and seconded by Supervisor Stagliano,

To strike the word ESTABLISHING in the title and replace with RE-ESTABLISHING,

To strike the word ESTABLISHING in the first WHEREAS clause and replace with RE-ESTABLISHING,

To strike the word ESTABLISHES in the first RESOLVED clause and replace with RE-ESTABLISHES,

passed with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent.
 (5/24/2005)

RESOLUTION ADOPTED with Aye(1078). Supervisor Sinicropi, Jr. abstained. Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
 County Attorney

Kimberly Sanborn
 Clerk, Board of Supervisors

Meadows Administrator Dan Mumpton, in regard to Resolution 149, confirmed to the Board that the Resolution should be amended to read "Maximum hours to 40" for Les Baird, as the Business Office will need to continue with Mr. Baird's hours during the summer to ensure completion of the Meadows Audit and Medicaid, Medicare and Cost Reports.

RESOLUTION NO. 149 of 2005

DATED: May 24, 2005

RESOLUTION RESCINDING RESOLUTION 102 OF 2005 AND AUTHORIZING CHAIRMAN TO SIGN AMENDED CONSULTING CONTRACTS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Schumann

WHEREAS, Resolution 102 of 2005 authorized the Chairman to enter into agreements with consultants at the Montgomery Meadows, and

WHEREAS, it has been recommended by the Health and Human Services Committee that said consulting agreements be modified to assist with the day-to-day clinical and financial issues during the pending transfer of said facility to provide for a smoother transition for the residents and employees,

WHEREAS, it has been recommended the Meadows Administrator that Resolution 102 of 2005 be rescinded so that new parameters may be established with the consultants working at the Meadows,

RESOLVED, that Resolution 102 of 2005 is hereby rescinded, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign agreements with the following who will provide assistance to the Nursing Home Administrator, the Director of Nursing and the Business Office in the areas of clinical and financial management:

Michele Dygert, Financial Manager Consultant, for a maximum amount of 8 hours per week at an hourly rate of \$50 per hour, effective April 13, 2005, and for a maximum of 12 hours per week at an hourly rate of \$50 per hour, effective May 25, 2005

Heather Reynicke, Billing Specialist Consultant, for a maximum amount of 16 hours per week at an hourly rate of \$20 per hour, effective April 13, 2005 through June 5, 2005

Pat Failing, Registered Nurse Clinical Consultant, for a maximum amount of 32 hours per week at an hourly rate of \$40 per hour, effective April 13, 2005

Les Baird, Financial Manager Consultant, for a maximum amount of 16 hours per week at an hourly rate of \$50 per hour, effective June 1, 2005

Claudine Condon, Certified PRI Assessor, who will provide PRI assessments at a rate of \$30 per PRI chart, effective May 1, 2005

, and

FURTHER RESOLVED, that the work week will be established as Monday through Sunday.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Jonker,

In the first FURTHER RESOLVED clause, in regard to Les Baird, strike MAXIMUM AMOUNT OF 16 HOURS PER WEEK, and replace with MAXIMUM AMOUNT OF 40 HOURS PER WEEK,

passed with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

RESOLUTION ADOPTED with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 150 of 2005

DATED: May 24, 2005

RESOLUTION REJECTING ALL BIDS - RFP 02-05 - NATURAL GAS

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thomas

WHEREAS, the Purchasing Agent, via RFP 02-05, solicited proposals for procurement of Natural Gas, and

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

WHEREAS, the Purchasing Agent has recommended that all proposals received in response to RFP 02-05 be rejected,

RESOLVED, that all proposals tendered to the Purchasing Agent, in response to RFP 02-05, hereby are rejected, and

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

RESOLUTION ADOPTED with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Stagliano acknowledged DPW Commissioner Paul Clayburn, in regard to Resolution 151, who confirmed that the cost to the county will be 5% (around \$38,000) for the bridge repairs.

Supervisor Dybas asked if Shawn Bowerman, Treasurer/Budget Officer, was comfortable spending the 5% from the contingency account.

RESOLUTION NO. 151 of 2005

DATED: May 24, 2005

RESOLUTION AWARING BRIDGE REPLACEMENT CONTRACT (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Walters

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

RESOLVED, that the Board of Supervisors hereby awards a contract to Tioga Construction Co., Inc., 333 Gros Blvd., Herkimer, NY 13350 for the bridge replacement project as follows:

Paris Road, CR 68, BIN 3309480

, and

FURTHER RESOLVED, that said contract shall provide for payment in an amount not to exceed \$773,348.58.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Schumann,

To provide for a FURTHER RESOLVED clause as follows:

FURTHER RESOLVED, that the 5% County share shall be paid through the 2005 Contingency Account and the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

Transfer from: A-01-4-1990-00-4400 Contingency Account \$38,668
 Transfer to: A-06-9900-00-9950 Transfer to Capital Projects \$38,668

passed with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent.
 (5/24/2005)

RESOLUTION ADOPTED with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
 County Attorney

Kimberly Sanborn
 Clerk, Board of Supervisors

Supervisor Schumann stated she feels there is no reason to pass Resolution 152, as it is just another tax.

Supervisor Dybas stated he will not support this Resolution and that the Fund Balance doesn't need inflating.

Supervisor Cechnicki stated he will not support this Resolution.

Supervisor Jonker stated he will not support this Resolution as it is just another tax.

Chairman Strevy stated that he would support the Resolution if it was locked up in a Reserve Fund. He states he'd prefer the Resolution be tabled.

RESOLUTION NO. 152 of 2005

DATED: May 24, 2005

RESOLUTION AUTHORIZING THE IMPOSITION OF MOTOR VEHICLE LICENSE FEES- COUNTY CLERK'S OFFICE

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Quackenbush

WHEREAS, due to the ever-increasing Medicaid costs, reductions in federal and state aid, and increases in both retirement and insurance costs, Montgomery County is faced with a sizable budget shortfall for the year 2005.

WHEREAS, the Montgomery County Board of Supervisors hereby determines that the New York State Tax Law § 1202(c) of the Tax Law and § 401(6) (d) of the Vehicle and Traffic Law permits the Commissioner of Motor Vehicles to enter into an agreement with the appropriate fiscal officer of a county to collect motor vehicle use fees authorized by § 1201 and 1202 of the Tax Law; and

WHEREAS, said agreement shall govern the administration and collection of the fee and shall have the force and effect and be filed as rule or regulation and incorporated in the appropriate section of Part 29 of the Commissioner of Motor Vehicles Rules and Regulations; and

WHEREAS, the implementation of a motor vehicle license fee would result in an additional annual revenue of approximately \$400,000; and

WHEREAS, it is the desire of the Board to authorize the County Treasurer to deposit such annual revenue earned from the tax into a County Road Fund Revenue account to be used for County Highway Department expenditures; and

WHEREAS, the Montgomery County Board of Supervisors hereby determines that the New York State Tax Law is in the best interests of the County financially, and is in the best interests of the County Residents; and

RESOLVED upon the recommendation of the County Finance Committee, at its meeting of May 17, 2005, the Montgomery County Board of Supervisors hereby authorizes the imposition of a motor vehicle license fee as follows:

- \$5 a year for each passenger vehicle weighing 3,500 pounds or less
- \$10 a year for each passenger vehicle weighing 3,501 pounds or more
- \$10 a year for commercial -type vehicles for which the county presently collects a registration; and

FURTHER RESOLVED, that this fee not apply to any farm or agricultural vehicle registered in Montgomery County, and

FURTHER RESOLVED, that the imposition of said fee will commence upon notification from the Commissioner of Motor Vehicles that all necessary filing and administrative procedures are complete.

RESOLUTION DEFEATED with Aye(0). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 153 of 2005

DATED: May 24, 2005

BOND RESOLUTION- MONTGOMERY COUNTY-05/24/05-AUTHORIZING REPLACEMENT OF VARIOUS BRIDGES & RECONSTRUCTION OF CERTAIN ROADS WITHIN COUNTY; EST. AGGREGATE COST- \$2,706,665; APPROPRIATING SAID AMOUNT-AUTHORIZING ISSUANCE OF \$2,706,665 SERIAL BONDS TO FINANCE

Resolution by Supervisor: McMahon

Seconded by Supervisor: DiMezza

WHEREAS, the Board of Supervisors has heretofore approved funding the replacement of various bridges and reconstruction of certain roads within the County, all as more particularly described in Resolutions No. 69, 70 and 71 of 2005, dated February 22, 2005 (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 replacement of various bridges under the Federal Pass-Thru Process (the "Program Bridges"), the maximum aggregate cost thereof being hereby estimated to be \$171,165.00, appropriating said amount therefore and authorizing the issuance of \$171,165.00 serial bonds to finance such costs;

(b) The replacement of three (3) bridges (Mapletown Road in the Town of Canajoharie, Vandeusenville Road in the Town of Canajoharie and Dunlap Road in the Town of Florida (the "BIN Bridges"), the maximum aggregate cost thereof being hereby estimated to be \$1,682,000.00, appropriating said amount therefore and authorizing the issuance of \$1,682,000.00 serial bonds to finance such costs;

(c) The reconstruction of Brower Road, Borden Road and Church Street within the County (the "Road Reconstruction"), the maximum cost thereof being hereby estimated to be \$853,500.00, appropriating said amount therefore and authorizing the issuance of \$853,500.00 serial bonds to finance such costs;

SECTION 2

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

(a) Program Bridges – twenty (20) years pursuant to Section 11.00(a)(10) of the Law.

(b) BIN Bridges – twenty (20) years pursuant to Section 11.00(a)(10) of the Law.

(c) Road Reconstruction – fifteen (15) years pursuant to Section 11.00(a)(20) of the Law.

SECTION 3

The plan of financing includes the issuance of \$2,706,665.00 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

MOTION TO TABLE by Supervisor Walters, seconded by Supervisor Cechnicki, was defeated with Aye(508). Supervisors McMahon, Walters, Strevy, Paton and Cechnicki voted Aye. Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

RESOLUTION DEFEATED with Aye(592). Supervisors McMahon, Walters, Strevy, Thomas, Paton and Cechnicki voted Aye. Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Schumann stated, in regards to Resolution 154, that for such an important issue, there is almost no two-thirds vote present.

Supervisor McMahon states that he supports the bond.

Supervisor Walters states that the taxpayer's concerns about the infrastructure need to be addressed.

Supervisor Sinicropi states that he understands the issue, but he'd rather give pay raises to county employees then to fix up the bridges.

Supervisor Walters states that he hopes the taxpayers hear that message loud and clear.

RESOLUTION NO. 154 of 2005

DATED: May 24, 2005

BOND RESOLUTION OF MONTGOMERY COUNTY, NY-05/24/05, AUTHORIZING REPLACEMENT OF VARIOUS VEHICLES & EQUIPMENT; EST. AGGREGATE COST-\$875,477; APPROPRIATING SAID AMOUNT; AUTHORIZING ISSUANCE OF \$875,477 SERIAL BONDS TO FINANCE

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Quackenbush

WHEREAS, the Board of Supervisors has heretofore approved funding the replacement of various vehicles and equipment and the acquisition of new vehicles and equipment, all as more particularly described in Resolution No. 72 of 2005 dated February 22, 2005 (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 acquisition of three (3) ten-wheel dump trucks (the "10-Wheel Trucks"), the maximum aggregate cost thereof being hereby estimated to be \$306,000, appropriating said amount therefore and authorizing the issuance of \$306,000 serial bonds to finance such costs;
- (b) The cost of acquisition of two (2) six-wheel dump trucks (the "6-Wheel Trucks"), the maximum aggregate cost thereof being hereby estimated to be \$142,000, appropriating said amount therefore and authorizing the issuance of \$142,000 serial bonds to finance such costs;
- (c) The cost of acquisition of one (1) low profile cab/chassis (the "Cab/Chassis"), the maximum cost thereof being hereby estimated to be \$47,000, appropriating said amount therefore and authorizing the issuance of \$47,000 serial bonds to finance such costs;
- (d) The cost of acquisition of two (2) tractors with brooms (the "Tractors"), the maximum aggregate cost thereof being hereby estimated to be \$83,840, appropriating said amount therefore and authorizing the issuance of \$83,840 serial bonds to finance such costs;
- (e) The cost of acquisition of five (5) crew cab pickup trucks (the "Crew Trucks"), the maximum aggregate cost thereof being hereby estimated to be \$115,000, appropriating said amount therefore and authorizing the issuance of \$115,000 serial bonds to finance such costs;
- (f) The cost of acquisition of one (1) standard cab pickup truck (the "Standard Truck"), the maximum cost thereof being hereby estimated to be \$15,100, appropriating said amount therefore and authorizing the issuance of \$15,100 serial bonds to finance such costs;
- (g) The cost of acquisition of one (1) bulldozer (the "Bulldozer"), the maximum cost thereof being hereby estimated to be \$142,637, appropriating said amount therefore and authorizing the issuance of \$142,637 serial bonds to finance such costs; and
- (h) The cost of acquisition of one hydraulic bucket assembly (the "Bucket Assembly"), the maximum cost thereof being hereby estimated to be \$23,900, appropriating said amount therefore and authorizing the issuance of \$23,900 serial bonds to finance such costs;

SECTION 2

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

- (a) 10-Wheel Trucks - 15 years pursuant to Section 11.00(a)(28) of the Law.
- (b) 6-Wheel Trucks - 15 years pursuant to Section 11.00(a)(28) of the Law.
- (c) Cab/Chassis - 15 years pursuant to Section 11.00(a)(28) of the Law.
- (d) Tractors - 15 years pursuant to Section 11.00(a)(25) of the Law.
- (e) Crew Trucks - 5 years pursuant to Section 11.00(a)(29) of the Law.
- (f) Standard Truck - 5 years pursuant to Section 11.00(a)(29) of the Law.
- (g) Bulldozer - 15 years pursuant to Section 11.00(a)(28) of the Law.
- (h) Bucket Assembly - 10 years pursuant to Section 11.00(a)(28) of the Law.

SECTION 3

The plan of financing includes the issuance of \$875,477.00 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 useful ness 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.

MOTION TO TABLE by Supervisor Walters, seconded by Supervisor Cechnicki, was defeated with Aye(592). Supervisors McMahon, Walters, Strevy, Thomas, Paton and Cechnicki voted Aye. Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

RESOLUTION DEFEATED with Aye(592). Supervisors McMahon, Walters, Strevy, Thomas, Paton and Cechnicki voted Aye. Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor McMahon stated he is voting no on Resolution 155 because of the status of a certain Canajoharie building.

RESOLUTION NO. 155 of 2005

DATED: May 24, 2005

RESOLUTION ACCEPTING BIDS - 2005 COUNTY AUCTION

Resolution by Supervisor: McMahon

Seconded by Supervisor: Walters

WHEREAS, an open-bid auction of certain County-owned real property was held on Wednesday, May 18, 2005, and

WHEREAS, the respective successful bidders were as follows:

PARCEL#	DESCRIPTION	BID
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WHEREAS, Successful bids meet the terms and conditions of said auction and have been reviewed by the County Treasurer and by the County Attorney,

RESOLVED, that the County Treasurer hereby is authorized and directed to execute Quit Claim Deeds, for each of the aforementioned parcels, in the names of the successful bidders, or their designees, and

FURTHER RESOLVED, that the County Treasurer is authorized and directed to notify, by certified mail, return receipt requested, each of the successful bidders, or their designees, that all additional monies for the accepted bid, taxes levied on the property after auction date, search fee, advertising charge and any outstanding monies that may be owed, shall be paid to the County Treasurer within 30 days of the date of said notification, and

FURTHER RESOLVED, that failure to comply with the foregoing provisions shall result in non-compliance with the terms and conditions of auction, forfeiture of the initial deposit and loss of property, and

FURTHER RESOLVED, that such non-compliance also shall result in notification to the recorded

second bidder, to determine interest in said property, and

FURTHER RESOLVED, that any changes resulting from non-compliance shall be presented to the Board of Supervisors for consideration.

MOTION TO AMEND by Supervisor Walters, seconded by Supervisor Dybas,

To insert the following bidders list in the second WHEREAS clause:

FIRST BIDDER NAMES	ADDRESS	PARCEL#	BID
Migdalia Canovas	17630 NW 77Ct., Hialeah, FL 33015	4	\$7,300.00
No Bidder		4A	\$-
Benny Jacoby	61-28 160th St., Flushing, NY 11365	5A	\$25.00
Sherwin A. Wilson	133-36 148th St., So Ozone Park, NY 11437	7	\$20,000.00
No Bidder		8A	\$-
Edward J. Fitzgerald	7 Southwind Drive, Norwalk, CT 06854	10	\$6,500.00
Jack L. Buccolo	62 Walnut St., Canajoharie, NY 13317	11	\$2,000.00
Paul J. Laubsch	1191 Ploss Rd., Richmondville, NY 12149	12	\$23,000.00
Edwin Martinez	12 Laurel Terrace, Garrison, NY 10524	13	\$35,000.00
Benny Jacoby	61-28 160th St., Flushing, NY 11365	15	\$10,000.00
Michael D. Patierno	6140 Route 9, Rinebeck, NY 12572	16	\$42,000.00
Rosalind M. Carron	365 Sinclair Rd., Northville, NY 12134	17	\$5,000.00
James W. Lee	659 Logtown Rd., Fultonville, NY 12072	19	\$10,000.00
James W. Lee	659 Logtown Rd., Fultonville, NY 12072	19A	\$27,000.00
Karen W. Sauerbrey	92 Montcalm St., Ticonderoga, NY 12883	20	\$15,500.00
Brian C. Leffler	270 Dorn Rd., Pattersonville, NY 12137	21	\$12,500.00
Linda E. Livingstone	128 Brandon Rd., Esperance, NY 12066	23	\$300.00
Migdalia Canovas	17630 NW 77Ct., Hialeah, FL 33015	24	\$1,300.00
Migdalia Canovas	15 Webster St., Fort Plain, NY 13339	31	\$87,500.00
Jaroslav Lenczewski	29 First St., Amsterdam, NY 12010	35	\$10,500.00
Marco Rossi	56 Sherwood For. Dr., Morham, ONT L3P1P8	36	\$3,500.00
Clifford J. Stone	389 Frederick St., Canajoharie, NY 13339	37	\$22,000.00
William L. Otterson	251 W 30th St. 14W, NY, NY 10001	39	\$250.00
Solid Rock Prop. LLC	2605 Mt. Vernon Rd., Enid, OK 73703	40	\$33,000.00
Raymond E. Gibson	737 Route 28A, N. Falmouth, MA 02556	41	\$20,000.00
Migdalia Canovas	17630 NW 77Ct., Hialeah, FL 33015	46	\$18,000.00
Latif S. Ougzin	P0 Box 3044, NY 10008	47	\$18,000.00
Marco Rossi	56 Sherwood For. Dr., Morham, ONT L3P1P8	48	\$9,500.00
Haralambos Garoutsos	323 East Main St., Amsterdam, NY 12010	49	\$2,500.00
Migdalia Canovas	17630 NW 77Ct., Hialeah, FL 33015	51	\$9,000.00
Frederick H.R. Boettcher	351 N. Gaffey St., San Pedro, CA 90731	52	\$13,500.00
Sherwin A. Wilson	133-36 148th St., S. Ozone Park, NY 11436	57	\$5,400.00
Jason A. Blowers	163 Dopp Rd., Sprakers, NY 12166	58	\$600.00
Alan Levine	3020 Ave. Y, Apt. 1E, Brooklyn, NY 11235	59	\$21,000.00
Michael D. Patierno	6140 Route 9, Rinebeck, NY 12572	61	\$140,000.00
Michael D. Patierno	6140 Route 9, Rinebeck, NY 12572	62	\$55,000.00
Sherwin A. Wilson	133-36 148th St., S. Ozone Park, NY 11436	63A	\$200.00
Benjamin O. Zargarian	8-42 Forest St., Fair Lawn, NJ 07410	65	\$650.00
Donald J. Schaffer	12 Brightman St., Nelliston, NY 13410	67	\$7,000.00
NRLL E., A Florida LLC	1 Maulchy, Irvine, CA 92618	68	\$500.00
NRLL E., A Florida LLC	1 Maulchy, Irvine, CA 92618	69	\$3,000.00
Sherwin A. Wilson	133-36 148th St., S. Ozone Park, NY 11436	72	\$2,100.00
Eleanor Shoman	915 11th St., W. Babylon, NY 11704	75	\$10,000.00
Thomas Hall	115 N. Ferry St., Schenectady, NY 12305	80	\$1,000.00
TOTAL BID AMOUNT			\$712,325.00

passed with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

RESOLUTION ADOPTED with Aye(1072). Supervisor McMahon voted Nay. Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Walters explained in regard to Resolution 156 that Data Processing has requested an amendment to put implementation and maintenance of the Parcel Viewer under Data Processing as it would make more sense.

RESOLUTION NO. 156 of 2005

DATED: May 24, 2005

RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN AGREEMENTS - APPLIED GIS FOR THE

REACTIVATION OF THE PARCEL VIEWER ON THE MONTGOMERY COUNTY WEBSITE AND DIRECTING IMPLEMENTATION AND MAINTENANCE TO THE REAL PROPERTY TAX SERVICE DEPARTMENT

Resolution by Supervisor: McMahon

Seconded by Supervisor: Schumann

WHEREAS, it has been recommended that the Parcel Viewer previously housed on the Montgomery County Website and maintained by the former Planning Department be reactivated to allow the public access to a very beneficial tool that would enhance Real Property Research of properties throughout Montgomery County,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the reactivation of the Parcel Viewer on the Montgomery County Website, directing said reactivation, implementation and maintenance to the Real Property Tax Service Department, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed, upon review and approval of the County Attorney, to execute documents related to the reactivation and maintenance of the Parcel Viewer Software on the Montgomery County Website with Applied GIS, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget to provide for funding as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingent Account \$5,000

TRANSFER TO:

A-07-4-1355-00-4459 Computer Software \$5,000

MOTION TO AMEND by Supervisor Walters, seconded by Supervisor Dybas,

#1: To strike at the end of the RESOLVED clause "and" and replace with the following:

IN CONJUNCTION WITH THE DATA PROCESSING DEPARTMENT, AND

#2: To strike the second FURTHER RESOLVED clause, A-07-4-1355-00-4459, and

Replace with A-14-4-1680-00-4459,

passed with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

RESOLUTION ADOPTED with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 157 of 2005

DATED: May 24, 2005

RESOLUTION PROVIDING FOR A PUBLIC HEARING IN CONNECTION WITH GRANTING PARTIAL EXEMPTION FROM TAXATION OF THE ASSESSED VALUATION OF REAL PROPERTY OWNED BY CERTAIN PERSONS OVER 65

Resolution by Supervisor: McMahon

Seconded by Supervisor: Walters

WHEREAS, Section 467 of NYS Real Property Tax Law provides for a partial exemption from taxation to the extent of 50% of the assessed valuation of real property which is owned by certain persons with limited income who are 65 years of age or over, and

WHEREAS, the Montgomery County Board of Supervisors recognizes the need to afford relief to those persons with fixed income,

RESOLVED, that pursuant to Section 467 of the NYS Real Property Law, the Board of Supervisors will conduct a public hearing on the matter of granting a partial exemption from taxation as set forth in said law, and

FURTHER RESOLVED, said public hearing will be held on Tuesday, June 28, 2005, at 6:45pm in the Supervisors' Chambers, 64 Broadway, Fonda, NY, 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(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

County Attorney Landon stated, in reference to Resolution 158, that the funding should be transferred to a line item in the Public Defender's budget.

RESOLUTION NO. 158 of 2005

DATED: May 24, 2005

RESOLUTION AUTHORIZING COUNTY ATTORNEY TO SETTLE LITIGATION - ASSIGNED COUNSEL CLAIMS (PUBLIC DEFENDER)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

WHEREAS, Attorney Carol Dillon has commenced litigation against Montgomery County to recover fees for legal services for assigned counsel cases rendered on behalf of indigent defendants, and

WHEREAS, it has been determined that such services were provided although the submission of invoices for same was done late,

RESOLVED, that said litigation be settled and resolved upon the payment to Attorney Dillon of the sum of \$15,000, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the county attorney, is hereby authorized and directed to execute documents to settle said litigation as set forth above.

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

TRANSFER FROM:

_____ \$15,000

TRANSFER TO:

_____ \$15,000

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Dybas,

To insert in the second FURTHER RESOLVE clause in the TRANSFER FROM line:

A-01-4-1990-00-4400 Contingent Account

And to insert in the TRANSFER TO line:

A-28-4-1170-00-4431 Public Defender Professional Services

passed with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

RESOLUTION ADOPTED with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. (5/24/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor Jonker, passed with Aye(1215). Supervisors Brodie, Mancini, DiMezza and Quackenbush were absent. Chairman Strevy adjourned the meeting at 8:33 p.m.

Respectfully submitted,

Kimberly Sanborn
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, May 31, 2005

COMMITTEE MEETING DISCUSSION

Chairman McMahon presided over the meeting commencing at 6:00 PM.

Roll call indicated Committee members present included Supervisors Cechnicki, Dybas, Sinicropi, Schumann and Walters. Supervisor Quackenbush was absent.

Additional Supervisors present were Supervisors Mancini, Paton, DiMezza, and Thomas. Supervisors Jonker, Stagliano, Brodie and Strevy were absent.

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

1. Discussion Regarding the Tentative Agreement Between FMCC and the Faculty Association (FACE)
2. Discussion Regarding Complying With the Help America Vote Act (HAVA)
3. Other

Item #1: Chairman McMahon moved this item to the end.

Item #2: The Chairman acknowledged Election Commissioners Joan Grainer and Lyn May. They posed the question to the Board of Supervisors if the Board would like to form a committee to work with the Board of Elections in investigating and selecting new ballot machines. And if the Board of Supervisors would like a vendor demonstration of the machines.

Supervisor Dybas stated that he has faith in the Commissioners decision to investigate and select the ballot machines.

Supervisor Schumann stated that the State has to make a decision in regards to the implementation of electronic voting machines in three weeks.

Joan Grainer stated that the decision is in the municipalities hands, and consolidation and centralization is imperative.

Supervisor Strevy inquired as to who would be storing, upgrading and maintaining the machines.

Supervisor Thomas inquired as to where the machines would be stored.

Joan Grainer replied that 11 storage units will house around 62 machines. Each machine weighs 225 pounds.

Supervisor Schumann asked if a Resolution on centralization was needed for the next board meeting.

Joan Grainer replied that several counties would be writing Resolutions because documentation is needed for HAVA.

Chairman McMahon suggested that there be a demonstration of the machines at the next Education/Government Committee meeting on June 14th at 6PM. Chairman also stated that the Election Commissioners need to update Resolution 86 of 2005, and will need a new sponsor and second. The Resolution gave Central Administration authority to the B.O.E.

The Committee agreed that the Resolution will then be discussed two weeks from today at Committee meeting.

The Committee agreed that the voting machine demos will be on June 14, 2005 at 6PM in Chambers.

Item #1: Chairman McMahon stated that this item on the agenda should be discussed in Executive Session. Pursuant to Section 105 (e) of NYS Open Meeting Law, the motion was made and seconded by Supervisors Dybas and Cechnicki, respectively, to enter into Executive Session to discuss the collective negotiations pursuant to article fourteen of the civil service law. Executive Session commenced at 6:24PM.

Motion to adjourn the Executive Session at 6:36PM was made and seconded by Supervisors Dybas and Schumann, respectively.

As a result, Supervisors Dybas and Schumann made a motion and seconds, respectively, to move a resolution to the full board meeting on June 28th to approve the Memorandum of Agreement between FMCC, Fulton County and the Fulmont Association of College Educators. This item will move to the

full Board with a Positive Recommendation.

Item #3 (Other): Chairman McMahon called for an add-on Resolution;

Resolution Affirming Support for the Reappointment of Dr. Barry Weinberg - President - FMCC

Chairman McMahon stated that he sponsored this, not Supervisor Schumann.

Supervisors Dybas and Sinicropi don't support this because they feel that the Board of Trustees should make this decision.

Supervisor Schumann stated that she believes the Board of Trustees have already made this decision. She is in favor and the full board should vote on this.

Supervisors Walters, Cechnicki and Chairman McMahon supported the Resolution.

Chairman McMahon stated he received a letter from the Superintendent of Schools from the Greater Amsterdam School District and a letter from the Comptroller of the University of NY (SUNY). Other letters are coming in, and he stated that he'll make sure that all the letters and documents he receives will be distributed to all board members.

Item #3 Other: Supervisor Cechnicki stated that in relation to the information sessions regarding the referendum on Alternative Government, he came up with a couple of dates for the public information session:

August 21st in Fonda

Sept. 21st in Canajoharie HS or Ft. Plain HS

Oct. 17th in an Amsterdam School

Supervisor DiMezza asked what the format of these sessions would be. He stated that there are positives and negatives, and this format needs to be carefully looked at. There was \$1M spent in Rensselaer County by pushing through an executive in the county.

Supervisor Schumann stated that there needs to be neutral parties from the Comptroller's office and State University system to give the people of the County objective views. The people need unbiased voting.

Motion was made and seconded by Supervisors Sinicropi and Cechnicki, respectively, to adjourn the meeting of the Education/Government Committee.

Respectfully submitted,

Kimberly Sanborn
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, May 31, 2005

COMMITTEE MEETING DISCUSSION

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

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

Additional Supervisors present were Supervisors DiMezza, Dybas, McMahon and Sinicropi. Supervisors Jonker, Stagliano, Quackenbush and Strevy were absent.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES – CITY OF AMSTERDAM
2. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES – CITY OF JOHNSTOWN
3. Other

Item #1: Chairman Walters recognized Deb Bain, Director of Data Processing. She stated that the department is covering costs related to services provided to other municipalities. She stated that Data Processing has been operating in the black, and that both the City of Amsterdam and the City of Johnstown support a 10% raise across the board on both contracts, due to cost increases.

The Committee moved the resolution, sponsored by Supervisors Thomas and Walters, respectively, to the full board with a positive recommendation.

Item #2: The Committee moved the resolution, sponsored by Supervisors DiMezza and Thomas, respectively, to the full board with a positive recommendation.

Item #3 (Other): Public comment regarding the outcome of Resolution 71 (RESOLUTION APPROVING 2005 CAPITAL PROJECTS - ROAD RECONSTRUCTION (DPW)) and Resolution 153 (BOND RESOLUTION- MONTGOMERY COUNTY-05/24/05-AUTHORIZING REPLACEMENT OF VARIOUS BRIDGES & RECONSTRUCTION OF CERTAIN ROADS WITHIN COUNTY; EST. AGGREGATE COST- \$2,706,665; APPROPRIATING SAID AMOUNT-AUTHORIZING ISSUANCE OF \$2,706,665 SERIAL BONDS TO FINANCE).

Supervisor Thomas stated that there are several citizens from Glen and Palatine present who would like to comment on the un-funding of road and bridge projects, as it affects their daily lives. He asked the Board's indulgence in listening to the comments.

Supervisor DiMezza stated that the members present should decide to allow or disallow public comment. The public should be allowed to speak in this case, because they took the time to be here, and should be allowed 3-5 minutes to make their presentation.

County Attorney Landon stated there is nothing in the rules that prohibit it.

Supervisor Schumann stated that public comment should be allowable in the future.

Supervisor Sinicropi stated that there should be no interaction from the Board as per the bylaws.

Chairman Walters reminded the public to speak clearly, in an orderly fashion and within a reasonable timeframe. He reminded the Board to not interact with the public until they get outside.

Susan Baird Blackwood of Baird Rd. in Glen spoke about her 10 foot road being too narrow for two-way traffic, and that roadwork started hasn't been finished. She has a video in hand of the situation. Pedestrians and bicyclists cannot use the road. There are numerous dirt piles making passing impossible.

Chairman Walters stated that he will refrain his comments until he is outside of the Chamber.

JD Meaner of Glen asked why the Resolution was originally passed then failed. Culverts were removed and she and her neighbors are living in mud now. The road is unsafe.

Joanna Moyer, a 14 year resident of Glen, stated that ditches were not done. Water is flooding into her yard on Borden Hill Rd. There are huge boulder and rock piles everywhere. She stated

that her vehicle has sustained underside damage from the construction. She asked if the problem with funding is due to the sales tax issue.

Harold _____ of 341 Borden Hill Rd. in Glen spoke. He stated he owns a trucking company. He stated that he's put a lot of people off the road because he cannot pull off the road to let other vehicles by. He states he's already tipped one hay truck due to the soft shoulder.

Duane Harding, of Borden Hill Rd. stated that he thinks it's all politically based.

Paul Clayburn, DPW Commissioner, stated that roadwork usually starts by April 1st, but was delayed because of the wetness of the season. He stated that the dump site is too wet, but the rock piles will be picked up, the holes in the road will be patched, and the ditches and pipes will be cleaned up. He also said that the soft shoulder issue will also be addressed.

Chairman Walters addressed the public to help clarify the resolution, saying that the project was approved, but the funding wasn't approved. The Bonding Resolution takes a 2/3rd vote and there were four nos.

Supervisor Schumann states that she had no idea the work had already started.

Motion was made to adjourn the meeting by Supervisors Mancini and Thomas, respectively, at 7:18PM.

Respectfully submitted,

Kimberly Sanborn
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, June 7, 2005

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for June 07, 2005 was called to order at 6:00 p.m. by Chairman Strevy.

SALUTE TO THE FLAG

Supervisor DiMezza led the Salute to the Flag.

ROLL CALL

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

STATEMENT OF PURPOSE OF MEETING

RESOLUTION RECOMMENDING THE STATE LEGISLATURE PASS A. 6598a/S. 3432a WHICH WOULD REAUTHORIZE LEGISLATION WHICH INCREASES SALES TAX IN THE COUNTY OF MONTGOMERY

RESOLUTION NO. 159 of 2005

DATED: June 7, 2005

RESOLUTION RECOMMENDING THE STATE LEGISLATURE PASS A. 6598A/S. 3432A WHICH WOULD REAUTHORIZE LEGISLATION WHICH INCREASES SALES TAX IN THE COUNTY OF MONTGOMERY

Resolution by Supervisor: Strevy

Seconded by Supervisor: Jonker

WHEREAS, in 2003 the NYS Legislature empowered the County of Montgomery to raise an additional 1% sales tax, and

WHEREAS, such authorization is due to expire November 30, 2005, and

WHEREAS, Resolution 79 of 2005 asked the NYS Legislature to reauthorize legislation which amended Section 1210 of NYS Tax Law to increase the sales tax in Montgomery County by an additional 1%, and

WHEREAS, the New York Legislature has drafted legislation (A. 6598a/S. 3432a) which would amend such sections of the NYS Tax Law to reauthorize the additional 1% sales tax,

RESOLVED, that the Montgomery County Board of Supervisors hereby supports and advocates for the passage of A. 6598a/S. 3432a by the NYS Legislature.

RESOLUTION ADOPTED with Aye(1456). Supervisor Schumann abstained. Supervisors Sinicropi, Jr. and Dybas were absent. (6/7/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor DiMezza, seconded by Supervisor Thomas, passed with Aye(1595). Supervisors Sinicropi, Jr. and Dybas were absent. Chairman Strevy adjourned the meeting at 6:05pm.

Respectfully submitted,

Kimberly Sanborn
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 14, 2005

COMMITTEE MEETING DISCUSSION

Chairman McMahon presided over the meeting commencing at 6:00 PM.

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

Additional Supervisors present were Supervisors Stagliano, Thomas, Jonker, Mancini and Chairman Stevy. Supervisor Brodie was absent.

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

1. Vendor Presentation - Liberty Election Systems (Board of Elections)
2. Resolution Granting Authority to the Montgomery County Board of Elections for Central Administration of the Purchase, Implementation and Administration of the New Voting Machines Required Under HAVA (Board of Elections)
3. Other

Item #1: Robert and Mike Witko from Liberty Election Systems demonstrated the "Liberty Vote" voting machine to the Board. They explained to the Board that Federal mandate states that all lever and punch card voting systems must be replaced in 2006. The unit presented is a stand-alone machine weighing 55 lbs. It's a tabletop unit, self-contained and has ease of handling and storage. It has audio headsets for the visually impaired. Mr. Witko explained that a receipt is printed at the end of the day for tabulation purposes, while the computer chip is set to the Central Board for official tallying. They also demonstrated the machine's "write in" capabilities and battery backup system, in case of power outage. Mr. Witko stated that there is very little training needed for the inspectors/custodians on the use of the machine.

Item #2: Chairman McMahon stated that in the 4th WHEREAS, where it says "authority to purchase", he would like to make a proposal to change that statement to "recommend make a purchase of", so that the Board isn't given the authority to make the purchase at the moment, just to get the work done as far as the recommendation goes.

Supervisor Dybas also made a motion to add that the purchasing would be "for the ten towns, City of Amsterdam and Village of Fultonville, and to add "FURTHER RESOLVED the MCBOE shall be responsible for the programming, training, maintenance and voter education for each machine" for the stated towns, City and Village. The motion was seconded by Supervisor Thomas. The Committee chose to unanimously move the Resolution to the Board with a positive recommendation.

Supervisor Dybas asked if each town or city can buy their own machine.

Election Commissioners Joan Grainer and Lyn May replied that purchase must be by the approval of the Commissioners and the State Board, and that the voting machines can only be used for Federal elections. School and Village Boards will continue to use the lever machines.

The Election Commissioners confirmed that HAVA mandates the necessity of this Resolution.

Supervisors Dybas and Quackenbush made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #3: Chairman McMahon requested the Committee go into Executive Session Pursuant to Section 105 (f) of NYS Open Meeting Law to discuss the employment history of a certain person. The motion was made and seconded by Supervisors Sinicropi and Quackenbush, respectively. Executive Session started at 6:31PM.

The motion was made and seconded by Chairman McMahon and Supervisor Walters, respectively, to adjourn the Executive Session at 7:11PM.

As a result of Executive Session, Chairman Stevy made a motion to pull Resolution 162 from the June 28, 2005 agenda as it is premature. The motion was seconded unanimously.

A motion was made by Chairman McMahon and seconded by Supervisor Cechnicki to adjourn the Education/Government Committee at 7:11PM.

Respectfully submitted,

Kimberly Sanborn
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
6:30 PM, June 14, 2005

COMMITTEE MEETING DISCUSSION

Chairman Dybas presided over the meeting commencing at 7:25PM.

Roll call indicated Committee members present included Supervisors Mancini, Jonker, Quackenbush, Sinicropi and Thomas.

Additionally present were Supervisors Cechnicki, Walters, DiMezza, Stagliano, McMahon, Paton and Strevy. Supervisors Schumann and Brodie were absent.

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

1. Resolution Appointing Member - Hudson Mohawk RC&D Council, Inc.
2. Resolution Appointing Member of MCIDA Board of Directors
3. Discussion Regarding Montgomery County Agricultural District Review
4. Resolution Supporting Tourism Funding Application
5. Discussion Regarding CD Fund Montgomery County Revolving Loan Fund
6. Discussion Regarding Industrial Parks
7. Resolution Appointing Montgomery County Planning Board Members
8. Mid-Year Programming Update - Cornell Cooperative Extension
9. Other

Item #1: The Board recognized Jackie Meola, Administrative Assistant to the Board, who stated that Hudson Mohawk RC&D Council, Inc., had notified her of two vacancies; a council member and an alternate.

Supervisor Stevy made the motion to amend Resolution 164 by adding the following: FURTHER RESOLVED, in accordance with the bylaws of the Hudson Mohawk Resource Conservation and Development Council, Inc., Hal Hermance is hereby appointed to serve as alternate and will serve at the pleasure of the Board.

The motion was seconded by Chairman Dybas. The Resolution will be moved to the full Board with a positive recommendation.

Item #2: Chairman Dybas and Supervisor Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation, appointing Charles R. Schwartz as a member of the Montgomery County Industrial Development Agency Board of Directors.

Item #3: The Board recognized Elma Philips, Chairperson of AFPB and Ag. District #1. She stated to the Board that since there is no access to maps created under the former Planning Department, the necessary Agricultural District review project cannot be done in a timely manner. She stated that the lack of technical expertise or funding to review the GIS reports is also hindering this project.

The Board recognized Marilyn Smith, Executive Director of Cornell Cooperative, and Corey Nellis, member of the Cornell Cooperative Board. Mr. Nellis spoke on the importance of the reviews, which would cost \$15,000.

Supervisor Cechnicki asked Ms. Philips if District #2 and #3 could be combined and reviewed together at a future date.

Ms. Philips stated that they could be combined, and a four year extension could be requested.

Supervisor Quackenbush suggested that the re-establishment of an in-house Planning Department would settle the issue of the reviews.

Supervisor Thomas asked Ms. Philips if it would be feasible to have interns from Cornell Cooperative Extension assist with the reviews by doing the legwork.

The Board recognized Marilyn Smith, Executive Director of the Cornell Cooperative Extension of

Fulton and Montgomery Counties. Ms. Smith stated that an internship program would be possible, but may not be cost effective.

The Board recognized Mike Yevoli, Director of Economic Opportunities, Development and Planning. He stated it would take four months to compile the review information, and his office would need the assistance of an Economic Developer.

Corey Nellis stated that he could assist with the review project.

Supervisor DiMezza stated that the Planning position as previously requested by Mr. Yevoli should be reestablished.

Chairman Dybas asked all parties to go back and draw up a revised plan for the Ag. District review.

Item #4: The motion was made and seconded, respectively, by Supervisors Thomas and Quackenbush, to move Resolution 166 to the Board with a positive recommendation.

Item #5: Michael Yevoli, Director of Economic Opportunities, Development and Planning, spoke on the status of the Community Development Fund, which showed that two loans are delinquent in their payments to the County.

The Committee requested that Mr. Yevoli contact the representatives for the two loans and request their appearance before the Finance Committee on June 21, 2005 to explain their financial situations.

Item #6: Mike Yevoli, Director of Economic Opportunities, Development and Planning, spoke of the status of the Industrial Parks and the history of development as it relates to financial contributions from the County, MCIDA and other sources. He stated the investment from the County over 10 years has been \$2,000,000.

Item #7: Supervisor DiMezza requested a motion to add to Resolution 167 the reappointments of Phillip Arnold and Michelle Shaw, with terms expiring June 30, 2008. The motion was seconded by Supervisor Thomas, and will be moved to the Board with a positive recommendation.

Item #8: The Board recognized Marilyn Smith, Executive Director of Cornell Cooperative Extension for Fulton and Montgomery Counties. She spoke on the mid-year programming update, and also spoke on grants, new programs and the expense of the future expansion of the Cooperative Extension. Ms. Smith stated that the 4H Camp Sacandaga is going to be sold, as it doesn't meet the needs of the Cooperative Extension any longer, and necessary renovations to the property would be too costly. She stated that regional team specialists at Cornell are continually looking at ways to streamline the programs to be more cost effective.

The motion was made by Supervisor McMahon and seconded by Chairman Dybas to adjourn the Economic Development/Agriculture and Planning Committee meeting at 8:22PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PUBLIC SAFETY
7:15 PM, June 14, 2005

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 8:23PM.

Roll call indicated Committee members present included Supervisors Cechnicki, Jonker, Stagliano and Walters. Supervisors Brodie and Schumann were absent.

Additional Supervisors present were Supervisors Strevy and McMahon. Supervisors Quackenbush, Dybas, Mancini, Paton, DiMezza and Sinicropi were absent.

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

1. Resolution Amending 2005 Operating Budget - Domestic Incident Program Preparedness Grant (Emergency Management)
2. Resolution Appointing Members - Montgomery County Arson Advisory Board (Emergency Management)
3. Discussion Regarding Prohibiting the Sale, Purchase, Possession and Use of Alcohol Without Liquid (AWOL) Machines or Alcohol Vapor Devices in Montgomery County
4. Discussion Regarding an Agreement that Defines Services to be Provided by St. Mary's Hospital to Inmates Incarcerated at the Montgomery County Jail
5. Discussion Regarding Reynolds Road Tower Space Rental
6. Discussion Regarding 1st Quarter Report - Sheriff's Office/Jail Budget Review
7. Discussion Regarding the Elimination of a Title and Creation of a New Position at the Jail
8. Resolution for the Establishment of a Lead Agency for the Provision of Enhanced PINS Diversion Services
9. Discussion Regarding a Contractual Agreement to provide Psychological Testing of those Probation Officers wanting to carry Fire Arms
10. Other

Item #1: The motion was made and seconded by Supervisors Cechnicki and Dybas, respectively to move Resolution 168 (a carry-over from 2004) to the full Board with a positive recommendation.

Item #2: A motion was made and seconded by Supervisors Cechnicki and Jonker, respectively, to table the Resolution. The Committee feels the Resolution needs more research by Fire Coordinator Gary Nestle, Office of Fire Prevention Control. Mr. Nestle will make revisions and define appointment terms, and resubmit the Resolution to the Committee at a later date.

Item #3: The Committee recognized Sheriff Michael Amato. The Sheriff stated that this Resolution would assist enforcement.

The Committee feels the Resolution needs more research, and a decision was unanimously made to send the Resolution back to County Attorney Doug Langdon for research and revisions.

Item #4: Sheriff Michael Amato presented to the Committee for the Departmental review an agreement that defines and enhances the services provided by St. Mary's Hospital to inmates incarcerated in the Montgomery County jail. The agreement was originally presented to Sheriff Amato by John Kelley, the Vice President of Behavioral Health Services at St. Mary's.

The Committee recognized Jim Gumaer, Community Services Director, who spoke of his concerns regarding the suicide rate at the jail.

A motion was made and seconded by Supervisors Cechnicki and Jonker, respectively, to make a Resolution, authorizing the Chair to sign an amendment to the existing contract with St. Mary's Hospital, thereby reflecting the expanded and enhanced mental health services, as well as a time frame. This Resolution is moved to the full Board with a positive recommendation.

Item #5: Sheriff Michael Amato recommended to the Committee that the Sheriff's Department lease tower space on Reynolds Road for a transmitter to Life-Net of NY. Renting this tower space would significantly improve Life-Net's communication with Dispatch. He stated there should be no frequency interruptions from either the FBI transmitter or any other cell transmitters already in place on the tower.

The motion was made and seconded by Supervisors Walters and Cechnicki, respectively, to make a Resolution stating that the Chairman of the Board will sign an agreement with Life Net of NY for the lease of Tower Space at the Reynolds Road site for their communication equipment, with terms to be determined at a later date. This was moved to the full Board with a positive recommendation.

Item #6: Sheriff Amato presented to the Board the 1st quarter report on the Sheriff's Office and Jail budget review. He noted several ways in which the Department has been cutting costs, as well as their future plans on saving the county additional monies, including taking sealed bids on the police vehicles.

Sheriff Amato spoke on another cost-saving option: S. 3325, a bill that permits counties to impose a co-payment for prison medical services.

A motion was made and seconded by Supervisors Jonker and Thomas, respectively, to create a Resolution supporting the Senate bill and urging the NYS Assembly to enact companion legislation. The Resolution will move to the full Board with a positive recommendation.

Item #7: Sheriff Amato stated a cost-saving measure had been taken that eliminates one Sergeant position and adds one Corporal position. The supervisory responsibilities of the Corporal would be the same as the former Sergeant.

Under the procedural advice of Attorney Langdon and County Treasurer Shawn Bowerman, the motion was made and seconded by Supervisors Walters and Jonker, respectively, to move a Resolution to the full Board with a positive recommendation, hereby creating the new position and authorizing the necessary line item budget transfers.

Item #8: The Committee recognized Probation Department Director Lucille Sitterly, who spoke in support of the Probation Department being the lead agency for the provision of PINS diversion services.

The motion was made and seconded by Supervisors Jonker and Cechnicki, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #9: Director Sitterly stated that Psychological Resources, Inc, will provide evaluation of written, psychological testing of the Probation Officers who wish to carry firearms. The organization is located in Georgia. She is requesting that the Board enter into a contractual agreement with the organization.

The motion was made and seconded by Supervisors Jonker and Walters, respectively, to move the Resolution, authorizing an agreement, to the full Board with a positive recommendation.

Item #10: Sheriff Michael Amato brought the issue of Rabies Vaccination to the Committee's attention. He stated that the Sheriff's Department acts as first-responders for most Rabies issues. He respectfully stated that the officers should be vaccinated against Rabies.

The Committee determined that the cost would be approximately \$3,500, and that Sheriff Amato will work with the Public Health Department on obtaining immunization for the officers.

Item #10: Lucille Sitterly, Director of Probation, spoke about the department's staffing issues. The Committee unanimously decided that this issue is a Personnel Committee issue. The Personnel Committee will be meeting on June 21, 2005, and this issue will be added to their agenda.

Item #10: Sheriff Amato stated that the Sheriff's Department would benefit from using a cell tower on the west end of the County to boost transmission capabilities. He referenced Resolution 160 of 2004. He proposed a transfer of funds from the Emergency Reserve 911 Funds to be used toward this project.

The motion was made and seconded by Supervisors McMahon and Cechnicki, respectively, to make a Resolution on the transfer and move it to the full Board with a positive recommendation.

#10: Sheriff Michael Amato requested the Board sign a grant agreement with the NYS Department of State for Wireless E-911 Expedited Deployment Funding Round 2, in the form of a 2005 budget amendment.

The motion was made and seconded by Supervisors McMahon and Tomas, respectively, to move the Resolution to the full Board with a positive recommendation, authorizing the amendment to the budget.

The motion was made and seconded by Chairman Thomas and Supervisor Cechnicki, respectively, to adjourn the Public Safety Committee at 9:23PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PERSONNEL
6:00 PM, June 21, 2005

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Paton, Quackenbush and Stagliano. Supervisors Brodie, Cechnicki, and Mancini were not present.

Additional Supervisors present were Supervisors McMahon, Strevy, Dybas, Schumann, Walters, Thomas, Sinicropi and Jonker.

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

1. Resolution Rescinding Resolution 54 of 2005 and Authorizing Chairman to sign Agreement - GE Insurance Solutions Reinsurance Corporation - Excess Workers Compensation Coverage (Personnel)
2. Resolution Authorizing Chairman to Sign Agreement - National Employers Council - People Systems Compliance and Human Resource Management Service (Personnel)
3. Resolution Authorizing Chairman to Sign Agreement MM Hayes - ID Badge/Door Access System (Personnel)
4. Discussion Regarding Probation Department Staffing
5. Other

Item #1: The motion was made and seconded by Supervisors Quackenbush and Sinicropi, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: The Committee recognized Richard Baia, Personnel Officer, who spoke in support of the Resolution. The motion was made and seconded by Supervisors Quackenbush and Thomas, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #3: Richard Baia spoke in support of the Resolution for a maintenance agreement.

The motion was made and seconded by Supervisors Quackenbush and Sinicropi, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #4: The Committee recognized Lucille Sitterly, Director of Probation, who spoke of the need of hiring two Probation Officers. She stated that the Probation Department workload continues to increase, and that adequate supervision of defendants is not possible. She also stated that completing pre-sentencing investigations in a timely manner requires the manpower of additional Probation Officers.

Supervisor Sinicropi asked Ms. Sitterly to track the monies saved by the County in hiring the two Probation Officers, thereby reducing the length of incarcerations.

The motion was made and seconded by Supervisors Sinicropi and Thomas, respectively, to create a Resolution reestablishing two Probation Officer positions, along with the necessary budget transfers for those positions. The Resolution was moved to a full Board with a positive recommendation.

Motion to adjourn was made and seconded by Supervisor Quackenbush and Thomas, respectively. Chairman DiMezza adjourned the Personnel Committee meeting at 6:20 PM.

Respectfully submitted,

Kimberly Sanborn
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, June 21, 2005

COMMITTEE MEETING DISCUSSION

Chairman Jonker presided over the meeting commencing at 6:32 PM.

Roll call indicated Committee members present included Supervisors Stagliano, DiMezza, Dybas, Paton and Sinicropi. Supervisor Brodie was absent.

Additional Supervisors present were Supervisors Quackenbush, Strevy, Schumann, McMahon, Thomas. Supervisors Cechnicki and Mancini were absent.

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

1. Discussion Regarding Various Issues - Montgomery Meadows
2. Other

Item #1: The Committee recognized Suzanne Guttenberg, President of The Providers. She is appearing at the request of the Committee. She stated that she has a meeting on June 22, 2005 with the Dept. of Health in regards to their pending C.O.N. application. She will receive clarification on D.O.H.'s request that 56 beds in Montgomery County be removed from County health institutions.

Chairman Strevy stated that he will be meeting with a DOH representative in the near future to get clarification on certain issues regarding the Meadows.

The general concern of the Committee is two-fold: when will the C.O.N. be submitted to the DOH in a timely manner, and will the removal of beds impact the sale of the Meadows.

Ms. Guttenberg assured the Committee that she feels little or no impact on the sale of the Meadows.

Ms. Guttenberg also presented to the Committee artistic conceptual renderings of improvements that will be made to the Meadows upon its completed purchase.

Item #2: RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SUNNYVIEW REHABILITATION HOSPITAL - THERAPY SERVICES (MONTGOMERY MEADOWS).

The motion was made and seconded by Supervisors Quackenbush and Dybas, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ST. MARY'S HOSPITAL - LAB SERVICES (MONTGOMERY MEADOWS)

The motion was made and seconded by Supervisors Sinicropi and DiMezza, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NY ONCOLOGY HEMATOLOGY, PC - PATIENT TRANSFER AGREEMENT (MONTGOMERY MEADOWS)

The motion was made and seconded by Supervisors DiMezza and Paton, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PNP COMPUTER SERVICE, INC. - SOFTWARE MAINTENANCE AGREEMENT (MONTGOMERY MEADOWS)

The motion was made and seconded by Supervisors Sinicropi and Dybas, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MAHONEY NOTIFY-PLUS, INC. - FIRE ALARM SYSTEM INSPECTIONS (MONTGOMERY MEADOWS)

The motion was made and seconded by Supervisors Dybas and Sinicropi, respectively, to move the Resolution to the full Board with a positive recommendation.

Motion to adjourn the Health & Human Services/Social Services Committee at 7:28PM was made and seconded by Supervisors Sinicropi and Jonker, respectively.

Chairman Jonker adjourned the Health & Human Services/Social Services Committee meeting at 7:29PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE
7:00 PM, June 21, 2005

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:30 PM.

Roll call indicated Committee members present included Supervisors Dybas, DiMezza, Schumann, McMahon, Stagliano, and Thomas.

Additional Supervisors present were Supervisors Jonker, Strevy, Sinicropi, Paton, and Walters. Supervisors Brodie, Cechnicki and Mancini were absent.

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

1. Discussion Regarding Montgomery County Revolving Loan Fund
2. Resolution Authorizing Chairman to Sign Agreement - City of Amsterdam - Purchasing Services
3. Resolution Authorizing Chairman to Sign Memorandum of Understanding - NYS Office of Real Property Services (Real Property)
4. Resolution Providing for Partial Exemption from Taxation of Real Property Owned by Certain Persons Over 65
5. Resolution Awarding Boiler Replacement Contract - Johnson Controls (Public Works)
6. Resolution Authorizing the Funding of Various Vehicles for Department of Public Works
7. Bond Resolution- Montgomery County-05/24/05-Authorizing Replacement of Various Bridges & Reconstruction of Certain Roads within County; Est. Aggregate Cost- \$2,175,497; Appropriating said amount-Authorizing Issuance of \$2,175,497 Serial Bonds to Finance
8. Bond Resolution of Montgomery County, NY-05/24/05, Authorizing Replacement of Various Vehicles & Equipment; Est. Aggregate Cost \$602,740; Appropriating said Amount; Authorizing Issuance of \$602,740 Serial Bonds to Finance
9. Resolution to Terminate Sales Tax Distribution to Municipalities in Montgomery County
10. Discussion Regarding Collection of the County's Share of Delinquent Taxes from the City of Amsterdam
11. Discussion Regarding Pending Litigation
12. Other

Item #1 was removed from the agenda by Chairman Quackenbush, as the representatives to the two delinquent accounts were unable to attend this meeting. The representatives will appear before the Finance Committee at a later date to be determined.

Item #2: The motion was made and seconded by Supervisors Stagliano and Schumann, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #3: The motion was made and seconded by Supervisors McMahon and Dybas, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #4: The Committee recognized Florence Stanton, Real Property Director, who stated that there will be no loss of revenue, and cost shifting will occur. She stated that hard figures cannot be quoted because the exemption is based on income.

The motion was made and seconded by Supervisors Walters and DiMezza, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #5: The motion was made and seconded by Supervisors DiMezza and Walters, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #6: The Committee recognized County Treasurer Shawn Bowerman, who clarified that Resolution 72 of 2005 approved the projects, and these Resolutions are funding the projects.

Supervisor DiMezza made a motion to move the Resolution to the full Board with a positive recommendation. The motion was seconded by Supervisor Thomas.

Item #7: Shawn Bowerman stated that for the 2005 projects, a B.A.N. (Bond Anticipation Note) would be issued for a year, and then the 2005 and 2006 projects would be rolled together into a Bond. No payment would be due on the Bond until 2007.

Supervisor Walters made a motion to amend the Resolution, hereby returning the Paris Road bridge back into the Resolution. Supervisor Chairman Strevy seconded the motion.

The motion was made and seconded by Supervisors McMahon and DiMezza, respectively, to move the amended Resolution to the full Board with a positive recommendation.

Item #8: Supervisor Walters spoke in support of the Resolution.

The motion was made and seconded by Supervisors Walters and Thomas, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #9: County Attorney Doug Langdon clarified this Resolution for the Committee.

Supervisor DiMezza stated that he supports this Resolution, as it sends a message to Amsterdam that they need to renegotiate the distribution of sales tax, and reminds everyone when Saratoga preempted, they lost a lot of money. He stated that keeping the whole 4% at the County level will mean more money in the taxpayers pockets because County taxes will go down, yet Town taxes will go up.

Chairman Strevy made the suggestion that the date be changed from July 1st, 2005, to January 1st, 2006.

Supervisor Stagliano stated that this Resolution is moot because it restates facts.

The motion was made and seconded by Chairman Quackenbush and Thomas, respectively, to move the Resolution to the full Board with a positive recommendation. Supervisor Dybas abstained.

Item #10: Supervisor Stagliano stated that he received a printout from former Treasurer Norma Palmer that showed the City of Amsterdam owes the County \$1.7M in delinquent taxes as of December 15th, 2003.

Chairman Strevy stated that the delinquency goes back to the early 1980's.

Supervisor Dybas asked County Attorney Doug Langdon and County Treasurer Shawn Bowerman for clarification on collection laws.

Supervisor Sinicropi stated that the County would need to solicit from the City of Amsterdam justification and specific proof that the taxes are delinquent.

Supervisor Schumann stated that unless the City Charter says that the County will be guaranteeing the taxes for the County, the City is under no legal obligation to remit more than it collects.

The Committee recognized the City of Amsterdam's Assessor, Michael Chiara, who stated that the City of Amsterdam's Charter guarantees that no money is paid above and beyond what's collected. Only school taxes are guaranteed.

Supervisor Stagliano stated that all school districts and all Villages are reimbursed for delinquent taxes, but the City is not. He stated that too many issues which should be separate were linked together, causing confusion.

Based on the discussion, Attorney Landon will research this issue further.

Item #11: Chairman Quackenbush requested a Motion to go into Executive Session Pursuant to Section 105 (d) of NYS Open Meeting Law to discuss pending litigation. Chairman McMahon acknowledged the request. A Motion was made by Supervisor Dybas and seconded by Chairman Strevy. Executive Session began at 8:39PM.

Motion to adjourn Executive Session was made by Chairman Strevy and seconded by Supervisor McMahon. Chairman Quackenbush adjourned the Executive Session at 8:53PM.

As a result of Executive Session, the motion was made and seconded by Supervisor DiMezza and Chairman Quackenbush, respectively, to make a Resolution to enter into a contract with Donohue, Sabo, Varley and Armstrong, PC of Albany, NY to provide defense in a pending litigation case not currently covered under the County's General Liability Insurance. The Resolution was moved to the full Board with a positive recommendation.

Item #12: RESOLUTION REQUESTING THE CAPITAL DISTRICT TRANSPORTATION AUTHORITY TO DO A COST BENEFIT STUDY

Supervisor Schumann spoke in support of the cost benefit study. She stated there will be no cost or obligation in the study.

Supervisor Thomas stated that the Montgomery County Planning Department did a similar study not too long ago.

A motion was made and seconded by Supervisors Schumann and Sinicropi, respectively, to move the Resolution to a the full Board with a positive recommendation.

The motion was made and seconded by Supervisors Stagliano and Quackenbush, respectively, to adjourn the Finance Committee.

Chairman Quackenbush adjourned the Finance Committee meeting at 8:54 PM.

Respectfully submitted,

Kimberly Sanborn
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, June 28, 2005

COMMITTEE MEETING DISCUSSION

Chairman Jonker presided over the meeting commencing at 6:05 PM.

Roll call indicated Committee members present included Supervisors Stagliano, Di Mezza, Dybas, Paton and Sinicropi. Supervisor Brodie was absent.

Additional Supervisors present were Supervisors McMahon, Thomas, Walters, Quackenbush, Cechnicki, Mancini and Schumann.

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

1. Resolution Rescinding Resolution 153 of 2004 and Authorizing Relocation of CSEA Salary Graded Schedules (Montgomery Meadows)
2. Discussion regarding various issues (Montgomery Meadows)
3. Other

Supervisor Dybas made a motion to rescind Resolution 153 entirely, and to bring back the 2nd and 3rd "FURTHER RESOLVED" clauses. The motion was seconded by Chairman Jonker.

The Board recognized Pat Failing, RN Consultant to the Meadows, who spoke in support of the Resolution, which addresses the difficulty of retaining nurses at present salaries.

Supervisor Dybas impressed upon the Committee the importance of passing this Resolution.

Supervisor Dybas made a motion to move the amended Resolution to the full Board with a positive recommendation. The motion was seconded by Supervisor Paton.

Chairman Jonker indicated that under item #2, there were no further issues to discuss at this time.

A motion to adjourn the Health & Human Services/Social Services Committee at 6:15PM was made and seconded by Supervisors Dybas and Chairman Jonker, respectively.

Chairman Jonker adjourned the Health & Human Services/Social Services Committee meeting at 6:15PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BORADWAY, FONDA, NY
PUBLIC HEARING
6:45 PM , June 28, 2005

PUBLIC HEARING IN CONNECTION WITH A PROPOSAL TO GRANT PARTIAL EXEMPTION FROM TAXATION OF THE ASSESSED VALUATION OF REAL PROPERTY OWNED BY CERTAIN PERSONS OVER 65

PUBLIC HEARING DISCUSSION

Supervisor Strevy opened the Public Hearing at 6:45PM.

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 6:45 p.m. on Tuesday, June 28, 2005 for the purpose of holding a public hearing on the RESOLUTION GRANTING PARTIAL EXEMPTION FROM TAXATION OF THE ASSESSED VALUATION OF REAL PROPERTY OWNED BY CERTAIN PERSONS OVER 65.

FURTHER NOTICE is hereby given that copies of said Resolution 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.

By order of the Board of Supervisors of Montgomery County.

Kim Sanborn
Clerk of the Board

Chairman Strevy asked if there were any speakers. With no speakers, he adjourned the Public Hearing at 6:57PM

Respectfully submitted,

Kimberly Sanborn
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 28, 2005

CALL TO ORDER

Chairman Strevy called the Regular Meeting of the Montgomery County Board of Supervisors for June 28, 2005 to order at 7:03 p.m.

SALUTE TO THE FLAG

Supervisor DiMezza led the Salute to the Flag.

ROLL CALL

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

PRIVILEGE OF THE FLOOR

PRESENTATION - DAIRY MONTH

Supervisor Dybas acknowledged a representative from the Dairy Industry and read a PROCLAMATION recognizing June as Dairy Month and recognizing the importance of agriculture to the residents of Montgomery County.

PUBLIC COMMENT

Joan Semino, 568 Brower Rd., Palatine Bridge stated that she received a letter from the Board of Supervisors confirming that the work on Brower Road would be done in 2005. The Town started it but work has stopped, and she is frustrated with the situation.

Donna Muller, Border Road, Glen, stated that the road is still a hazard and needs to be completed.

Bonnie Lee Gobble of Gloversville stated that she was forced to drive into the ditch on Border Road when she visited her sister.

Wally Dillenbeck, also a resident of Border Road, stated that the road is too narrow for safe school bus passage.

Kurt Semon, Councilman for the City of Amsterdam, spoke on the Board's support for Sears Essential, the City's support of an assessment-based sales tax distribution and the Recorder's negative editorial which called the County government a fiefdom.

Chairman Strevy adjourned the Privilege of the Floor at 7:06 p.m.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (5/17/05 - 6/14/05) by Supervisor Sinicropi, seconded by Supervisor Thomas, passed with Aye (1729). Supervisor Brodie was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO AMEND BUDGETARY TRANSFERS by Supervisor Dybas, seconded by Supervisor Cechnicki, to remove the budgetary transfers of \$27,000 for Social Services and \$11,000 for Montgomery Meadows was defeated with Aye(294). Supervisors Sinicropi, Jr., Schumann, Mancini, DiMezza, McMahon, Walters, Strevy, Thomas, Paton, Jonker, Cechnicki and Stagliano voted Nay. Supervisor Brodie was absent.

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Quackenbush, seconded by Supervisor Thomas, passed with Aye(1369). Supervisors Dybas, Quackenbush and Cechnicki voted Nay. Supervisor Brodie was absent.

UNFINISHED BUSINESS

NEW BUSINESS

MOTION TO SUSPEND THE RULES by Supervisor Quackenbush, seconded by Supervisor Sinicropi, Jr., to provide inclusion of Resolutions 196, 197 and 198 to the agenda, passed with Aye(1454). Supervisors Schumann and Dybas voted Nay. Supervisor Brodie was absent.

RESOLUTION NO. 160 of 2005**DATED:** June 28, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT -FULMONT ASSOCIATION OF COLLEGE EDUCATORS (BOARD OF SUPERVISORS)**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

WHEREAS, negotiations have been completed for a successor employment agreement between the Fulton-Montgomery Community College, Fulton County, Montgomery County and the Fulmont Association of College Educators (FACE),

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized and directed to sign a Memorandum of Agreement by and between the Fulton-Montgomery Community College, Fulton County, Montgomery County and the Fulmont Association of College Educators (FACE) effective September 1, 2001 through August 31, 2006, and

FURTHER RESOLVED, that said agreement is contingent upon adoption of a similar resolution by the Fulton County Board of Supervisors

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 161 of 2005**DATED:** June 28, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES - CITY OF AMSTERDAM**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Walters

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 \$29,275

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, 2005 and ending on June 30, 2006.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 162 of 2005**DATED:** June 28, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES - CITY OF JOHNSTOWN**

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thomas

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 \$8,250

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

County Attorney, hereby is authorized and directed to sign the renewal agreement to provide data processing services to the City of Johnstown for the period commencing July 1, 2005 and ending on June 30, 2006.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 163 of 2005

DATED: June 28, 2005

RESOLUTION GRANTING AUTHORITY TO THE MONTGOMERY COUNTY BOARD OF ELECTIONS TO RECOMMEND PURCHASE AND FOR CENTRAL ADMINISTRATION OF THE IMPLEMENTATION AND ADMINISTRATION OF THE NEW VOTING MACHINES REQUIRED UNDER HAVA

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, the Federal Government has passed the Help America Vote Act, which mandates new voting machines throughout Montgomery County be in place by January 1, 2006, and

WHEREAS, it is imperative that all voting districts in Montgomery County be in compliance at that time, and

WHEREAS, currently, the Montgomery County Board of Elections does not have authority from the State of New York or Montgomery County to purchase the machines for the ten towns and the City of Amsterdam and the Village of Fultonville, as each municipality will be responsible for this task, and

WHEREAS, each municipality will need to independently choose the desired machine to purchase and arrange for its programming, training, maintenance, and voter education, a cost that could reach as much as \$10,000 per machine, and

WHEREAS, it is the desire of the Montgomery County Board of Elections to be granted the authority to recommend common machines and arrange for the supporting tasks involved with their implementation throughout the County to be more efficient and cost effective,

RESOLVED, that the Montgomery County Board of Supervisors hereby grants authority to the Montgomery County Board of Elections to recommend purchase and for the Central Administration of the implementation and administration of the new voting machines for the ten towns, City of Amsterdam and Village of Fultonville, required under the federal Help America Vote Act.

FURTHER RESOLVED, the Montgomery County Board of Elections shall be responsible for the programming, training, maintenance and voter education for each machine for the ten towns, City of Amsterdam and Village of Fultonville.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 164 of 2005

DATED: June 28, 2005

RESOLUTION APPOINTING MEMBER - HUDSON MOHAWK RC&D COUNCIL, INC.

Resolution by Supervisor: Strevy

Seconded by Supervisor: Dybas

WHEREAS, the Montgomery County is part of the Hudson Mohawk Resource Conservation and Development Council, which delivers coordinated resource conservation and rural development assistance throughout a six-county area, and

WHEREAS, the Council, in accordance with their bylaws has notified the Board of Supervisors of a vacancy on the Council, which according to the bylaws is to be appointed by the Montgomery County Board of Supervisors,

RESOLVED, in accordance with the bylaws of the Hudson Mohawk Resource Conservation and Development Council, Inc., Supervisor Seids Jonker is hereby appointed to fill said vacancy and will serve at the pleasure of the Board.

FURTHER RESOLVED, in accordance with the bylaws of the Hudson Mohawk Resource Conservation and

Development Council, Inc., Hal Hermance is hereby appointed to serve as alternate and will serve at the pleasure of the Board.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 165 of 2005

DATED: June 28, 2005

RESOLUTION APPOINTING MEMBER OF MCIDA BOARD OF DIRECTORS

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

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

RESOLVED, that Charles R. Schwartz 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(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 166 of 2005

DATED: June 28, 2005

RESOLUTION RESCINDING RESOLUTION 128 OF 2005 AND REAPPOINTING MEMBERS TO THE MONTGOMERY COUNTY PLANNING BOARD

Resolution by Supervisor: Thomas

Seconded by Supervisor: Di Mezza

WHEREAS, on April 26, 2005 appointments were inadvertently made to the Montgomery County Planning Board that did not coincide with Local Law No. 1 of 1987, which requires that when a vacancy occurs leaving an unexpired term, it must be filled for the length of the original appointment, and

WHEREAS, it has been recommended that Resolution 128 of 2005 be rescinded to provide for the proper appointment terms, and

WHEREAS, there are also several terms that are set to expire on June 30, 2005 that will need appointments, and

WHEREAS, per Local Law No. 1 of 1987, the Chairman of the Board of Supervisors has authorization to appoint individuals to serve on the County Planning Board with the consent of the Montgomery County Board of Supervisors, and

WHEREAS, the Chairman has made recommendation for appointment of certain individuals,

RESOLVED, that Resolution 128 of 2005 is hereby rescinded, and

FURTHER RESOLVED, that the Board of Supervisors hereby consents to the appointments made by the Chairman of the following individuals to fill unexpired terms:

Appointment	Address	Term Expires
Philip Lyford	2 Norris Street, Amsterdam, NY	June 30, 2005
Tim Smith	22 Bridge Street, St. Johnsville, NY	June 30, 2006

, and

FURTHER RESOLVED, that the Board of Supervisors hereby consents to the appointments made by the Chairman of the following individuals to fill expired terms:

Appointment	Address	Term Expires
Philip Lyford	2 Norris Street, Amsterdam, NY	June 30, 2008

Jack Fritz	230 Gombar Road, Esperance, NY	June 30, 2008
Gerard Koller	49 Lincoln Avenue, Amsterdam, NY	June 30, 2008
Phillip Arnold	Swart Hill Rd., Amsterdam, NY	June 30, 2008
Michelle Shaw	New St., Amsterdam, NY	June 30, 2008

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 167 of 2005

DATED: June 28, 2005

RESOLUTION SUPPORTING TOURISM FUNDING APPLICATION - MONTGOMERY COUNTY CHAMBER OF COMMERCE

Resolution by Supervisor: Thomas

Seconded by Supervisor: Quackenbush

WHEREAS, the Montgomery County Chamber of Commerce is applying for \$288,830 in the State of New York-I Love New York funds for the 2005-2006 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 \$288,830 toward the local share of said matching funds program for the 2005-2006 tourism year.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 168 of 2005

DATED: June 28, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET - DOMESTIC INCIDENT PREPAREDNESS PROGRAM GRANT (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Dybas

WHEREAS, the Board of Supervisors authorized acceptance of the Domestic Incident Preparedness Program Grant funds for 2002, 2003 and 2004, and

WHEREAS, said funds were appropriated in the 2004 Operating Budget and the unexpended balance should be carried forward in the 2005 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005 Operating Budget, as follows:

INCREASE:

Revenue:

A-02-3-3389	Public Safety State Aid	\$20,100.18
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Appropriations:

A-02-4-3640-0-.4446	Food Supplies	\$ 3,500.00
.4449	Special Supplies and Materials	\$ 4,150.18
.4455	Training	\$ 7,000.00
.4470	Travel: Related Costs	\$ 4,000.00
.4471	Mileage Allocation	\$ 1,450.00

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 169 of 2005**DATED:** June 28, 2005**RESOLUTION FOR THE ESTABLISHMENT OF A LEAD AGENCY FOR THE PROVISION OF ENHANCED PINS DIVERSION SERVICES**

Resolution by Supervisor: Jonker

Seconded by Supervisor: Cechnicki

WHEREAS, as of April 1, 2005, each county and the City of New York is required to provide enhanced diversion services to youth at risk of becoming the subject of a Person In Need of Supervision (PINS) petition and their families (FCA 712 and 735(a), and

WHEREAS, each county and the City of New York must designate either the local social services district or probation department as the "lead agency" for the provision of enhanced PINS diversion services, and

WHEREAS the Probation Department in Montgomery County has historically been the primary provider of PINS services and is equipped to continue to provide services in the future, and

WHEREAS the Probation Department will work in collaboration with the local social services department in the provision of enhanced PINS diversion services,

RESOLVED, that the Board of Supervisors approves the establishment of the Montgomery County Probation Department as the lead agency for the provision of PINS diversion services.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

With the support of Probation Department Director Lucille Sitterly, Supervisor Dybas made a motion to amend the Resolution by removing one probation officer. Supervisor Schumann seconded the motion.

RESOLUTION NO. 170 of 2005**DATED:** June 28, 2005**RESOLUTION REESTABLISHING POSITIONS IN THE PROBATION DEPARTMENT**

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Thomas

WHEREAS, it has been recommended by the Probation Director that two Probation Officer positions that were eliminated in the 2005 budget be reestablished, and

WHEREAS, said positions will provide a cost savings to the County by reducing the length of stay in the Montgomery County Jail for state prisoners awaiting sentencing, as said positions will be utilized to reduce the amount of time taken to produce pre-sentencing investigations as ordered by the Court,

RESOLVED, the Montgomery County Board of Supervisors hereby authorizes the reestablishment of two Probation Officers in the Probation Department, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

Increase Revenue:		
A-27-3-3310	State Aid	\$ 8,397
Transfer From:		
A-01-4-1990-00-4400	Contingency Account	\$31,473

		\$39,870

Increase and Transfer to Appropriations:

A-27-4-3140-00-1110(150)	Probation Officer	\$16,660
A-27-4-3140-00-1110(163)	Probation Officer	\$16,660
A-10-4-9001-00-8810	FICA	\$ 2,550
A-10-4-9001-00-8820	Retirement	\$ 4,000

		\$39,870

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Schumann, to provide for the following in the FURTHER RESOLVED clause:

1. To change the title to "RESOLUTION REESTABLISHING POSITION IN THE PROBATION DEPARTMENT
2. In the first WHEREAS clause, the words "two Probation Officer positions that were" be changed to "one Probation Officer position that was"
3. In the RESOLVED clause, the words "two Probation Officers" be changed to "one Probation Officer"
4. Reduce State Aid to \$4,198.00
5. Reduce Contingency Account to \$15,737.00
6. To eliminate Probation Officer line 163
7. To reduce FICA to \$1,275.00
8. To reduce Retirement to \$2,000.00

, passed with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 171 of 2005

DATED: June 28, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PSYCHOLOGICAL RESOURCES, INC (PROBATION).

Resolution by Supervisor: Jonker

Seconded by Supervisor: Walters

WHEREAS, Probation Officers in Montgomery County were approved to carry firearms by the Montgomery County Board of Supervisors per resolution 68 of 2005, and

WHEREAS, as part of this responsibility relating to the carrying of firearms, various training and examination is necessary to insure the safety of the officer and the community, and

WHEREAS, it has been determined that psychological testing of those Probation Officers wanting to carry firearms on the job is necessary to determine their mental capacity for this task, and

WHEREAS, Psychological Resources, Inc. is able to provide psychological testing for the purpose of determining the Probation Officer's suitability for the carrying of a weapon,

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 Psychological Resources, Inc. for the purpose of providing psychological testing for all Probation Officers authorized to carry weapons in the Montgomery County Probation Dept.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 172 of 2005

DATED: June 28, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDMENT - ST. MARY'S HOSPITAL - MENTAL HEALTH SERVICES AT THE MONTGOMERY COUNTY JAIL (MENTAL HEALTH)

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Jonker

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 an increase in the services offered at the Montgomery County Jail at no additional cost to the County,

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 an increase in services related to the Mental Health of the inmates at the Montgomery County Jail.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon

Kimberly Sanborn

County Attorney

Clerk, Board of Supervisors

The Board recognized Sheriff Amato, who stated that the term of the agreement will be for 5 years at a rate of \$200.00 per month. He stated that the term of the contract would be to 5 years from the date signed.

RESOLUTION NO. 173 of 2005**DATED:** June 28, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TOWER SPACE LEASE - LIFE NET OF NY (SHERIFF)**

Resolution by Supervisor: Walters

Seconded by Supervisor: Cechnicki

WHEREAS, the Sheriff has made recommendation to enter into an agreement with Life Net of NY for the lease of Tower Space at the Reynolds Road site for their Communication Equipment,

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 Life Net of NY for the lease of Tower Space at the Reynolds Road site for their communication equipment, and

FURTHER RESOLVED, that the term of the agreement shall be _____ at a rate of _____ per month.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Schumann, to insert in the FURTHER RESOLVED clause "for 5 years from the date of signing" and "\$200.00" passed with Aye(1592). Supervisor Sinicropi, Jr. voted Nay. Supervisor Brodie was absent. (6/28/2005)

RESOLUTION ADOPTED with Aye(1456). Supervisors Sinicropi, Jr. and Dybas voted Nay. Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 174 of 2005****DATED:** June 28, 2005**RESOLUTION SUPPORTING SENATE BILL S. 3325, LEGISLATION WHICH WOULD PERMIT COUNTIES TO IMPOSE A CO-PAYMENT FOR PRISON MEDICAL SERVICES, AND ALSO URGING THE NYS ASSEMBLY TO ENACT COMPANION LEGISLATION**

Resolution by Supervisor: Jonker

Seconded by Supervisor: Thomas

WHEREAS, the NYS Senate has introduced legislation (S. 3325) which would permit counties to impose a co-payment for prison medical services, and

WHEREAS, the Sheriff has recommended that the Montgomery County Board of Supervisors formally support said legislation and also urge the NYS Assembly to enact companion legislation related to this issue, as passage of said legislation would reduce costs associated with medical services provided at the Montgomery County Jail,

RESOLVED, that the Montgomery County Board of Supervisors hereby formally supports NYS Senate Bill S3325 and strongly urges the NYS Assembly to introduce companion legislation as soon as possible to assist Montgomery County in the reduction of costs related to medical services provided at the Jail.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 175 of 2005****DATED:** June 28, 2005**RESOLUTION PROVIDING FOR THE ELIMINATION OF A SERGEANT POSITION AT THE MONTGOMERY COUNTY JAIL AND THE ESTABLISHMENT OF A NEW CORPORAL POSITION IN ITS PLACE**

Resolution by Supervisor: Walters

Seconded by Supervisor: Jonker

WHEREAS, the Sheriff has recommended as a cost-saving measure that a position of Sergeant be eliminated in the Montgomery County Jail and a new position of Corporal be established in its place, and

WHEREAS, NYS Department of Corrections has approved said change in positions,

RESOLVED, that a position of Sergeant is hereby eliminated at the Montgomery County Jail and a new position of Corporal is hereby established in its place, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

TRANSFER FROM:

A-15-4-3150-00-1110(4)	Correction Sgt	\$16,729
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TRANSFER TO:

A-15-4-3150-00-1110(135)	Correction Corporal	\$16,729
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RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 176 of 2005

DATED: June 28, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DEPT OF STATE - WIRELESS E-911 EXPEDITED DEPLOYMENT - ROUND 2 (SHERIFF)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Thomas

WHEREAS, the Sheriff's Office has been notified Montgomery County's application for Wireless E-911 Expedited Deployment Funding Round 2 in the amount of \$256,970 has been reviewed and approved by the NYS 911 Board, and

WHEREAS, the Sheriff is recommending the acceptance of said grant funding,

RESOLVED, that the Montgomery County Board of Supervisors hereby accepts the Wireless E-911 Round 2 Expedited Deployment Funding in the amount of \$256,970, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign a grant agreement with the NYS Department of State for Wireless E-911 Expedited Deployment Funding Round 2, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

INCREASE REVENUE:

A-15-3-3389	Public Safety Comm. Sys. E911	\$256,970
A-15-3-2705	Gift and Donations	\$ 10,000
A-511	E911 Reserve Appropriations	\$ 11,427
		<u>\$278,397</u>

INCREASE APPROPRIATIONS:

A-15-4-3020-14-2210	Office Furniture	\$ 2,365
A-15-4-3020-14-2259	Computer Equipment	\$276,032
		<u>\$278,397</u>

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 177 of 2005

DATED: June 28, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET - WEST TOWER PROJECT (SHERIFF)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Cechnicki

WHEREAS, Resolution 160 of 2004 awarded the bid 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 to Pittsfield Communications of Cobleskill, and

WHEREAS, it is necessary to make subsequent budget transfers in connection with the completion of this project,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

INCREASE REVENUE:

A-511	E911 Appropriated Reserve	\$15,484
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INCREASE APPROPRIATIONS:

A-15-4-3020-14-2250	Technical Equipment	\$ 650
A-15-4-3020-14-4410	Utilities	\$ 3,224
A-15-4-3020-14-4431	Professional Services	\$11,610
		<u>\$15,484</u>

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 178 of 2005

DATED: June 28, 2005

RESOLUTION RESCINDING RESOLUTION NO. 54 OF 2005 AND AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GE INSURANCE SOLUTIONS / EMPLOYERS REINSURANCE CORPORATION - EXCESS WORKERS COMPENSATION COVERAGE (PERSONNEL)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, Resolution 54 of 2005 approved a one-year renewal with Safety National commencing on 1/1/05 thru 12/31/05, for Excess Workers Compensation coverage, and

WHEREAS, Safety National is terminating their contract as of 1/1/05,

WHEREAS, GE Insurance Solutions/Employers Reinsurance Corporation has agreed to pick up the coverage as of 1/1/05 thru 12/31/05 with no increase in premiums or changes in coverage

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 letter of termination with Safety National and enter into a new contract with GE Insurance Solutions/Employers Reinsurance Corporation for the provision of Excess Workers Compensation Coverage for the period January 1, 2005 through December 31, 2005 at a cost not to exceed \$92,000.

MOTION TO AMEND by Supervisor Jonker, seconded by Supervisor Walters, to provide for a FURTHER RESOLVED clause as follows:

FURTHER RESOLVED, that Resolution 54 of 2005 is hereby rescinded.

, passed with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

RESOLUTION ADOPTED with Aye(1590). Supervisor Schumann voted Nay. Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 179 of 2005

DATED: June 28, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NATIONAL EMPLOYERS COUNCIL, INC (PERSONNEL)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

WHEREAS, Montgomery County has contracted with the National Employers Council, Inc. for various human resource management services, and

WHEREAS, the Personnel Officer has recommended continuation of said agreement,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized and directed to sign an agreement with National Employers Council, Inc. for the provision of compliance and human resource management services, and

FURTHER RESOLVED, that said agreement shall be for a one-year period commencing September 1, 2005 to August 31, 2006 at a total cost not to exceed \$8,400.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 180 of 2005

DATED: June 28, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MM HAYES - ID BADGE SYSTEM (PERSONNEL)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Sinicropi, Jr.

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, 2005 and ending on August 31, 2006.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisors Sinicropi and DiMezza withdraw their sponsorship of this Resolution.

Supervisors Jonker and Dybas retain sponsorship of this Resolution.

Supervisor DiMezza stated that there has been no RFP or CON submitted.

Supervisor Dybas inquired what the cost will be.

The Board recognized Dan Mumpton, Meadows Administrator. Mr. Mumpton stated that the cost is the same, but the Meadows has a more compatible computer system with St. Mary's, and that St. Mary's offers weekend services. He stated that the contract with Amsterdam Memorial has expired.

Supervisor DiMezza stated that both hospitals should have an opportunity to make a proposal for the contract.

A motion to table was made and seconded by Supervisors Dybas and DiMezza, respectively.

RESOLUTION NO. 181 of 2005

DATED: June 28, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ST. MARY'S HOSPITAL - LAB SERVICES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Dybas

WHEREAS, it has been recommended by the Nursing Home Administrator that Montgomery County enter into an agreement for laboratory services with St. Mary's Hospital, Amsterdam, NY,

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 St. Mary's Hospital, Amsterdam, NY, for the provision of Laboratory Services, at the Montgomery County Residential Health Care Facility for a one-year period, commencing on July 1, 2005 and ending on June 30, 2006.

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor DiMezza, passed with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Dybas stated that since this is a continuation of an existing contract, the Resolution should read as such.

RESOLUTION NO. 182 of 2005

DATED: June 28, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NY ONCOLOGY HEMATOLOGY, PC - PATIENT TRANSFER AGREEMENT (MONTGOMERY MEADOWS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Paton

WHEREAS, it has been recommended by the Nursing Home Administrator that the County enter into an agreement with NY Oncology Hematology, PC for the provision of medical services that are not available at the Montgomery Meadows,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized and directed to sign an agreement with NY Oncology Hematology, PC for the provision of medical services that are not available at the Montgomery Meadows, and

FURTHER RESOLVED, said agreement shall be effective for one year from the date of signing.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Sinicropi, Jr., to change the title of the Resolution as follows:

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - NY ONCOLOGY HEMATOLOGY, PC - PATIENT TRANSFER AGREEMENT (MONTGOMERY MEADOWS)

and in the first WHEREAS clause, strike the word "an" and replace with "a renewal",

and in the RESOLVED clause, strike the word "an" and replace with "a renewal",

, passed with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 183 of 2005

DATED: June 28, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PNP COMPUTER SERVICE, INC. - SOFTWARE MAINTENANCE AGREEMENT (MONTGOMERY MEADOWS)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Dybas

WHEREAS, it has been recommended by the Nursing Home Administrator that the County enter into a software maintenance agreement with PNP Computer Services, Inc.,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized and directed to sign a software maintenance agreement with PNP Computer Services, Inc., for the financial software currently in use in the Business Office at the Montgomery Meadows, and

FURTHER RESOLVED, said agreement shall be effective July 1, 2005 through June 30, 2006 at an

annual cost not to exceed \$5,767.50.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 184 of 2005

DATED: June 28, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MAHONEY NOTIFY-PLUS, INC. - FIRE ALARM SYSTEM INSPECTIONS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Siniropi, Jr.

WHEREAS, it has been recommended by the Nursing Home Administrator that the County enter into an agreement with Mahoney Notify-Plus, Inc. of Glens Falls, NY for the provision of fire alarm system inspection services,

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 Mahoney Notify-Plus, Inc. of Glens Falls, NY for the provision of fire alarm inspection services, and

FURTHER RESOLVED, that said agreement will be for a one-year period from the date of signing for an amount not to exceed \$1,941.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 185 of 2005

DATED: June 28, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SUNNYVIEW REHABILITATION HOSPITAL - THERAPY SERVICES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Dybas

WHEREAS, it has been recommended by the Nursing Home Administrator that the County enter into an agreement with Sunnyview Rehabilitation Hospital for the provision of therapy services,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized and directed to sign an agreement with Sunnyview Rehabilitation Hospital for the provision of therapy services at the Montgomery Meadows, and

FURTHER RESOLVED, said agreement shall be effective January 1, 2005 through December 31, 2005 at an hourly rate of \$46.00 per hour.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 186 of 2005

DATED: June 28, 2005

RESOLUTION REQUESTING THE CAPITAL DISTRICT TRANSPORTATION AUTHORITY TO DO A COST BENEFIT STUDY

Resolution by Supervisor: Schumann

Seconded by Supervisor: Siniropi, Jr.

WHEREAS, Montgomery County is currently not a participating county in CDTA, and

WHEREAS, Montgomery County is within the CDTA territory as specified under Article 5, Section 110 of the Public Authorities Law, and

WHEREAS, it is the policy of CDTA to, at the request of a county within its territory, provide a

cost-benefit analysis for that County to determine whether there would be a benefit derived from joining CDTA, and

WHEREAS, this study will be provided by CDTA at no cost to the County and with no obligation to the County, and

RESOLVED, that the County of Montgomery requests CDTA to undertake a study of the feasibility of Montgomery County joining CDTA.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 187 of 2005

DATED: June 28, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CITY OF AMSTERDAM - PURCHASING SERVICES

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Schumann

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, 2005 and ending on June 30, 2006.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 188 of 2005

DATED: June 28, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF UNDERSTANDING - NYS OFFICE OF REAL PROPERTY SERVICES (REAL PROPERTY)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Dybas

WHEREAS, the Director of the Real Property Tax Service Agency has recommended that Montgomery County transmit transfer reports to the NYS Office of Real Property, and

WHEREAS, the electronic transmission of said information will provide the Real Property Tax Service Agency with an additional funding source,

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 Memorandum of Understanding between the Montgomery County Real Property Tax Service Agency and the NYS Office of Real Property Services to provide for electronic transmission of property transfer reports, and

FURTHER RESOLVED, that the County will be compensated at the rate of 50 cents for each report transmitted to said State Agency, and

FURTHER RESOLVED, that said Memorandum may be cancelled by either party with thirty day notice.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 189 of 2005

DATED: June 28, 2005

RESOLUTION PROVIDING FOR PARTIAL EXEMPTION FROM TAXATION OF REAL PROPERTY OWNED BY CERTAIN PERSONS OVER 65

Resolution by Supervisor: Full Board

Seconded by Supervisor: Di Mezza

WHEREAS, by Resolution 157 of 2005, pursuant to Section 467 of the NYS Real Property Law, the Board of Supervisors authorized and directed that a public hearing be held on the matter of granting a partial exemption from taxation as set forth in said law, and

WHEREAS, said public hearing was held on Tuesday, June 28, 2005, at 6:45pm in the Supervisors' Chambers, 64 Broadway, Fonda, NY, and

RESOLVED, that pursuant to Section 467 of the Real Property Tax Law, real property owned by one or more persons, each of whom is sixty-five years of age or over, or real property owned by husband and wife or by siblings, one of whom is sixty-five year of age or over, shall be exempt from taxation by the County of Montgomery to the extent as provided in the following schedule:

ANNUAL INCOME	PERCENTAGE ASSESSED VALUATION EXEMPT FROM TAXATION
Less than \$11,000	50%
More than \$11,000 but less than \$12,000	45%
More than \$12,000 but less than \$13,000	40%
More than \$13,000 but less than \$14,000	35%
More than \$14,000 but less than \$14,900	30%
More than \$14,900 but less than \$15,800	25%
More than \$15,800 but less than \$16,700	20%

No exemption shall be granted

(a) if the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of sixteen thousand six hundred ninety-nine dollars and ninety-nine cents (\$16,699.99). Income tax year shall mean the twelve month period for which the owner or owners filed a federal personal income tax return, or if no such return is filed, the calendar year. Where title is vested in either the husband or the wife, their combined income may not exceed such sum, except where the husband or wife, or ex-husband or ex-wife is absent from the property as provided in subparagraph (ii) of paragraph (d) of this subdivision, then only the income of the spouse or ex-spouse residing on the property shall be considered and may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, inheritance, payments made to individuals because of their status as victims of Nazi persecution, as defined in P.L. 103-286 or monies earned through employment in the federal foster grandparent program. In computing net income and net income from self-employment no depreciation deduction shall be allowed for the exhaustion, wear and tear and real or personal property held for the production of income:

(b) unless the owner shall have held an exemption under this section for his previous residence or unless the title of property shall have been vested in the owner or one of the owners of the property for at least twelve consecutive months prior to the date of making application for exemption, provided, however, that in the event of the death of either a husband or wife in whose name title of the property shall have been vested at the time of death and then becomes vested solely in the survivor by virtue of devise by or descent from the husband or wife, the time of ownership of the property by the deceased husband or wife shall be deemed also a time of ownership by the survivor and such ownership shall be deemed continuous for the purposes of computing such period of twelve consecutive months. In the event of a transfer by either a husband or wife to the other spouse of all or part of the title to the property, the time of ownership of the property by the transferor spouse shall be deemed also a time of ownership by the transferee spouse and such ownership shall be deemed continuous for the purposes of computing such period of twelve consecutive months. Where property of the owner or owners has been acquired to replace property formerly owned by such owner or owners and taken by eminent domain or other involuntary proceeding, except a tax sale, the period of ownership of the former property shall be combined with the period of ownership of the property for which application is made for exemption and such periods of ownership shall be deemed to be consecutive for purposes of this section. Where a residence is sold and replaced with another within a year and both residences are within the state, the period of ownership of both properties shall be deemed consecutive for purposes of the exemption from taxation by a municipality within the state granting such exemption. Where the owner or owners transfer title to the property which as of the date of transfer was exempt from taxation under the provisions of this section, the reacquisition of title by such owner or owners within nine months of the date of transfer shall be deemed to satisfy the requirement of this paragraph that the title of the property shall have been vested in the owner or one of the owners for such period of twelve consecutive months. Where, upon or subsequent to the death of an owner or owners, title to property which as of the date of such death was exempt from taxation under such provisions, becomes vested, by virtue of devise or

descent from the deceased owner or owners, or by transfer by any other means within nine months after such death, solely in a person or persons who, at the time of such death, maintained such property as a primary residence, the requirement of this paragraph that the title of the property shall have been vested in the owner or one of the owners for such period of twelve consecutive months shall be deemed satisfied:

(c) unless the property is used exclusively for residential purposes, provided, however, that in the event any portion of such property is not so used exclusively for residential purposes but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section;

(d) unless the real property is the legal residence of and is occupied in the whole or in part by the owner or by all the owners of the property except where (i) an owner is absent from the residence while receiving health-related care as inpatient of a residential health care facility, as defined in section twenty-eight hundred one of the public health law, provided that any income accruing to that person shall only be income only to the extent that it exceeds the amount paid by such owner,

spouse or co-owner of such owner; or (ii) the real property is owned by a husband and/or wife, or an ex-husband and/or ex-wife, and either is absent from the residence due to divorce, legal separation or abandonment and all other provisions of this section are met provided that where an exemption was previously granted when both resided on the property, then the person on the real property shall be sixty-two (62) years of age or over.

FURTHER RESOLVED, this resolution shall be applicable to assessment rolls based on taxable status date on or after December 1, 2005.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 190 of 2005

DATED: June 28, 2005

RESOLUTION AWARING BOILER REPLACEMENT CONTRACT- JOHNSON CONTROLS (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Walters

WHEREAS, the Commissioner of Public Works has recommended that a contract be awarded to the low bidder on a boiler replacement project at Building No. 7, County Office Building,

RESOLVED, that the Board of Supervisors hereby awards a contract for the boiler replacement project to Johnson Controls, Inc., 105 Twin Oaks Drive, Syracuse, NY 13206, and,

FURTHER RESOLVED, that said contract shall provide for payment in an amount not to exceed \$85,310.00,

FURTHER RESOLVED, that the boiler replacement shall be paid through the 2005 Contingency Account, and the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

Transfer from:

A-01-4-1990-00-4400	Contingency Account	\$85,310.00
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Transfer to:

A-06-4-9900-00-9950	Transfer to Capital Projects	\$85,310.00
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RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Sinicropi inquired to the Board if this Resolution could be scaled back.

Supervisor Walters stated that this Resolution is not a sales tax issue, and it's already scaled back from last year.

Supervisor Stagliano stated that no one has voted to raise the tax cap, which means there is no taxing power left for 2006.

Supervisor Walters read a statement that gave an A- rating to the County from Standard and Poors.

Supervisor Quackenbush stated that the County taxpayer money needs to stay in the County, and the Board needs to concentrate on taking care of their bills. He supports the Resolution.

Supervisor DiMezza stated he supports the Resolution, and that no principal payment will be due until 2007. The interest, which will be less than 4%, will be due in 2006.

Supervisor Schumann stated that economic numbers show that County residents are more in debt than ever before, and why not make a motion to pay in cash?

Supervisor Sinicropi stated that he doesn't want to spend this much money on equipment.

RESOLUTION NO. 191 of 2005

DATED: June 28, 2005

BOND RESOLUTION OF MONTGOMERY COUNTY, NY-06/28/05, AUTHORIZING REPLACEMENT OF VARIOUS VEHICLES & EQUIPMENT; EST. AGGREGATE COST-\$602,740; APPROPRIATING SAID AMOUNT; AUTHORIZING ISSUANCE OF \$602,740 SERIAL BONDS TO FINANCE

Resolution by Supervisor: Walters

Seconded by Supervisor: Thomas

WHEREAS, the Board of Supervisors has heretofore approved funding the replacement of various vehicles and equipment and the acquisition of new vehicles and equipment, all as more particularly described in Resolution No. 72 of 2005 dated February 22, 2005 (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 acquisition of three (3) ten-wheel dump trucks (the "10-Wheel Trucks"), the maximum aggregate cost thereof being hereby estimated to be \$306,000, appropriating said amount therefore and authorizing the issuance of \$306,000 serial bonds to finance such costs;

(b) The cost of acquisition of two (2) six-wheel dump trucks (the "6-Wheel Trucks"), the maximum aggregate cost thereof being hereby estimated to be \$142,000, appropriating said amount therefore and authorizing the issuance of \$142,000 serial bonds to finance such costs;

(c) The cost of acquisition of one (1) low profile cab/chassis (the "Cab/Chassis"), the maximum cost thereof being hereby estimated to be \$47,000, appropriating said amount therefore and authorizing the issuance of \$47,000 serial bonds to finance such costs;

(d) The cost of acquisition of two (2) tractors with brooms (the "Tractors"), the maximum aggregate cost thereof being hereby estimated to be \$83,840, appropriating said amount therefore and authorizing the issuance of \$83,840 serial bonds to finance such costs;

(e) The cost of acquisition of one hydraulic bucket assembly (the "Bucket Assembly"), the maximum cost thereof being hereby estimated to be \$23,900, appropriating said amount therefore and authorizing the issuance of \$23,900 serial bonds to finance such costs;

SECTION 2

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

(a) 10-Wheel Trucks - 15 years pursuant to Section 11.00(a)(28) of the Law.

(b) 6-Wheel Trucks - 15 years pursuant to Section 11.00(a)(28) of the Law.

(c) Cab/Chassis - 15 years pursuant to Section 11.00(a)(28) of the Law.

(d) Tractors - 15 years pursuant to Section 11.00(a)(25) of the Law.

(e) Bucket Assembly - 10 years pursuant to Section 11.00(a)(28) of the Law.

SECTION 3

The plan of financing includes the issuance of \$602,740.00 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.

MOTION TO AMEND by Supervisor Sinicropi, Jr., seconded by Supervisor Walters to replace the title of the Resolution as follows:

BOND RESOLUTION OF MONTGOMERY COUNTY, NY-06/28/05, AUTHORIZING REPLACEMENT OF VARIOUS VEHICLES & EQUIPMENT; EST. AGGREGATE COST-\$458,820; APPROPRIATING SAID AMOUNT; AUTHORIZING ISSUANCE OF \$458,820 SERIAL BONDS TO FINANCE

and in section 1 part (a), strike "three (3)", and "\$306,000" and replace with "two (2)" and "\$204,000", respectively,

and in section 1 part (d), strike "two (2)", and "\$83,840" and replace with "one (1)" and "\$41,920" respectively,

and in section 3, strike "\$602,740.00" and replace with "\$458,820.00",

, was defeated with Aye(186). Supervisors Sinicropi, Jr. and Walters voted Aye. Supervisor Brodie was absent. (6/28/2005)

RESOLUTION DEFEATED with Aye(1084). Supervisors DiMezza, McMahon, Walters, Strevy, Thomas, Quackenbush, Paton, Jonker and Cechnicki voted Aye. Supervisor Brodie was absent.

MOTION TO RECONSIDER RESOLUTION 191 by Supervisor Sinicropi, Jr., seconded by Supervisor DiMezza, passed with Aye(1590). Supervisor Schumann voted Nay. Supervisor Brodie was absent. (6/28/2005)

MOTION TO AMEND by Supervisor Sinicropi, Jr., seconded by Supervisor Walters to replace the title of the Resolution as follows:

BOND RESOLUTION OF MONTGOMERY COUNTY, NY-06/28/05, AUTHORIZING REPLACEMENT OF VARIOUS VEHICLES & EQUIPMENT; EST. AGGREGATE COST-\$458,820; APPROPRIATING SAID AMOUNT; AUTHORIZING ISSUANCE OF \$458,820 SERIAL BONDS TO FINANCE

and in section 1 part (a), strike "three (3)", and "\$306,000" and replace with "two (2)" and "\$204,000", respectively,

and in section 1 part (d), strike "two (2)", and "\$83,840" and replace with "one (1)" and

"\$41,920" respectively,

and in section 3, strike "\$602,740.00" and replace with "\$458,820.00",

, passed with Aye(1221). Supervisors Schumann, Dybas, Mancini and Stagliano voted Nay. Supervisor Brodie was absent. (6/28/2005)

RESOLUTION ADOPTED with Aye(1494). Supervisors Schumann and Stagliano voted Nay. Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

MOTION TO RECONSIDER RESOLUTION 191 by Supervisor Sinicropi, Jr., seconded by Supervisor DiMezza, passed with Aye(1590). Supervisor Schumann voted Nay. Supervisor Brodie was absent.

RESOLUTION NO. 192 of 2005

DATED: June 28, 2005

RESOLUTION AUTHORIZING THE FUNDING OF VARIOUS VEHICLES FOR DEPARTMENT OF PUBLIC WORKS

Resolution by Supervisor: Thomas

Seconded by Supervisor: Walters

WHEREAS, the Board of Supervisors has heretofore approved the replacement of various vehicles and the acquisition of new vehicles, as more particularly described in Resolution No. 72 of 2005 dated February 22, 2005 (the "Prior Resolution"); and

WHEREAS, the Board of Supervisors desires not to finance the cost of all of the vehicles described in the Prior Resolution through bonding,

RESOLVED, that the Board of Supervisors hereby approves the funding of three (3) crew cab pickup trucks, the maximum aggregate cost thereof not exceeding \$69,000, through budgetary provisions, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized to amend the 2005 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400	Contingent Account	\$69,000
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TRANSFER TO:

A-06-4-9900-00-9950	Trans. To Cap. Proj. Fd.	\$69,000
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RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Dybas made a motion to remove paragraph (a) and (b) until next year. Supervisor Schumann seconded the motion.

Supervisor DiMezza stated that items in paragraphs (a) and (b) need to be replaced per the engineers' inspection, and that putting this off is delaying the inevitable.

Supervisor Schumann acknowledged that the roads in paragraph (c) have been started, and should be finished. She confirmed that she supports removing paragraphs (a) and (b).

Supervisors Sinicropi, Quackenbush and Walters support the Resolution as is.

Supervisor Schumann reminded the Board that not making a payment to the principal in 2006 will result in a negative financial situation.

Supervisor Dybas stated that if this Resolution passes, taxes will be raised again because borrowing is outside the tax cap.

Supervisor Walters stated that he'll gladly pay more taxes to keep the taxpayers safe.

RESOLUTION NO. 193 of 2005

DATED: June 28, 2005

BOND RESOLUTION- MONTGOMERY COUNTY-06/28/05-AUTHORIZING REPLACEMENT OF VARIOUS BRIDGES

& RECONSTRUCTION OF CERTAIN ROADS WITHIN COUNTY; EST. AGGREGATE COST- \$2,667,997;
APPROPRIATING SAID AMOUNT-AUTHORIZING ISSUANCE OF \$2,667,997 SERIAL BONDS TO FINANCE

Resolution by Supervisor: McMahon

Seconded by Supervisor: Di Mezza

WHEREAS, the Board of Supervisors has heretofore approved funding the replacement of various bridges and reconstruction of certain roads within the County, all as more particularly described in Resolutions No. 69, 70 and 71 of 2005, dated February 22, 2005 (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 replacement of various bridges under the Federal Pass-Thru Process (the "Program Bridges"), the maximum aggregate cost thereof being hereby estimated to be \$132,497.00, appropriating said amount therefore and authorizing the issuance of \$132,497.00 serial bonds to finance such costs;

(b) The replacement of three (3) bridges (Mapletown Road in the Town of Canajoharie, Vandeusenville Road in the Town of Canajoharie and Dunlap Road in the Town of Florida (the "BIN Bridges"), the maximum aggregate cost thereof being hereby estimated to be \$1,682,000.00, appropriating said amount therefore and authorizing the issuance of \$1,682,000.00 serial bonds to finance such costs;

(c) The reconstruction of Brower Road, Borden Road and Church Street within the County (the "Road Reconstruction"), the maximum cost thereof being hereby estimated to be \$853,500.00, appropriating said amount therefore and authorizing the issuance of \$853,500.00 serial bonds to finance such costs;

SECTION 2

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

- (a) Program Bridges – twenty (20) years pursuant to Section 11.00(a)(10) of the Law.
- (b) BIN Bridges – twenty (20) years pursuant to Section 11.00(a)(10) of the Law.
- (c) Road Reconstruction – fifteen (15) years pursuant to Section 11.00(a)(20) of the Law.

SECTION 3

The plan of financing includes the issuance of \$2,667,997.00 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.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Schumann, to change the title of the Resolution to read as follows:

BOND RESOLUTION- MONTGOMERY COUNTY-06/28/05-AUTHORIZING REPLACEMENT OF VARIOUS BRIDGES & RECONSTRUCTION OF CERTAIN ROADS WITHIN COUNTY; EST. AGGREGATE COST- \$853,500; APPROPRIATING SAID AMOUNT-AUTHORIZING ISSUANCE OF \$853,500 SERIAL BONDS TO FINANCE,

and to strike section 1 paragraph (a) and section 1 paragraph (b),

and in section 3, replace "\$2,667,997" with "\$853,500",

, was defeated with Aye(275). Supervisors Schumann and Dybas voted Aye. Supervisor Brodie was absent. (6/28/2005)

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor DiMezza stated that the City of Amsterdam initiated this discussion. He stated that the City wants to remain with a population-based formula. County taxes will decrease, town taxes will increase, and there will be more money in the taxpayers pockets.

Supervisor Schumann states that she is voting no because she hasn't seen any tax figures yet. She feels this Resolution is a scare tactic, to force a decision, and this Resolution should be rescinded or tabled.

Supervisor Cechnicki stated that he also has no back-up information, and he feels there is no "good faith" negotiating.

Supervisor Quackenbush stated that the County needs this money to pay bills, and there are no firm tax figures because of various variables.

Supervisor Jonker stated that passing this Resolution is a strong arm tactic, and going with a population-based formula would be devastating to some towns.

Supervisor Walters agreed with Supervisor Jonker.

Supervisor Quackenbush stated that he removes himself from Sponsorship of this Resolution.

Supervisor McMahon volunteered to sponsor the Resolution.

Supervisor Thomas stated that he's in favor of negotiations and status quo. He stated that if this Resolution is tabled, negotiations are off the table.

Supervisor DiMezza stated that if the time limit lapses, it will revert to population-based.

Supervisor Stagliano stated that the Board should wait until October 1st when the tentative budget of 2005 (which was voted on in favor of status quo) comes out, so taxpayers can be given solid numbers.

Supervisor Walters reminded the Board of the time element involved.

Supervisor Cechnicki made a motion to strike all text, replacing it with Resolution 131. There was no second.

RESOLUTION NO. 194 of 2005

DATED: June 28, 2005

RESOLUTION TO TERMINATE SALES TAX DISTRIBUTION TO MUNICIPALITIES IN MONTGOMERY COUNTY

Resolution by Supervisor: McMahon

Seconded by Supervisor: Thomas

WHEREAS, Section 1262 (a) of New York State Tax Law allows for a county to set aside for county purposes all or any portion of the net sales tax collected within such county, and

WHEREAS, Section 1262 (e) further provides that sales tax allocations to the various municipalities may not be reduced by a county unless such municipalities are notified of such a reduction in their allocations at least six months prior to the commencement of their respective fiscal years, and

WHEREAS, negotiation efforts by the Montgomery County with the City of Amsterdam have not been fruitful, with the city being unwilling to consider a sales tax distribution formula other than one based on population, which is not acceptable to Montgomery County, and

WHEREAS, the present agreement between Montgomery County and the City of Amsterdam for sales tax distribution, expires November 30, 2005, and

WHEREAS, the Board of Supervisors would support a continuation of the existing sales tax distribution formula, that being 50 percent to the county, 15 percent to the city and 35 percent to the towns of the first three percent of sales tax collected based upon assessed valuation and 90 percent to the county and 10 percent to the city of the additional one percent,

RESOLVED, that per Section 1262 of the New York State Tax Law as set forth above Montgomery County shall retain for county purposes all net sales tax collected within the county effective July 1, 2006 or as soon thereafter as this provision may be implemented in accordance with law, and

FURTHER RESOLVED, that surplus revenues generated by the elimination of sales tax distribution to municipalities within the county shall be used to reduce property taxes imposed by the county, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors is hereby directed to provide copies of this resolution to the municipal clerks of the City of Amsterdam and the 10 towns and 10 villages situated in Montgomery County on or before July 1, 2005.

MOTION TO TABLE by Supervisor Schumann, seconded by Supervisor Cechnicki, was defeated with Aye(205). Supervisors Schumann and Cechnicki voted Aye. Supervisor Brodie was absent. (6/28/2005)

RESOLUTION ADOPTED with Aye(1018). Supervisors Sinicropi, Jr., Schumann, Dybas, Mancini, Cechnicki and Stagliano voted Nay. Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 195 of 2005

DATED: June 28, 2005

RESOLUTION TO RETAIN LEGAL COUNSEL (BOARD OF SUPERVISORS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Quackenbush

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

WHEREAS, the County Attorney has recommended retaining the law firm of Donohue, Sabo, Varley and Armstrong, PC of Albany, NY to provide for such defense,

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 Donohue, Sabo, Varley and Armstrong, PC of Albany, NY to provide for such defense.

RESOLUTION ADOPTED with Aye(1590). Supervisor Schumann abstained. Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 196 of 2005**DATED:** June 28, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FRONTIER - PHONE SERVICE (PUBLIC WORKS)**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, it has been recommended that the County enter into an agreement with Frontier for the provision of phone service,

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed, upon review and approval of the County Attorney, to sign an Agreement with Frontier, for the provision of phone service, and

FURTHER RESOLVED, that said contract shall be for a two-year term through June 30, 2007 at a one-time installation cost not to exceed \$3,962 and at an annual service cost not to exceed \$61,567.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 197 of 2005****DATED:** June 28, 2005**RESOLUTION AUTHORIZING PARIS ROAD BRIDGE REPLACEMENT PROJECT (PUBLIC WORKS)**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Walters

WHEREAS, a Project for the Bridge Replacement on Paris Road (CR 68) over North Branch Otsquago Creek, (BIN 3309480), Town of Minden, Montgomery County, P.I.N. 2753.36 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, with apportionment of costs to be borne at the ratio of 80 percent Federal funds and 20 percent non-federal funds, and

WHEREAS, the total project costs are estimated at \$1,138,716, and

WHEREAS, the County of Montgomery desires to advance the above project, by making a commitment of 100 percent of the non-federal share of the total project cost,

RESOLVED, that the Board of Supervisors hereby approves the Paris Road Bridge Replacement Project, and authorizes the County of Montgomery to pay, in the first instance, 100 percent of the federal and non-federal share of the total cost for the Project, or portions thereof, and

FURTHER RESOLVED, that \$227,744 shall be appropriated to cover the cost of participation in said project, and

FURTHER RESOLVED, that should the full federal and non-federal share costs of said project exceed the amount appropriated, the Board of Supervisors shall convene, as soon as possible, to appropriate said excess amount, immediately upon notification by the New York State Department of Transportation, and

FURTHER RESOLVED, that the Commissioner of Public Works hereby is authorized to execute all necessary Agreements, certifications and /or reimbursement requests for Federal Aid and/or Marchiselli Aid, on behalf of the County, with the New York State Department of Transportation, in connection with advancement, approval and administration of said project, and

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

FURTHER RESOLVED, that this Resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 198 of 2005****DATED:** June 28, 2005

RESOLUTION RESCINDING RESOLUTION 153 OF 2004 AND AUTHORIZING RELOCATION OF CSEA SALARY GRADE SCHEDULES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Stagliano

WHEREAS, the Nursing Home Administration has recommended that certain CSEA titles be relocated to higher pay grades to more accurately reflect their responsibilities and needs of the facility,

RESOLVED, that Resolution 153 of 2004 is hereby rescinded, 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 title of "Head Nurse", presently at a grade level "O" and an annual base salary of \$38,749 be changed to the title of "Unit Coordinator" at a grade level "R" with an annual base salary of \$47,840, and

FURTHER RESOLVED, that the title of "Supervising Nurse", presently at a grade level "P" and an annual base salary of \$41,000 be changed to a grade level "R" with an annual base salary of \$47,840, the title of "Supervising Nurse" would remain, and

FURTHER RESOLVED, that the position of Clinical Educational Coordinator be established at a grade level "R" at an annual base salary of \$47,840, and

FURTHER RESOLVED, that the title of "Nurse Assessment and Care Coordinator", presently at a grade level "P" and an annual base salary of \$41,000 be changed to a grade level "R" with an annual base salary of \$47,840, the title of "Nurse Assessment and Care Coordinator" would remain, and

FURTHER RESOLVED, that the Nursing Home Administrator make the appropriate transfers needed with the County Treasurer, Personnel Officer and Budget Officer to ensure that their budget lines are funded, and

FURTHER RESOLVED, that these changes will take effect on June 27, 2005.

MOTION TO TABLE by Supervisor Schumann, seconded by Supervisor Thomas, passed with Aye(1471). Supervisors McMahon and Jonker voted Nay. Supervisor Brodie was absent. (6/28/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor DiMezza, seconded by Supervisor Stagliano, passed with Aye (1729). Supervisor Brodie was absent. Chairman Strevy adjourned the meeting at 9:40PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE OF THE WHOLE
5:30 PM, July 5, 2005

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 5:30 p.m.

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

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

1. Intergovernmental Meeting with the City of Amsterdam - Discussion regarding Sales Tax Distribution
2. Other

The Committee acknowledged the following Amsterdam City Officials: Mayor Joseph Emmanuelle III, Controller Kim Brumley, Alderman Anthony "Babe" Pallotta, Alderwoman Marie Gavry, Alderman and Dep. Mayor William Wills, Assessor Michael Chiara and Corporate Counsel Robert Goings.

Item #1: Mayor Emanuele III spoke in favor of population-based distribution. He recognized that the Board of Supervisors doesn't support this stance. He stated that the status quo Resolution that he presented to the Common Council last week was tabled. The City is ready to negotiate, and he'd like to see this business finished. He supports Supervisor Sinicropi's Resolution, which states the County will retain 50% of the first 3% and 80% of the additional 1%.

Supervisor Sinicropi stated that the Board needs to work together, and the population-based distribution is fair because of the dollar figures. He stated that this Resolution was created to open up inter-governmental dialogs so this issue can be resolved this month.

Supervisor McMahon stated that he supports the status quo, so that the matter can be settled now.

William Wills stated that he'd like to see an open dialog so there's equal representation from the Towns and Villages, also. He stated that an agreement isn't needed until October.

Supervisor Schumann stated that there is no rush on this agreement and the Resolution sponsored by Supervisor Sinicropi has no numbers attached to it. She'd like to give the City some more time for negotiations and would like to see more projections from the budget office.

Anthony Pallotta stated he'd like to meet with certain City officials to hash out an agreement and then bring it back to the Board of Supervisors.

Supervisor Sinicropi stated that he'll attend that meeting and bring back figures as requested by other Board members. He feels that the Resolution should then be forwarded to the Finance Committee.

The Board recognized Shawn Bowerman, County Treasurer, who stated that the impact to the county will be \$500,000 and that raising the tax cap might be the better solution.

Supervisor DiMezza stated the Resolution was passed last Tuesday to open negotiations. He feels the City was being led astray, and he has met with the Mayor and a couple of Council members and the Chairman Strevy to discuss the issue. He stated he'd like a long-term agreement (so this doesn't need to be gone through in two years again) and supports the "status quo" Resolution. He stated he's willing to increase the City's percentage slightly, perhaps to a total of 11.5% or 12%, with 0% distributed elsewhere. He stated he's open to negotiations.

Supervisor Walters stated that, according to his records, sales tax distribution started in 1968 and was distributed by assessment with the city preempting. In 1993, the City chose not to preempt. He stated that he needs to look at his budget now, not wait until October. He stated he wants to see status quo.

Supervisor McMahon made a motion to pass a Resolution to leave the distribution as is. There was no second.

Supervisors Paton, Sinicropi, Jonker, Walters and Chairman Strevy supported the status quo.

Supervisor DiMezza made a motion to amend Supervisor Sinicropi's draft Resolution by giving the City of Amsterdam 11.25% and 0% distributed to the Towns and Villages. Supervisor Walters seconded the motion.

Supervisor McMahon states that hard figures are needed.

Supervisor DiMezza stated he'd like to see an eight year term.

Supervisor Dybas stated that he'll support and endorse the Mayor and Alderman's decision, whatever that is.

Mayor Emanuele III stated he stands behind his City's team of legislators and doesn't wish to cause continued animosity. He stated that this needs to move forward.

Supervisor Paton stated that he supports the status quo, where the numbers are clear. He stated that a longer term is acceptable.

Supervisor Jonker stated he supports the status quo and also a longer term.

Supervisor Thomas stated that he supports the status quo and also a longer term. If the status quo fails, he stated he'd like to see retail development increase.

The pleasure of the Board is for Chairman Strevy, Treasurer Shawn Bowerman and County Attorney Doug Landon to meet with the City and bring more information back to the Board.

Supervisor Mancini stated that he'd like the animosity to be addressed.

Supervisor Dybas made a motion to move to table the Resolution, so that more discussion can follow. Supervisor DiMezza seconded the motion.

Item #2: Chairman Strevy stated that he has selected the following Supervisors to the Dept. of Health (fact finding) Committee: Himself, Dybas, Thomas, Jonker, DiMezza, and Administrative Assistant to the Board Jackie Meola. The Committee will meet with the D.O.H. at Corning Towers, Albany on July 11 at 3:00PM, to discuss the status of the transfer of the Montgomery Meadows.

Motion to adjourn the Committee of the Whole was made by Supervisor Dybas, seconded by Supervisor Sinicropi. Chairman Strevy adjourned the meeting at 6:30 p.m.

Respectfully submitted,

Kimberly Sanborn
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 5, 2005

COMMITTEE MEETING DISCUSSION

Chairman McMahon presided over the meeting commencing at 6:45 PM.

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

Additional Supervisors present were Supervisors Thomas, Jonker, Paton and Chairman Strevy. Supervisors Brodie, DiMezza and Stagliano were absent.

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

1. Vendor Presentation - Sequoia Pacific Voting Equipment (Board of Elections)
2. Presentation - FMCC 2005-2006 Operating Budget
3. Resolution Establishing Public Hearing - 2005-2006 FMCC Operating Budget.
4. Discussion Regarding Support of Parents Television Council's Nationwide Campaign for "Cable Choice"
5. Discussion Regarding Support for Capital Region OTB Initiatives
6. Other

Item #1: A Presentation was made by Sequoia Pacific Voting Equipment.

Item #2: The Committee recognized Mike Sampone, Chairman of the Board of Trustees of FMCC, who stated that an increase in \$100,000 from each county is needed for a budget balance. If the increase is not received, the College will need to look at the Fund Balance.

The Committee recognized Dave Morrow, Finance Officer at FMCC, who spoke in support of the College's lean budget. He stated to the Committee that the College has been working very diligently to balance the budget and has been exploring cost reducing options.

Supervisor Dybas stated that County employees will need to be laid off to accommodate the increased budgetary needs of the College.

Dave Morrow asked the Committee to pass a Resolution to hold a Public Hearing in August. Ideally, budget passage is needed by Aug. 31st. SUNY Board meets the 3rd week in September, and will be looking at FMCC's budget at that time.

Chairman McMahon and Supervisor Walters made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation as is, with a date to be declared the night of the Full Board Meeting.

By the end of the discussion regarding the FMCC Budget, Supervisors of the Committee remaining in the Chamber were Supervisors Walters and Chairman McMahon.

Citing a lack of the quorum, Chairman McMahon conferred with the County Attorney that items #4 and #5 could not be discussed. The Committee Meeting was adjourned at 7:07PM due to lack of quorum. County Attorney Doug Landon had no objection.

Respectfully submitted,

Kimberly Sanborn
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, July 12, 2005

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 6:00 PM.

Roll call indicated Committee members present included Supervisors Jonker, Stagliano, Cechnicki and Walters. Supervisors Brodie and Schumann were absent.

Additional Supervisors present were Supervisors Strevy, Paton, Dybas and Mancini. Supervisors DiMezza, Sinicropi, Quackenbush and McMahon were absent.

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

1. Resolution Authorizing Chairman to Sign Agreement - FBI Site Antenna License Renewal (Sheriff)
2. Resolution Appointing Members - Montgomery County Arson Advisory Board (Emergency Management)
3. Discussion Regarding Prohibiting the Sale, Purchase, Possession and Use of Alcohol Without Liquid (AWOL) Machines or Alcohol Vapor Devices in Montgomery County
4. Discussion Regarding support of the Governor and the NYS Legislature Enacting Measures Restricting Convicted Sexual Offenders from Living Near Places Where Children Congregate
5. Discussion Regarding Pending Litigation (County Attorney)
6. Other

Item #5: Chairman Thomas began the Committee meeting with item #5 due to a another commitment by County Attorney Doug Landon.

Chairman Thomas requested a Motion to go into Executive Session Pursuant to Section 105 (d) of NYS Open Meeting Law to discuss pending litigation. Chairman Strevy acknowledged the request. A Motion was made by Chairman Thomas and seconded by Supervisor Jonker. Executive Session began at 6:02 PM.

Motion to adjourn Executive Session was made by Chairman Thomas and seconded by Supervisor Jonker. Chairman Thomas adjourned the Executive Session at 6:30 PM.

As a result of Executive Session, no action was taken by the Committee.

Item #1: Chairman Thomas inquired if the agreement needs to be renewed yearly. Supervisor Jonker stated that 5 years down the road, a larger fee might be needed.

The motion was made and seconded by Supervisors Jonker and Cechnicki, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: The motion was made and seconded by Supervisors Jonker and Cechnicki, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #3: Supervisors Jonker and Strevy make a motion and seconded, respectively, to make to table this item to the next meeting, pending more research from Attorney Landon.

Item #4: The Committee acknowledged a letter from James Langley, Jr, Chairperson of the Clinton County Legislature. He is requesting support for their Resolution #397 which restricts convicted sexual offenders from living in proximity to where children congregate.

Supervisors Jonker and Thomas made a motion and seconded, respectively, to support the Clinton County Resolution. A Resolution of support will be moved to the Full Board with a positive recommendation.

The motion was made and seconded by Chairman Thomas and Supervisor Cechnicki, respectively, to adjourn the Public Safety Committee at 6:38PM.

Respectfully submitted,

Kimberly Sanborn
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 12, 2005

COMMITTEE MEETING DISCUSSION

Chairman Jonker presided over the meeting commencing at 6:39 PM.

Roll call indicated Committee members present included Supervisors Stagliano, Dybas, and Paton. Supervisors DiMezza, Brodie and Sinicropi were absent.

Additional Supervisors present were Supervisors Mancini, Strevy, Dybas, Walters and Cechnicki. Supervisors McMahon, Quackenbush and Schumann were absent.

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

1. Resolution Transferring Funds - Indigent Burials (Veterans Services)
2. Discussion Regarding Tabled Resolutions -
Resolution 181 of 2005 - Resolution Authorizing Chairman to Sign Agreement - St. Mary's Hospital - Lab Services (Montgomery Meadows)
Resolution 198 of 2005 - Resolution Rescinding Resolution 153 of 2004 and Authorizing Relocation of CSEA Salary Grade Schedules (Montgomery Meadows)
3. Resolution Authorizing Chairman to Sign Agreement - Cummins Northeast, Inc Hospital - Generator Maintenance Agreement (Montgomery Meadows)
4. Resolution Authorizing Chairman to Sign Agreement - Amsterdam Dialysis Center (Montgomery Meadows)
5. Other

Item #1: The Resolution, sponsored by Supervisor Dybas and seconded by supervisor Paton is moved to the full Board with a positive recommendation.

Before moving on to the next item on the agenda, Chairman Jonker summarized the meeting with the Dept. of Health regarding the proposed transfer of Montgomery Meadows. Present at that meeting were Supervisors Jonker, Thomas, Strevy, Stagliano and Jackie Meola. The Supervisors present at the DOH meeting felt that the Providers are doing all they can to expedite the transfer of the Meadows.

Item #2: Discussion on Resolution 181: The Committee acknowledged Ms. Pat Failing of the Meadows. She stated that the Meadows will be seeking an RFP. She stated that Amsterdam Memorial doesn't have computer compatibility that's needed, and also that Amsterdam Memorial doesn't have weekend services and can only guarantee a 24 hour turn-around time for lab results. St. Mary's Hospital provides better communication, staff, services and quality of care. Their current contract with Amsterdam Memorial expired May 31, 2005.

Supervisor Dybas asked about the cost comparison at both facilities. Ms. Failing stated that the costs would be neutral, and not an issue. The Administrators will be meeting with Amsterdam Memorial on July 13, 2005 to discuss the needs of the Meadows.

Supervisor Thomas stated that this is deviating from the normal procurement policy, which requires RFPs.

The Committee recognized Purchasing Agent Scott Surento. He stated that if an RFP is filed, reasons must be given why Amsterdam Memorial is no longer meeting the needs of the Meadows.

Supervisors Dybas and Stagliano questioned the need of an RFP.

Chairman Jonker stated that the care of the Meadows residents should be our paramount concern, and we should defer to the expertise of the Meadows Administration.

Chairman Jonker made a motion to remove Resolution 181 off the table and return it to the full Board. The motion was seconded by Chairman Strevy. This Resolution will appear under unfinished business at the next full Board meeting.

Discussion on Resolution 198: The Committee acknowledged Phyllis Rosenburger, Director of Nursing at Montgomery Meadows. She spoke in support of the Resolution. She also stated that she is the

only on-call Nurse Supervisor at the Meadows, and an on-call system is needed.

Ms. Failing stated that in 10 years, there will be over 200,000 Nursing vacancies nation-wide, and local positions will not be filled at current pay rates.

Supervisor Walters stated that the Resolution's first FURTHER RESOLVED is incorrect, as the Assistant Director of Nursing position is being eliminated.

Ms. Failing stated that she will review and revise the Resolution and return it to the Board with corrections. This Resolution will appear under unfinished business at the next full Board meeting.

Item #3: The motion was made and seconded to move this Resolution to the full Board with a position recommendation by Supervisors Walters and Paton, respectively.

Item #4: Pat Failing stated that the services will be billed to Medicare and/or Medicaid, and there will be no cost to the County.

The motion was made and seconded to move this Resolution to the full Board with a position recommendation by Supervisors Walters and Paton, respectively.

Chairman Jonker noted that there are two add-ons under Item #5 (other).

Item #5 (add-on): RESOLUTION AUTHORIZING APPROPRIATION OF MEMORIAL FUND (MONTGOMERY MEADOWS)
The motion was made and seconded to move this Resolution to the full Board with a position recommendation by Supervisors Walters and Paton, respectively.

Item #5 (add-on): RESOLUTION AWARDING BID NO. 04-05 - TRANSPORTATION SERVICES (PUBLIC HEALTH)

The Committee acknowledged Kim Conboy, Director of Public Health. She spoke in support of the bids and clarified the 2005-2008 Bid Award Summary analysis.

Ms. Conboy stated that there were two bidders; Blue Line and Browns, and that both will be utilized for specific routes. Lobbying is needed if the County is to not be at the mercy of the school district in the future.

The Committee recommended that the bid award be inserted into the Resolution as recommended by the Public Health Director in the Summary Analysis.

The motion was made and seconded to move this Resolution to the full Board with a position recommendation by Supervisors Jonker and Paton, respectively.

A motion to adjourn the Health & Human Services/Social Services Committee at 7:49PM was made and seconded by Supervisors Dybas and Chairman Jonker, respectively.

Chairman Jonker adjourned the Health & Human Services/Social Services Committee meeting at 7:49PM.

Respectfully submitted,

Kimberly Sanborn
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, July 19, 2005

COMMITTEE MEETING DISCUSSION

Chairman Strevy (in Chairman Walters absence) presided over the meeting commencing at 6:10 p.m.

Roll call indicated Committee members present included Supervisors Brodie, Cechnicki, Mancini, Paton and Thomas. Supervisor Schumann and Walters were absent.

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

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

1. Resolution Establishing Custodial Maintenance Supervisor Position (Public Works)
2. Resolution Authorizing Chairman to Sign Engineering Services Agreement - 2005 Bridge Program (Public Works)
3. Resolution Authorizing Implementation and Funding of Latimer Hill Road Bridge Replacement Project
4. Discussion Regarding Assistance from the Montgomery County SWCD and USDA NRCS to clean debris from the Creek on Cranes Hollow Road in the Town of Amsterdam
5. Discussion Regarding Alignment of Log City Road and Maple Avenue Extension in the Town of Amsterdam
6. Resolution Authorizing Chairman to Sign Memorandum of Agreement - Household Hazardous Waste Collection (MOSA)
6. Other

Item #1: The Committee recognized Paul Clayburn, DPW Commission, who spoke in support of this Resolution, stating that this is much-needed, new position, and the duties are currently being covered by three structural maintenance positions, which isn't effective.

The motion was made and seconded by Supervisors DiMezza and Mancini, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: The motion was made and seconded by Supervisors McMahon and Thomas, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #3: The motion was made and seconded by Supervisors Thomas and McMahon, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #4: The Board acknowledged Corey Nellis, District Manager of MCSWCD and Tom Bielli, District Conservationist, NRCS, USDA. They made a joint request that the Board sign an agreement with NRCS to clean debris from the Creek on Cranes Hollow Road. The cost to clean the creek will be approximately \$12,000. The sponsor will need to cover 25% of the cost, provide necessary permits from NYSDEC or the Corp. of Engineers, provide land access permission from landowners, and to be responsible for the operation and maintenance of the site upon completion of the project. Mr. Bielli stated that only one municipality needs to sponsor it - either town or county.

Supervisor DiMezza stated that some of the work has already been done, but more work is needed at the site for erosion prevention. He stated that the town is willing to work with the county jointly on this project, to perhaps provide back-up trucking as needed. He stated that the costs already incurred would be part of the 25% needed.

Supervisors DiMezza and Thomas made a motion and seconded, respectively, to sign an agreement with NRCS, as requested by Mr. Nellis and Mr. Bielli.

Supervisor Walters appeared in Supervisors Chambers at 6:25PM and replaced Chairman Strevy as Chair of the Committee.

Item #5: Chairman Walters and Supervisor DiMezza made a motion and seconded, respectively, to table this item until an August Committee meeting.

Item #6: The motion was made and seconded by Supervisors Thomas and Paton, respectively, to move

the Resolution to the full Board with a positive recommendation, and that the FURTHER RESOLVED clause read "that RANDALL shall be designated as the desired Event location."

Motion was made to adjourn the meeting by Supervisors Mancini and Thomas, respectively.

Chairman Walters adjourned the General Services/Public Works/Solid Waste Committee meeting at 6:35PM.

Respectfully submitted,

Kimberly Sanborn
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
6:30 PM, July 19, 2005

COMMITTEE MEETING DISCUSSION

Chairman Dybas presided over the meeting commencing at 6:35PM.

Roll call indicated Committee members present included Supervisors Mancini, Jonker, Quackenbush, Sinicropi, McMahon and Thomas.

Additionally present were Supervisors Cechnicki, Walters, DiMezza, Stagliano, Paton, Brodie and Strevy. Supervisor Schumann was absent.

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

1. Resolution Authorizing Chairman to Sign Grant Application - Snowmobile Trails Grant-in-Aid Application (Economic Opportunity and Development)
2. Resolution Authorizing Chairman to Sign Agreement - Mohawk Valley Snowmobile Club, Inc. (Economic Opportunity and Development)
3. Resolution Authorizing Chairman to Sign Lease Agreement - Verizon Wireless (Economic Opportunity and Development)
4. Discussion Regarding CD Fund Montgomery County Revolving Loan Fund
5. Resolution Approving Hospitality Grant Awards and Transferring Funds - Occupancy Tax Reserve
6. Other

Item #4: Chairman Dybas requested of the Committee that item #4 be first on the agenda list. Pursuant to Section 105 (f) of NYS Open Meeting Law, the motion was made and seconded by Supervisors Mancini and Jonker, respectively, to enter into Executive Session to discuss the financial history of a particular company. Executive Session commenced at 6:37PM.

Motion to adjourn the Executive Session at 6:55PM was made and seconded by Supervisors Thomas and McMahon, respectively.

As a result of Executive Session, the Committee took no action.

Item #1: Supervisors Thomas and Quackenbush made a motion and seconded, respectively, to move the Resolution to the Board with a positive recommendation.

Item #2: Chairman McMahon stated that the Canal Way trail will still be closed to snowmobiles in Village of Canajoharie, because, in part, of trail proximity to traffic, businesses and residences.

Mike Yevoli, Director of Economic Opportunity and Development/Planning, stated that he walks the Canal Way trail daily, and has seen little or no damage made by snowmobiles, and cooperation between the County and local snowmobile clubs has been very encouraging.

Supervisors Thomas and Sinicropi made a motion and seconded, respectively, to move the Resolution to the Board with a positive recommendation.

Item #3: Supervisors Quackenbush and DiMezza made a motion and seconded, respectively, to move the Resolution to the Board with a positive recommendation.

Item #5: Supervisors Quackenbush and Jonker made a motion and seconded, respectively, to move the Resolution to the Board with a positive recommendation.

Chairman Dybas acknowledged and gave the floor to Mike Yevoli who spoke about an unrelated issue.

Mr. Yevoli stated that there might be an upcoming issue with a contract regarding the reestablishing of Hirschfeld Rd. He stated there is an estimated cost of \$20,000 for construction of the connectors and reconstruction of a portion of Hirschfeld Road, and there will be additional cost of \$15,000 for a required storm water detention basin. He stated this is still near what the grant would allow, but was not part of the original contract, and may require an official change order. He stated that the total project costs may exceed the grant award.

Chairman Dybas stated that the County will pay up front and apply for the excess cost and hopefully be reimbursement at a later time.

The motion was made and seconded by Supervisor Thomas and McMahon, respectively, to adjourn the Committee meeting.

Chairman Dybas adjourned the Economic Development/Agriculture and Planning Committee meeting at 7:10 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PERSONNEL
6:55 PM, July 19, 2005

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 7:10 PM.

Roll call indicated Committee members present included Supervisors Paton, Brodie, Cechnicki, Quackenbush, Mancini and Stagliano.

Additional Supervisors present were Supervisors McMahon, Strevy, Dybas, Walters, Thomas, Sinicropi and Jonker. Supervisor Schumann was absent.

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

1. Resolution Adopting an Addendum Entitled "Montgomery County Information Security Policy" to the Montgomery County Health Information Policy and Procedures as Required Under HIPAA
2. Other

Item #1: Supervisors Thomas and Cechnicki made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: Chairman DiMezza recognized an Add-On agenda item regarding a grievance.

Chairman DiMezza asked the Committee to make a motion to go into Executive Session to address the Add-on issue.

Pursuant to Section 105 (f) of NYS Open Meeting Law, the motion was made and seconded by Supervisor Mancini and Thomas, respectively, to enter into Executive Session to discuss the employment history of a particular person. Executive Session commenced at 7:12PM.

Motion to adjourn the Executive Session at 7:55PM was made and seconded by Supervisors Quackenbush and Brodie, respectively.

As a result of Executive Session, the Committee recommended that the Sheriff's Department take the discussed grievance to the arbitration process.

Motion to adjourn the Committee meeting was made and seconded by Supervisor Quackenbush and Thomas, respectively.

Chairman DiMezza adjourned the Personnel Committee meeting at 7:55 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE
7:00 PM, July 19, 2005

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 8:00 PM.

Roll call indicated Committee members present included Supervisors Dybas, DiMezza, McMahon, Stagliano, and Thomas. Supervisor Schumann was absent.

Additional Supervisors present were Supervisors Jonker, Strevy, Sinicropi, Paton, and Walters, Brodie, Cechnicki and Mancini.

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

1. Resolution Awarding Bid No. 06-05 - Food Service and Cleaning Supplies (Purchasing)
2. Resolution Authorizing Treasurer to Disburse Mortgage Tax Money
3. Discussion regarding Local Law # 6 of 2003 "Empowering Budget Officer to Authorize Budgetary Transfers Between Expense Categories Within the Same Appropriation Account"
4. Other

Item #1: Supervisors DiMezza and Thomas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: Supervisors Walters and DiMezza made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Chairman Quackenbush chose to move item #3 to the end of the agenda.

Item #4 (Other): Chairman Quackenbush acknowledged an Add-on item titled RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - LEAD POSONING AND PREVENTION GRANT (PUBLIC HEALTH)

Supervisors DiMezza and Thomas made a motion and seconded, respectively, to move the add-on Resolution to the full Board with a positive recommendation.

Item #3: The Committee recognized Shawn Bowerman, Budget Officer. He stated that the Local Law does not define any limitations of transfers within objects of expense, and if he needs to present to the Committee all budget transfer requests over \$5,000, it would slow work down considerably.

Supervisor Stagliano stated that he doesn't agree with the Local Law, and questions its legality. He stated he would like all transfer requests over \$5,000 to come before the Board. Chairman Quackenbush stated that all transfers are to come before the governing body of the Board.

County Attorney Doug Landon reminded the Board that by the time the transfers come before the Board, they are already in progress. Based on the discussion, the Committee chose to take no action.

The motion was made and seconded by Supervisors Paton and Dybas, respectively, to adjourn the Finance Committee. Chairman Quackenbush adjourned the Finance Committee meeting at 8:20 PM.

Respectfully submitted,

Kimberly Sanborn
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 26, 2005

CALL TO ORDER

Chairman Strevy called the Regular Meeting of the Montgomery County Board of Supervisors for July 26, 2005 to order at 7:00PM.

SALUTE TO THE FLAG

Supervisor Walters led the Salute to the Flag.

ROLL CALL

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

PRIVILEGE OF THE FLOOR

PUBLIC COMMENT

John Jablonski, Acting President of FMCC, reintroduced himself and thanked the Board for "investing" in FMCC over the years.

Joan Mulling of Border Rd., Glen, inquired of the status of road work on Border Rd.

Chairman Strevy stated that the road repairs are on the DPW schedule.

Chairman Strevy adjourned the Privilege of the Floor at 7:05 p.m.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (6/21/05 - 7/19/05) by Supervisor Sinicropi, Jr., seconded by Supervisor Quackenbush, passed with Aye(1729). Supervisor Schumann was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Sinicropi, Jr., seconded by Supervisor Quackenbush, passed with Aye(1729). Supervisor Schumann was absent.

UNFINISHED BUSINESS

Supervisor DiMezza stated he will be voting no and that RFPs for Resolution 181 should be pursued.

Supervisor Stagliano stated that more research is needed on the NY Codes and Regulations, including #103 General Municipal Law in regard to when an RFP is needed.

RESOLUTION NO. 181 of 2005

DATED: June 28, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ST. MARY'S HOSPITAL - LAB SERVICES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Dybas

WHEREAS, it has been recommended by the Nursing Home Administrator that Montgomery County enter into an agreement for laboratory services with St. Mary's Hospital, Amsterdam, NY,

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 St. Mary's Hospital, Amsterdam, NY, for the provision of Laboratory Services, at the Montgomery County Residential Health Care Facility for a one-year period, commencing on July 1, 2005 and ending on June 30, 2006.

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor DiMezza, passed with Aye(1729). Supervisor Brodie was absent. (6/28/2005)

MOTION TO REMOVE FROM TABLE by Supervisor Dybas, seconded by Supervisor McMahon, passed with Aye(1729). Supervisor Schumann was absent. (7/26/2005)

MOTION TO CALL THE QUESTION by Supervisor Stagliano, seconded by Supervisor Dybas, passed with Aye(1249). Supervisors DiMezza, Strevy and Quackenbush voted Nay. Supervisor Schumann was absent. (7/26/2005)

RESOLUTION ADOPTED with Aye(1018). Supervisors DiMezza, Strevy, Thomas, Quackenbush and Paton voted Nay. Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor DiMezza stated that this Resolution undermines current negotiations with CSEA. He stated that if the Providers want to make changes at the Meadows, their Certificate of Need should be submitted to the Dept. of Health.

Supervisor Walters stated that this Resolution has errors and needs to be re-written.

Supervisor Jonker stated that, based on his compilations, Resolution 198 will have a significant cost savings.

Supervisor Stagliano stated that this "political campaign" is taking precedence over resident care.

The Board acknowledged Ms. Pat Failing, Nurse Clinical Consultant at the Montgomery Meadows, who stated that the pay increases reflect the job description changes, and that they are not filling the vacant Director of Nursing position.

Supervisor DiMezza stated that the CSEA doesn't support the changes in the Resolution.

Supervisor Walters stated that the financial numbers don't add up. Supervisor Jonker disagreed with Supervisor Walters.

RESOLUTION NO. 198 of 2005

DATED: June 28, 2005

RESOLUTION RESCINDING RESOLUTION 153 OF 2004 AND AUTHORIZING RELOCATION OF CSEA SALARY GRADE SCHEDULES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Stagliano

WHEREAS, the Nursing Home Administration has recommended that certain CSEA titles be relocated to higher pay grades to more accurately reflect their responsibilities and needs of the facility,

RESOLVED, that Resolution 153 of 2004 is hereby rescinded, 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 title of "Head Nurse", presently at a grade level "O" and an annual base salary of \$38,749 be changed to the title of "Unit Coordinator" at a grade level "R" with an annual base salary of \$47,840, and

FURTHER RESOLVED, that the title of "Supervising Nurse", presently at a grade level "P" and an annual base salary of \$41,000 be changed to a grade level "R" with an annual base salary of \$47,840, the title of "Supervising Nurse" would remain, and

FURTHER RESOLVED, that the position of Clinical Educational Coordinator be established at a grade level "R" at an annual base salary of \$47,840, and

FURTHER RESOLVED, that the title of "Nurse Assessment and Care Coordinator", presently at a grade level "P" and an annual base salary of \$41,000 be changed to a grade level "R" with an annual base salary of \$47,840, the title of "Nurse Assessment and Care Coordinator" would remain, and

FURTHER RESOLVED, that the Nursing Home Administrator make the appropriate transfers needed with the County Treasurer, Personnel Officer and Budget Officer to ensure that their budget lines are

funded, and

FURTHER RESOLVED, that these changes will take effect on June 27, 2005.

MOTION TO TABLE by Supervisor Schumann, seconded by Supervisor Thomas, passed with Aye(1471). Supervisors McMahon and Jonker voted Nay. Supervisor Brodie was absent. (6/28/2005)

MOTION TO REMOVE FROM TABLE by Supervisor Stagliano, seconded by Supervisor McMahon, passed with Aye(1053). Supervisors DiMezza, Walters, Strevy, Quackenbush and Paton voted Nay. Supervisor Schumann was absent. (7/26/2005)

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Sinicropi, Jr., to strike the first FURTHER RESOLVED clause and insert in its stead:

"FURTHER RESOLVED that the title of Assistant Director of Nursing is hereby deleted, and"

was defeated with Aye(687). Supervisors Sinicropi, Jr., Dybas, Mancini, Jonker, Cechnicki and Stagliano voted Aye. Supervisor Schumann was absent. (7/26/2005)

MOTION TO CALL THE QUESTION by Supervisor Stagliano, seconded by Supervisor Jonker, was defeated with Aye(348). Supervisors Sinicropi, Jr., Jonker and Stagliano voted Aye. Supervisor Dybas abstained. Supervisor Schumann was absent. (7/26/2005)

RESOLUTION WITHDRAWN BY SPONSOR (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

After much discussion, Supervisors Dybas and Stagliano removed their sponsorship of the Resolution.

NEW BUSINESS

RESOLUTION NO. 199 of 2005

DATED: July 26, 2005

RESOLUTION ESTABLISHING PUBLIC HEARING - 2005-2006 FMCC OPERATING BUDGET

Resolution by Supervisor: McMahon

Seconded by Supervisor: Walters

RESOLVED, that the Montgomery County Board of Supervisors hereby schedules a Public Hearing on the proposed 2005-2006 Operating Budget of Fulton-Montgomery Community College for _____ at _____pm in the Supervisors' Chambers, County Office Building, Route 30A(Broadway), Fonda, New York, and

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

MOTION TO AMEND, by Supervisor McMahon, seconded by Supervisor Sinicropi, Jr., to insert into the RESOLVED clause "August 23rd, 2005" and "6:30PM", respectively, passed with Aye(1729). Supervisor Schumann was absent. (7/26/2005)

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 200 of 2005

DATED: July 26, 2005

RESOLUTION SUPPORTING CLINTON COUNTY'S RESOLUTION WHICH URGES THE GOVERNOR AND THE NYS LEGISLATURE TO ENACT MEASURES RESTRICTING CONVICTED SEXUAL OFFENDERS FROM LIVING NEAR PLACES WHERE CHILDREN CONGREGATE

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, Correspondence was sent to Montgomery County from Clinton County with a copy of a

Resolution titled "Urging the Governor and NYS Legislature to Enact Measures Restricting Convicted Sexual Offenders from Living Near Places Where Children Congregate", and

WHEREAS, Clinton County has requested other NYS Counties to also pass similar resolutions and forward to elected State Representatives,

RESOLVED, that the Montgomery County Board of Supervisors does hereby support Clinton County Resolution No. 397, unanimously adopted on June 8, 2005, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors respectfully urges the Governor and the NYS Legislature to enact measures that will restrict, in perpetuity, convicted sexual offenders from living near places where children congregate.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 201 of 2005

DATED: July 26, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FBI ANTENNA SITE LICENSE RENEWAL (SHERIFF)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Cechnicki

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, 2005 and ending on September 30, 2006.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 202 of 2005

DATED: July 26, 2005

RESOLUTION APPOINTING MONTGOMERY COUNTY ARSON ADVISORY BOARD MEMBERS

Resolution by Supervisor: Jonker

Seconded by Supervisor: Cechnicki

WHEREAS, Resolution 51 of 1980 created the Montgomery County Arson Advisory Board which shall consist of ten members who shall be appointed for a two-year term 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,	Tribe Hill
Michael Amato	Sheriff's Office,	Fultonville
James E. Conboy	P. O. Box 1500,	Fonda
David Bouck	113 St Hwy 80,	Fort Plain
Michael Beyer	132 Poplar Drive,	Amsterdam
Larry Intelisano	124 Auser Road,	Esperance
David Lis	2658 Rt. 67,	Amsterdam
Gary Nestle	33 Reed St.	Canajoharie
Inv. Izzy Torro	NYSP, 3003 St Hwy 5S	Fultonville
George King	167 Queen Anne St.	Amsterdam

, and

FURTHER RESOLVED, said appointments shall be for a two-year term ending on July 25, 2007.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 203 of 2005

DATED: July 26, 2005

RESOLUTION TRANSFERRING FUNDS - INDIGENT BURIALS (VETERANS SERVICES)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Paton

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 2005 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(1729). Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 204 of 2005

DATED: July 26, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CUMMINS NORTHEAST, INC - GENERATOR MAINTENANCE AGREEMENT (MONTGOMERY MEADOWS)

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Strevy

WHEREAS, it has been recommended by the Nursing Home Administrator that the County enter into a maintenance agreement with Cummins Northeast, Inc. of Albany, NY,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized and directed to sign a maintenance agreement with Cummins Northeast, Inc. of Albany, NY, for the generator in use at the Montgomery Meadows, and

FURTHER RESOLVED, said agreement shall be effective August 1, 2005 through August 1, 2006 at an annual cost not to exceed \$405.00.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 205 of 2005

DATED: July 26, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - AMSTERDAM DIALYSIS CENTER (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Walters

WHEREAS, it has been recommended by the Nursing Home Administrator that the County enter into an Outpatient Dialysis Service agreement with Amsterdam Dialysis Center of Amsterdam, NY,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized and directed to sign an Outpatient Dialysis Service agreement with Amsterdam Dialysis Center of Amsterdam, NY, and

FURTHER RESOLVED, said agreement shall be effective for one-year from the date of signing.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 206 of 2005

DATED: July 26, 2005

RESOLUTION AUTHORIZING APPROPRIATION OF MEMORIAL FUND (MONTGOMERY MEADOWS)

Resolution by Supervisor: Walters

Seconded by Supervisor: Paton

WHEREAS, Resolution no. 236 of 2002 established a memorial fund for the deposit of donations in memory of past residents, and

WHEREAS, the Nursing Home Administrator has had a ramp and walkway constructed to the gazebo that was built in the fall of 2004 and has requested the use of these funds to pay a portion of the contractors bill,

RESOLVED, the County Treasurer is authorized and directed to disburse the amount currently in the memorial fund (\$1,490) under the Trust and Agency fund to the Meadows to pay for a portion of the ramp and walkway.

RESOLUTION ADOPTED with Aye(1593). Supervisor Dybas voted Nay. Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 207 of 2005

DATED: July 26, 2005

RESOLUTION AWARING BID NO. 04-05 - TRANSPORTATION SERVICES (PUBLIC HEALTH)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Paton

WHEREAS, the Purchasing Agent was authorized to solicit bids for transportation for the Montgomery County 3-5 Preschool and Early Intervention programs, and

WHEREAS, said bids were opened on June 27, 2005,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 04-05 to

ROUTE #				PROVI DER	2005-06	2006-07	2007-08
1	Capit al	Di stri ct	UCP	(Cl overpatch)	BROWNS	BROWNS	BROWNS
2	Capit al	Di stri ct	UCP	(Cl overpatch)	BROWNS	BROWNS	BROWNS
3	Capit al	Di stri ct	UCP	(Cl overpatch)	BROWNS	BROWNS	BROWNS
4	Capit al	Di stri ct	UCP	(Cl overpatch)	BLUE LI NE	BLUE LI NE	BLUE LI NE
5	Capit al	Di stri ct	UCP	(Cl overpatch)	BLUE LI NE	BLUE LI NE	BLUE LI NE
6	Capit al	Di stri ct	UCP	(Cl overpatch)	BLUE LI NE	BLUE LI NE	BLUE LI NE
7	Capit al	Di stri ct	UCP	(Cl overpatch)	BLUE LI NE	BLUE LI NE	BLUE LI NE
8	Capit al	Di stri ct	UCP	(Cl overpatch)	BLUE LI NE	BLUE LI NE	BLUE LI NE
9	Capit al	Di stri ct	UCP	(Cl overpatch)	BLUE LI NE	BLUE LI NE	BLUE LI NE
10	Capit al	Di stri ct	UCP	(Cl overpatch)	BLUE LI NE	BLUE LI NE	BLUE LI NE
11	Capit al	Di stri ct	UCP	(Cl overpatch)	BLUE LI NE	BLUE LI NE	BLUE LI NE
12	Capit al	Di stri ct	UCP	(Cl overpatch)	BLUE LI NE	BLUE LI NE	BLUE LI NE
13	Capit al	Di stri ct	UCP	(Cl overpatch)	BLUE LI NE	BLUE LI NE	BLUE LI NE
14	Herki mer	BOCES			BROWNS	BROWNS	BROWNS
15	Herki mer	BOCES			BROWNS	BROWNS	BROWNS
16	Herki mer	BOCES			BLUE LI NE	BLUE LI NE	BLUE LI NE
17	Herki mer	BOCES			BLUE LI NE	BLUE LI NE	BLUE LI NE
18	Capit al	Di stri ct	Be gi nni ngs		BLUE LI NE	BLUE LI NE	BLUE LI NE
19	Capit al	Di stri ct	Be gi nni ngs		BLUE LI NE	BLUE LI NE	BLUE LI NE

20	Capital District Beginnings	BLUE LINE	BLUE LINE	BLUE LINE
21	Capital District Beginnings	BLUE LINE	BLUE LINE	BLUE LINE
22	Child Program & Family Resource Center	BROWNS	BROWNS	BROWNS
23	Child Program & Family Resource Center	BLUE LINE	BLUE LINE	BLUE LINE
24	Child Program & Family Resource Center	BLUE LINE	BLUE LINE	BLUE LINE
25	Child Program & Family Resource Center	BROWNS	BROWNS	BROWNS
26	Crossroads	BLUE LINE	BLUE LINE	BLUE LINE
27	New Meadow	BROWNS	BROWNS	BROWNS
28	Schonowe Preschool	BROWNS	BROWNS	BROWNS
29	Schonowe Preschool	BROWNS	BROWNS	BROWNS
30	Schonowe Preschool	BROWNS	BROWNS	BROWNS
31	Schonowe Preschool	BROWNS	BROWNS	BROWNS
32	Whispering Pines Preschool	BROWNS	BROWNS	BROWNS
33	Whispering Pines Preschool	BROWNS	BROWNS	BROWNS
34	Whispering Pines Preschool	BLUE LINE	BLUE LINE	BLUE LINE
35	Whispering Pines Preschool	BROWNS	BROWNS	BROWNS
36	Rome School for the Deaf	BLUE LINE	BLUE LINE	BLUE LINE

, 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 contract documents pertaining to said award.

RESOLUTION ADOPTED with Aye(1527). Supervisors Dybas and Cechnicki abstained. Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 208 of 2005

DATED: July 26, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - LEAD POISONING AND PREVENTION GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thomas

WHEREAS, Montgomery County has been awarded a Childhood Lead Poisoning and Prevention Grant from the NYS Department of Health for the period of April 1, 2005 and ending on March 31, 2006,

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 Lead Poisoning and Prevention Grant agreement with the NYS Department of Health the 2005-2006 contract year.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 209 of 2005

DATED: July 26, 2005

RESOLUTION ESTABLISHING CUSTODIAL MAINTENANCE SUPERVISOR POSITION (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Mancini

WHEREAS, the Commissioner of Public Works has recommended establishment of a Custodial Maintenance Supervisor's position,

RESOLVED, that a Custodial Maintenance Supervisor's position hereby is established, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005 Operating Budget, as follows:

Transfer From:

A-01-4-1990-00-4400

Contingent Account

\$11,200

Transfer To:

A-12-4-1620-00. 1110 (149) Building Hourly Employees \$11,200

RESOLUTION ADOPTED with Aye(1247). Supervisors Dybas, Strevy, Paton and Stagliano voted Nay. Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Stagliano asked the Board if an RFP for Resolution 210 is needed, and that in 1988, Resolution 110 was passed stating (among other things) that Department Heads must solicit RFPs.

The Board acknowledged Paul Clayburn, DPW Commissioner, who stated that multiple, qualified vendors were solicited for bids.

The Board acknowledged Marco Zumbolo, Auditor, who stated that historically, engineering services aren't bid-solicited.

Supervisor Jonker stated that there is confusion when an RFP is needed.

Mr. Zumbolo stated that he would refer that question to the County Attorney, and that it is his understanding that if a professional service is needed, an RFP is not needed if certain criteria are met.

Supervisor Stagliano stated that the Resolution should go back to the Finance Committee. He is frustrated with the RFP and bid inconsistencies.

Supervisor Walters states that he supports the use of Earth Tech., Inc., as they did all the bridge studies and pictures recently.

RESOLUTION NO. 210 of 2005

DATED: July 26, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT - 2005 BRIDGE PROGRAM (PUBLIC WORKS)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Thomas

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 70 of 2005, has approved the 2005 Bridge Program, including engineering services, and

WHEREAS, the funding for said program was approved, by adoption of Resolution No. 193 of 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 an agreement with Earth Tech, Inc., of Albany, for provision of engineering services for the 2005 Bridge Program, and

FURTHER RESOLVED, that said services shall be provided at a cost not to exceed \$170,500.

RESOLUTION ADOPTED with Aye(1614). Supervisor Jonker abstained. Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 211 of 2005

DATED: July 26, 2005

RESOLUTION AUTHORIZING IMPLEMENTATION AND FUNDING OF LATIMER HILL ROAD BRIDGE REPLACEMENT PROJECT

Resolution by Supervisor: Thomas

Seconded by Supervisor: McMahon

WHEREAS, a Project for the Bridge Replacement on Latimer Hill Road (CR 89) over Flat Creek (BIN 3309890), Town of Root, Montgomery County, P.I.N. 2753.35 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, with apportionment of costs to be borne at the ratio of 80 percent Federal funds and 20 percent non-Federal funds, and

WHEREAS, the total project costs are estimated at \$1,008,100, and

WHEREAS, the County of Montgomery desires to advance the above project, by making a commitment of 100 percent of the non-federal share of the total project cost,

RESOLVED, that the Board of Supervisors hereby approves the Latimer Hill Road Bridge Replacement Project, and authorizes the County of Montgomery to pay, in the first instance, 100 percent of the Federal and non-Federal share of the total cost for the Project, or portions thereof, and

FURTHER RESOLVED, that \$201,620 shall be appropriated to cover the cost of participation in said project, and

FURTHER RESOLVED, that should the full Federal and non-Federal share costs of said project exceed the amount appropriated, the Board of Supervisors shall convene, as soon as possible, to appropriate said excess amount, immediately upon notification by the New York State Department of Transportation, and

FURTHER RESOLVED, that the Commissioner of Public Works hereby is authorized to execute all necessary Agreements, certifications and/or reimbursement requests for Federal Aid and/or Marchiselli Aid, on behalf of the County, with the New York State Department of Transportation, in connection with advancement, approval and administration of said project, and

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

FURTHER RESOLVED, that this Resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 212 of 2005

DATED: July 26, 2005

RESOLUTION ENDORSING HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT (MOSA)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Paton

WHEREAS, it has been recommended that a Household Hazardous Waste Collection Event be conducted for Montgomery County residents, and

WHEREAS, said Event would be facilitated by the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA), and

WHEREAS, MOSA will underwrite the cost and execution of said Event,

RESOLVED, that the Montgomery County Board of Supervisors hereby endorses a Household Hazardous Waste Collection Event, said Event to be underwritten and executed by MOSA, at no cost to the County, and

FURTHER RESOLVED, that the Western Transfer Station in Randall shall be designated as the desired Event location.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 213 of 2005

DATED: July 26, 2005

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

Resolution by Supervisor: Thomas

Seconded by Supervisor: Quackenbush

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation's Snowmobile Trails Grant-In-Aid program for the 2005-2006 snowmobile season is due September 1, 2005; and

WHEREAS, Montgomery County has acted as the local sponsor for the snowmobile clubs within the County for the past seasons,

RESOLVED, that the Montgomery County Economic Development Department is hereby authorized to prepare said application; and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized to sign said grant application for the 2005-2006 snowmobile season.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

When questioned, Attorney Doug Landon stated that he hasn't seen the new lease with the revisions of the project.

The Board acknowledged Mike Yevoli, EOD/Planning Director, who stated that the revisions have just recently been sent to Attorney Landon.

RESOLUTION NO. 214 of 2005

DATED: July 26, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LEASE AGREEMENT - VERIZON WIRELESS (ECONOMIC OPPORTUNITY AND DEVELOPMENT)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Di Mezza

WHEREAS, the County owns approximately 7.2 acres, including a water tank and infrastructure located off Hirshfield Road in the Town of Florida, and

WHEREAS, the County has been approached as owner of said property to enter into an agreement allowing Verizon Wireless the use of said property for the provision of telecommunication services including the placement of equipment on the ground and water tank.

RESOLVED, that the Chairman, following approval of the County Attorney, is hereby authorized to enter into a lease agreement with Verizon Wireless.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 215 of 2005

DATED: July 26, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MOHAWK VALLEY SNOWMOBILE CLUBS, INC. (ECONOMIC OPPORTUNITY AND DEVELOPMENT)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, the 2004 - 2005 snowmobile season was the second season for the use of the New York State Canal Way Trail by snowmobilers, and

WHEREAS, Mohawk Valley Snowmobile Clubs, 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 Mohawk Valley Snowmobile Clubs, Inc. 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(1593). Supervisor Dybas abstained. Supervisor Schumann was absent. (7/26/2005)

Douglas Landon

Kimberly Sanborn

County Attorney

Clerk, Board of Supervisors

RESOLUTION NO. 216 of 2005**DATED:** July 26, 2005**RESOLUTION APPROVING HOSPITALITY GRANT AWARDS AND TRANSFERRING FUNDS OCCUPANCY TAX RESERVE**

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Jonker

WHEREAS, resolution no. 123 of 2005 approved the guidelines for the Hospitality Grant Program, and

WHEREAS, the Occupancy Tax Advisory Board has received two applications for funding through this grant program; one from the Chamber of Commerce for "Canal fest" and the other from the Fort Plain Museum for "Holding Down the Fort",

RESOLVED, the Occupancy Tax Advisory Board has recommended the funding of these two events in the amounts of \$2,500.00 for the Chamber of Commerce and \$1,500.00 for the Fort Plain Museum.

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005 Operating Budget, as follow:

INCREASE:

A 511 Appropriated Reserve – Occupancy Tax \$4,000.00

ADD & INCREASE:

A-06-4-1325-00-4579 County Contribution: Tourism \$4,000.00

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 217 of 2005****DATED:** July 26, 2005****See Appendix for Resolution Attachment******RESOLUTION ADOPTING AN ADDENDUM ENTITLED 'MONTGOMERY COUNTY INFORMATION SECURITY POLICY' TO THE MONTGOMERY COUNTY HEALTH INFORMATION POLICY AND PROCEDURES AS REQUIRED UNDER HIPAA**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Cechnicki

WHEREAS, the Health Insurance Portability and Accountability Act (HIPAA) regulates health care providers and other entities providing services involving the use, transmission and disclosure of personal health information, and

WHEREAS, many departments of Montgomery County government are subject to and governed by HIPAA regulations, and

WHEREAS, HIPAA requires entities which are subject to the regulations to have enacted Policies and Procedures which protect the privacy of individuals in the use, transmission and disclosure of their personal health information by covered entities, and

WHEREAS, by Resolution 251 of 2003, the Montgomery County Board of Supervisors adopted and enacted the "Montgomery County Health Information Policy and Procedures", and

WHEREAS, it has since been recommended by the Public Health Director and the Personnel Officer that to remain in compliance with HIPAA, the County include in said Policy and addendum providing for policy and procedure regarding Information Security,

RESOLVED, that the Montgomery County Board of Supervisors hereby adopts and enacts an addendum entitled "Montgomery County Information Security Policy", as attached hereto, as part of the "Montgomery County Health Information Policy and Procedures" as required with the Health Insurance Portability and Accountability Act

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 218 of 2005

DATED: July 26, 2005

RESOLUTION AWARDING BID NO 06 OF 2005 - FOOD SERVICE AND CLEANING SUPPLIES (PURCHASING)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thomas

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

WHEREAS, said bids were opened on July 6, 2005, and

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

RESOLVED, that the Board of Supervisors hereby awards the Food Service portion of Bid No. 06 of 2005 to Hill & Markes, Sofco, Horwitz, R.H. Crown, and Mohawk Hospital, and

FURTHER RESOLVED, that the Cleaning Supplies portion of said bid hereby is awarded to Hill & Markes, Sofco, Horwitz, and R.H. Crown.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 219 of 2005

DATED: July 26, 2005

RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY

Resolution by Supervisor: Walters

Seconded by Supervisor: Di Mezza

RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to disburse Mortgage Tax money for the period from October 1, 2004 through March 31, 2005, 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 Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 220 of 2005

DATED: July 26, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FRONTIER - SENTINEL ACTIVITY TRACKER EQUIPMENT (SHERIFF'S OFFICE)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Dybas

WHEREAS, Resolution 176 of 2005 authorized the Chairman to sign an agreement with the NYS Department of State for Wireless E-911 Expedited Deployment Funding, Round 2, and

WHEREAS, said funding has been provided for equipment related to said project, and

WHEREAS, the Sheriff has recommended the purchase of equipment from Frontier, at a total cost of \$25,927,

RESOLVED, that the Chairman of the Board, following review and approval of the County Attorney, is hereby authorized and directed to sign an agreement with Frontier for equipment and installation costs at a cost not to exceed \$25,927.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

The Board acknowledged Cory Nellis, District Manager of MCSWCD. He stated that the survey of the site will be done soon so modifications of the stream area can be completed, and that a sponsor is needed.

Supervisors Jonker and Sinicropi made a motion and seconded, respectively to amend the Resolution, adding the Town of Amsterdam as a sponsoring Agent.

After much discussion, Supervisors Jonker and Sinicropi withdrew their sponsorship of the amendment.

RESOLUTION NO. 221 of 2005

DATED: July 26, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NATURAL RESOURCES CONSERVATION SERVICE - USDA - EMERGENCY WATERSHED PROTECTION PROGRAM (TOWN OF AMSTERDAM)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thomas

WHEREAS, under provision of Section 216 of Public Law 81-516, Emergency Watershed Protection Program, and Title IV of the Agricultural Credit Act of 1978, Public Law 95-334, Natural Resources Conservation Service (NRCS) is authorized to assist a Sponsoring Municipality in relieving hazards created by natural disasters that cause a sudden impairment of a watershed, and

WHEREAS, NRCS, Montgomery County DPW and Montgomery County Soil and Water Conservation District have recommended that the County enter into an agreement as the Sponsoring Municipality of a project that would install emergency watershed protection measures to relieve hazards and damages created by severe storms and flooding in the Town of Amsterdam on July 1, 2005, and

WHEREAS, an agreement with NRCS would require that the Sponsor of said project be responsible for 25% of the project costs (NRCS covering 75% of said project costs), for obtaining adequate land and water rights, and all the necessary permits and licenses associated with the project, as well as the operation and maintenance of said protection measures, and

WHEREAS, the Town of Amsterdam has indicated that they would be willing to jointly share in half the local costs associated with the Project,

RESOLVED, that the Montgomery County Board of Supervisors does hereby agree to serve as the Sponsor of a project, as outlined in an agreement with NRCS to install emergency watershed protection measures to relieve hazards and damages created by severe storms and flooding in the Town of Amsterdam on July 1, 2005, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney is hereby authorized and directed to execute all documents necessary to effectuate said project, and

FURTHER RESOLVED, this Resolution shall be contingent upon passage of a Resolution by the Town of Amsterdam to accept responsibility for one half of the local share costs of the project.

RESOLUTION ADOPTED with Aye(1614). Supervisor Jonker abstained. Supervisor Schumann was absent. (7/26/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Di Mezza, seconded by Supervisor Stagliano, passed with Aye (1729). Supervisor Schumann was absent. Chairman Strevy adjourned the meeting at 8:05 PM.

Respectfully submitted,

Kimberly Sanborn
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, August 9, 2005

COMMITTEE MEETING DISCUSSION

Chairman McMahon presided over the meeting commencing at 6:00 PM.

Roll call indicated Committee members present included Supervisors Quackenbush, Schumann, Cechnicki, Sinicropi and Walters. Supervisor Dybas was absent.

Additional Supervisors present were Supervisors Thomas, Jonker, Stagliano, Paton, Mancini and Chairman Strevy. Supervisors Brodie and DiMezza were absent.

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

1. Discussion - FMCC 2005-2006 Operating Budget, FMCC Capital Projects (Please bring your copy of the proposed budget which was previously distributed)
2. Resolution Adopting 2005-2006 FMCC Operating Budget
3. Resolution Rescinding Resolution 281 of 1991 - A Resolution Which Established Policy Regarding Printing of Election Supplies and Billing Costs to the Towns and City of Amsterdam (Board of Elections)
4. Resolution Establishing Pay Rates of Election Inspectors (Board of Elections)
5. Discussion Regarding Election Software System - Board of Elections
6. Discussion Regarding Support of Parents Television Council's Nationwide Campaign for "Cable Choice"
7. Discussion Regarding Support for Capital Region OTB Initiatives
8. Other

Item #1: The Committee recognized Dave Morrow, FMCC Director of Finance and Administration. He presented an updated summary schedule of the Capital Projects. He acknowledged that some projects will be delayed to 2006 and 2007, and that some projects will be moving forward as planned. He summarized the budget, and was given a copy of an add-on resolution requested by the Fulton County Planning Dept. (and related background paperwork) by Chairman McMahon.

Chairman McMahon chose to move the add-on Resolution (new agenda item #9) forward as the next item on the agenda.

Item #9, an add-on Resolution: Resolution Authorizing Distribution of Request for Proposals for Design Services for the Electrical Vault Water Infiltration and Library Building Roof Replacement (FMCC 2005 Capital Plan)

Based on the previous comments made by Mr. Morrow, the Resolution, sponsored and seconded by Supervisors Cechnicki and Schumann, respectively, will be moved to the full Board with a positive recommendation.

Item #2: The Resolution, sponsored and seconded by Supervisors Quackenbush and Schumann, respectively, will be moved to the full Board with no recommendation and no dollar figure, pending the outcome of the Public Hearing on August 23rd, 2005, at 6:30PM.

Supervisor Stagliano entered the Supervisor's Chamber at 6:15PM.

Note: Agenda items 3, 4 & 5 were discussed together in Chamber.

Item #3: The Committee recognized Election Commissioners Joan Grainer and Lyn May, from the Board of Elections. Ms. Grainer clarified HAVA compliancy (in regard to charge backs), and clarified details on the added expenses the county will be incurring during charge back. Ms. Grainer stated that HAVA requires the County must pay the inspectors directly. Ms. Grainer posed the question to the Committee: is the County going to charge-back the City, Village and Town budgets?

Supervisor Schumann reminded the Board of Elections and Committee of the new Election software cost requirements over the next 5 years. She also said that the City, Village and Towns have historically paid the inspectors directly.

The Committee recognized Treasurer Shawn Bowerman, who stated the expense of the software and custodians will be, initially, the county's responsibility. The County will be charging back the City, Village and Town budgets to get the money back to the County.

Chairman McMahon supports the charge back.

Supervisors Schumann and Strevy made a motion and seconded, respectively, to sponsor Resolution rescinding Resolution 281 of 1991.

Supervisor Walters stated he'd rather the money to pay the inspectors come directly from the City, Village and Town budgets instead of a charge back. He also reminded the Committee that the Resolution is regarding the "printing of election supplies and billing costs".

Chairman McMahon stated that using the terms "billing costs", as stated in the Resolution, isn't clearly defined, and the Resolution should be re-worded.

After Committee discussion, Supervisors Schumann and Strevy withdrew their sponsorships.

Supervisors Sinicropi and Quackenbush sponsored, and seconded, the Resolution so that discussion could continue.

After Committee discussion, Chairman McMahon recommended to the Committee that the sponsorships be withdrawn so that the Resolution can be re-worded and presented at the next Committee meeting.

Supervisor Schumann recommended to the Committee that the Board of Elections Resolutions should be tabled and moved to the next Finance Committee meeting, as a more appropriate arena for discussion.

Chairman McMahon supports Supervisor Schumann's statement, and the Committee had no objection to move the Board of Elections Resolutions (agenda items # 3, 4 & 5) to the next Finance Committee meeting. Finance Committee Chair Quackenbush had no objection.

Item #6: Chairman McMahon stated that a draft Resolution should be written to support "Cable Choice". There were no objections.

Item #7: Chairman McMahon deferred the discussion on this item because there was no one present from Capital Region OTB to discuss the initiatives. There were no objections.

Item #8 (other): Supervisor Cechnicki stated that he will work with Jacki Meola on the three dates and locations for the public hearings in regards to the alternate form of government.

Motion was made and seconded by Supervisors Sinicropi and Quackenbush, respectively, to adjourn the Committee meeting.

Chairman McMahon adjourned the Education/Government Committee meeting at 6:47PM.

Respectfully submitted,

Kimberly Sanborn
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, August 9, 2005

COMMITTEE MEETING DISCUSSION

Chairman Jonker presided over the meeting commencing at 6:48 PM.

Roll call indicated Committee members present included Supervisors Stagliano, Sinicropi, and Paton. Supervisors Dybas, DiMezza, and Brodie were absent.

Additional Supervisors present were Supervisors Mancini, Strevy, Dybas, McMahon, Quackenbush, Schumann, Walters and Cechnicki.

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

1. Resolution Authorizing Chairman to Sign Agreement - NYSARC Inc., Montgomery County Chapter (Community Services/Mental Health)
2. Resolution Authorizing Chairman to Sign Agreement - St. Mary's Hospital - Psychiatric Services Reimbursement (Community Services/Mental Health)
3. Resolution Authorizing Chairman to Sign Annual Plan Update - County Comprehensive Plan for Youth Services (Youth Bureau/ACSD)
4. Resolution Seeking Support of the County's State Legislative Representatives & Encouraging the NYSDOH to Act Expeditiously in Approving the Certificate of Need Application for the Transfer of the Montgomery Meadows Residential Health Care Facility
5. Discussion regarding Various Issues - Montgomery Meadows
6. Other

Item #1: The Committee recognized Director of Community Services Jim Gumaer, who spoke in support of the Resolution and of the anticipated budget neutrality.

The motion was made and seconded by Supervisors Sinicropi and Quackenbush, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: Jim Gumaer briefly outlined the agreement.

The motion was made and seconded by Supervisors Sinicropi and Paton, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #3: The Committee recognized Jennifer Petteys, Youth Bureau Director. She stated her support of the Resolution.

The motion was made and seconded by Supervisors Quackenbush and Paton, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #4: The motion was made and seconded by Supervisors Strevy and Paton, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #5: Chairman Strevy stated that the County is continuing to meet on Tuesdays with the Meadows Consultants and Union employee representatives about financial, budgetary, operational and labor issues at the Meadows, to help make the transition go as smoothly as possible. County representatives include Chairman Strevy, Personnel Officer Richard Baia, Treasurer Shawn Bowerman Health & Human Services Committee Chair Jonker and Personnel Committee Chair DiMezza. Meadows representatives include Administrator Dan Mumpton, Business Manager Heather Reynicke, Director of Nursing Phyllis Rosenberger, Clinical Consultant Pat Failing, CSEA Unit President Jolene Hornbeck, and CSEA President Ed Russo.

Chairman Jonker stated that item #7 "Resolution establishing position of Business Manager (Montgomery Meadows)" will be tabled and not addressed, as changes are needed in the Resolution for clarification.

Motion to adjourn the Committee meeting was made and seconded by Supervisors Paton and Sinicropi, respectively.

Chairman Jonker adjourned the Health & Human Services/Social Services Committee meeting at 6:57PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
COMMITTEE MEETING - PUBLIC SAFETY
7:30 PM, August 9, 2005

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 7:00 PM.

Roll call indicated Committee members present included Supervisors Jonker, Stagliano, Cechnicki, Schumann and Walters. Supervisor Brodie was absent.

Additional Supervisors present were Supervisors Strevy, Paton, Dybas and Mancini. Supervisors DiMezza, Sinicropi, Quackenbush and McMahon were absent.

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

1. Resolution Appointing Member - Montgomery County Fire Advisory Board (Emergency Management)
2. Resolution Adopting Montgomery County EMS Mutual Aid Plan (Emergency Management)
3. Resolution Authorizing Chairman to Sign Renewal Agreement - NYS Unified Court System (Sheriff)
4. Resolution Authorizing Chairman to Sign Agreement - NYS Division of Criminal Justice - Aid to Prosecution Grant (District Attorney)
5. Discussion Regarding Prohibiting the Sale, Purchase, Possession and Use of Alcohol Without Liquid (AWOL) Machines or Alcohol Vapor Devices in Montgomery County
6. Other

Item #1: Supervisors Strevy and Sinicropi sponsored and seconded this Resolution, respectively, to move to the full Board with a positive recommendation.

Chairman Thomas stated that in the RESOLVED clause, the following should be removed as it is an unnecessary statement: ", of _____". There were no objections.

Item #2: Supervisors Schumann and Sinicropi sponsored and seconded this Resolution, respectively.

Supervisor Walters stated that after speaking with Gary Nestle, Emergency Management Director, he feels the Resolution should be pulled.

The Committee recognized Gary Nestle, who stated there are numerous errors in the plan, such as Fire Departments left out of the plan and there are new first responders. He stated some Fire Departments haven't seen this plan.

The Committee recognized Pam Van Alstyne, Chairperson of the EMS Advisory Board. Ms. Van Alstyne spoke on her concerns with the EMO Director's wishes to table the Resolution.

Supervisors Schumann and Sinicropi withdrew their sponsorship, based on the comments made by Mr. Nestle and Ms. Van Alstyne.

Based on those comments, Chairman Thomas determined that the EMS Mutual Aid Plan needs revisions by the EMS Advisory Board and the EOD, and that the Board of Supervisors will revisit the Resolution at a later date. There were no objections.

Item #3: Supervisors Sinicropi and Cechnicki sponsored and seconded this Resolution, respectively, to move to the full Board with a positive recommendation.

Item #4: Chairman Thomas stated that this Resolution is a renewal, with no change from last year. He stated that he will be contacting the District Attorney to clarify if any amendments are needed.

Supervisors Sinicropi and Walters sponsored and seconded this Resolution, respectively, to move to the full Board with a positive recommendation.

Item #5: Attorney Doug Landon stated that Saratoga has adopted Local Law in regards to this issue, and that this County has the authority to do the same.

Supervisor Jonker stated that he feels this should be a Local Law.

Supervisor Quackenbush stated that he felt that the State Liquor Authority should handle this matter, not the Board of Supervisors.

Supervisor Schumann stated that she supports Supervisor Quackenbush's statement.

After further discussion, Chairman Thomas stated that this is a "dead issue". There were no objections.

A motion was made and seconded by Supervisors Sinicropi and Jonker, respectively, to adjourn the Committee meeting.

Chairman Thomas adjourned the Public Safety Committee meeting at 7:11PM.

Respectfully submitted,

Kimberly Sanborn
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 16, 2005

COMMITTEE MEETING DISCUSSION

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

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

Additional Supervisors present were Supervisors DiMezza, Dybas, McMahon, Jonker, Stagliano, Quackenbush and Strevy. Supervisor Sinicropi was absent.

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

1. Presentation NYSDOT - Realignment of Log City Road and Maple Avenue Road - Town of Amsterdam
2. Resolution Amending 2005 Operating Budget - CHIPS Funds (Public Works)
3. Discussion Regarding the Replacement of the Hot Water Heater - Public Safety Facility
4. Other

Chairman Walters stated that two add-on Resolutions would be placed at the end of the agenda.

Item #1: Supervisor DiMezza spoke in support of the realignment of county roads Maple Ave. Ext. with Log City Road, stating the numerous accidents occurring there and the need for a traffic (signal) light.

The Committee recognized Maureen Riano from D.O.T. in Utica. Ms. Riano introduced colleagues Ken Roberts and Joe Vendetti. Ms. Riano stated that an arrangement will need to be made between the County and D.O.T., requiring a Resolution, an agreement of execution and \$1,200,000 in funds, to be committed by the County in a timely manner.

Mr. Roberts and Mr. Vendetti presented to the Committee blueprints of two potential plans for the realignment; the moving of Maple Ave Ext., and the moving of Log City Road.

Mr. Roberts stated that the first plan is still in the impact studies stages. Plan one is to leave Log City as is and realign Maple Ave. Ext. to meet it. The estimated cost is \$270,000, plus Right-of-Way costs of \$940,000.

Mr. Roberts stated that the second plan will drop Log City Rd. to the south, aligning it with Maple Ave. Ext. Residential & commercial properties would be affected and there would be additional Right-of-Way impacts. Cost estimates for this plan are at \$266,000. Right-of-Way will cost almost \$1,000,000. He stated D.O.T. will pick up the traffic signal cost, ownership and maintenance of the traffic signal, and also the costs and maintenance of sidewalks and traffic lanes that will need to be added.

Supervisor DiMezza stated that Right-of-Way costs may be negotiable and of the timeliness of the project.

Mr. Roberts stated that he will leave with Supervisor DiMezza the paperwork that shows how D.O.T. obtained the financial figures.

When asked by Supervisor DiMezza which plan the D.O.T. supports, Mr. Roberts stated that the D.O.T. recommends the moving of Maple Ave. Ext. to meet Log City Road, based on the many studies. The timeline, which includes 50-60 acquisitions of various parcels, dictates the construction would occur in 2007. The County would need to inform D.O.T. by the end of 2005 on whether they support the project and a choice of one of the two plans. Total funding estimates are around \$8,000,000.

Supervisor Dybas stated that perhaps an additional traffic signal would be easier and more cost effective than realigning roads.

Chairman Strevy asked if there are any grants available that the County can take advantage of. Ms. Riano stated that there may be some sources of funding available.

Chairman Walters asked Mr. Roberts if the County would be working on this project. Mr. Roberts stated that if there was proper coordination between contractors, it is possible for the County to

work on the project also.

Item #2: The motion was made and seconded by Supervisors DiMezza and Thomas, respectively, to move the Resolution to the full board with a positive recommendation.

Item #3: The Committee acknowledged DPW Commissioner Paul Clayburn, who gave the Committee a copy of the three field proposals (for hot water heater replacement) from Johnson Controls. Mr. Clayburn stated that the leaks in the hot water heater was caused by "soft" water. He spoke in support of replacing a hot water heater and explained the three options. He stated that the burner has not been effected. He also stated that after the water heater is replaced, the water needs to be treated to become "harder" so there won't be problems in the future. He stated that with these three proposals in hand, the department can move forward with obtaining bids. The municipal water supply, when approached, stated that they will not make water quality changes at this time, and that the current supply meets D.O.H. national standards.

Supervisors Stagliano and Schumann spoke in support of isolating and treating the water.

Mr. Clayburn stated that he supports obtaining bids for proposal #1 and also for isolating and treating the water.

Supervisor DiMezza stated he makes a motion to obtain bids on a 600 gallon hot water heater. Supervisor Thomas seconded. There were no objections.

Item #4 Other: (Add on) Resolution Authorizing Sale of County Property - Van with Aerial Lift (Public Works).

Supervisors Thomas and Mancini made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #4 Other: (Add on) Resolution Awarding Bid No. 07-05 - Sale of Surplus Vehicles (DPW & Sheriff).

Supervisors Thomas and Quackenbush made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Chairman Walters adjourned the General Services/Public Works/Solid Waste Committee meeting at 6:46PM.

Respectfully submitted,

Kimberly Sanborn
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
6:20 PM, August 16, 2005

COMMITTEE MEETING DISCUSSION

Chairman Dybas presided over the meeting commencing at 6:50PM.

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

Additionally present were Supervisors Cechnicki, Walters, DiMezza, Schumann, Stagliano, Paton, and Strevy. Supervisor Brodie was absent.

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

1. Resolution Authorizing Chairman to Sign Grant Agreement - Local Government Records Management Improvement Fund (History and Archives)
2. Resolution Authorizing Chairman to Sign Agreement - NYS Department Census Affiliate Program (Economic Opportunity and Development)
3. Discussion Regarding MVEDD Appointments
4. Resolution Authorizing Chairman to Sign Agreement - Chief Local Elected Officials Agreement (FMS Workforce Development Board)
5. Discussion Regarding Appointments - FMS Workforce Development Board
6. Other

Item #1: The Committee recognized Kelly Farquhar, Management Officer of History & Archives. Ms. Farquhar stated that she applied for and received a grant to renovate the building that will house the archives. \$24,559. She stated that she is still seeking outside funding to meet the additional needs of the building.

The motion was made and seconded by Supervisors Quackenbush and McMahon, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: The Committee recognized EOD/Planning Director Mike Yevoli, who spoke in support of the Resolution, which is a formalization of what the County has always done historically in this matter.

The motion was made and seconded by Supervisors Quackenbush and Mancini, respectively, to move the Resolution to the full Board with a positive recommendation.

Chairman Dybas chose to move agenda item #3 to the end of the agenda. Agenda items #4 & #5 were discussed together.

Item #4: The Committee recognized Gail Breen, Executive Director of FMS Workforce Development Boards, Inc., who spoke in support of the Resolution.

The motion was made and seconded by Supervisors Dybas and Jonker, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #5: Ms. Breen stated there are four vacancies on the FMS Workforce Development Board: two business Board members (to be appointed by recommendation of the County Chamber of Commerce) and two community-based business Board members. She recommends replacing one of the vacant community-based business Board members with someone from R.C.I.L. (Resource Center for Independent Living) in Amsterdam. She offered to assist with recruitment.

Chairman Dybas stated that her assistance would be appreciated in recruiting replacement FMS Workforce Development Board members.

Ms. Breen also presented to the Committee a document titled "Three Year Comprehensive Plan", which is also available for viewing at the website www.fmsworkstudyforcesolutions.org. Public comments are encouraged.

Item #3: Chairman Dybas requested a Motion to go into Executive Session Pursuant to Section 105 (d) of NYS Open Meeting Law to discuss pending litigation. A Motion was made by Supervisor DiMezza and seconded by Supervisor Jonker. Executive Session began at 6:30 PM.

Supervisors DiMezza and Quackenbush made a motion and seconded, respectively, to adjourn Executive Session. Chairman Dybas adjourned the Executive Session at 7:57 PM.

As a result of the Executive Session, no action was taken.

Chairman Dybas adjourned the Economic Development/Agriculture and Planning Committee meeting at 7:57 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PERSONNEL
6:40 PM, August 16, 2005

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 8:00 PM.

Roll call indicated Committee members present included Supervisors Paton, Cechnicki, Quackenbush, Mancini and Stagliano. Supervisor Brodie was absent.

Additional Supervisors present were Supervisors McMahon, Schumann, Strevy, Dybas, Walters, Thomas and Jonker. Supervisor Sinicropi was absent.

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

1. Discussion regarding various issues - Montgomery Meadows
2. Other

Chairman DiMezza requested a motion to go into Executive Session, pursuant to Section 105 (e) of NYS Open Meeting Law to discuss collective negotiations. A motion was made and seconded by Supervisors Quackenbush and Mancini, respectively. Executive Session began at 8:01 PM.

Motion to adjourn Executive Session was made by Supervisor Thomas and seconded by Supervisor Quackenbush. Chairman DiMezza adjourned Executive Session at 8:21 PM.

As a result of Executive Session, no action was taken.

The motion was made and seconded, respectively, by Supervisors Quackenbush and Mancini to adjourn the Committee meeting. Chairman DiMezza adjourned the Personnel Committee meeting at 8:21 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE
7:00 PM, August 16, 2005

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 8:22 PM.

Roll call indicated Committee members present included Supervisors Dybas, Schumann, Di Mezza, McMahon, Stagliano, and Thomas.

Additional Supervisors present were Supervisors Jonker, Strevy, Paton, and Walters, Cechnicki and Mancini. Supervisors Brodie and Sinicropi were absent.

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

1. Resolution Rescinding Resolution 281 OF 1991 and Establishing a New Policy Regarding Printing of Election Supplies and Billing Costs to the Towns and City of Amsterdam (Board of Elections)
2. Resolution Authorizing Chairman to Sign Agreement - NTS Data Services, LLC - Election Software System (Board of Elections)
3. Discussion regarding Resolution 74 of 2005
4. Discussion regarding Mortgage Tax - Requirements of NYS Tax and Finance, Dates of Implementation and Impact on 2005 Operating Budget
5. Resolution Establishing Public Hearing - Introductory Local Law No. 3 of 2005 - A Local Law which Increase Mortgage Tax in Montgomery County (Resolution to be presented at the Committee Mtg)
6. Resolution to Settle Pending Litigation and Amending 2005 Operating Budget (Board of Supervisors)
7. Discussion Regarding Pending Litigation
8. Other

Chairman Quackenbush stated that two add-on Resolutions will be added to the end of the agenda.

Item #1: The Committee recognized Election Commissioners Lyn May and Joan Grainer, who clarified and spoke in support of the Resolution.

The Committee discussed the salaries as presented in the Resolution.

Ms. May stated that the salaries can be changed by the Finance Committee.

Supervisor DiMezza stated that he sponsors a recommendation that would allow individual Villages, Towns and the City of Amsterdam to alter the proposed salaries at will.

The motion was made and seconded by Supervisors DiMezza and Schumann, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: Supervisor DiMezza spoke on the importance of having a software back-up server.

Chairman Strevy supports the charge back.

The motion was made and seconded by Supervisors Schumann and Dybas, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #3: Chairman Quackenbush stated that he would like to remove this item from the agenda based upon his prior conversations with Treasurer Bowerman.

Treasurer Bowerman stated that about half of the Towns have paid the County back.

Attorney Landon stated that if the Resolution is rescinded, the Towns will be paid back, but will cut the County off from being able to cancel the taxes. He stated that he supports the Resolution because it is getting rid of some old headaches.

Chairman Quackenbush stated that his concern on this Resolution was based on that fact that one property dates back to 1997. He would prefer a Resolution awarding a Certificate of Prospective Cancellation starting in either 2002 or 2003.

Treasurer Bowerman stated that in the future, there will only be a two-year charge back.

The Committee took no action on this agenda item.

Item #4 & #5 were discussed together in Committee.

Item #4: Supervisor Schumann stated that an analysis of Mortgage Tax revenue for the 2005 Operating Budget is needed because there is a hole in the budget. The 2005 Operating Budget contains 7 months of mortgage tax revenue, since mortgage tax will kick in November. The budget will have a 5 month revenue shortfall.

The Committee recognized County Treasurer Shawn Bowerman, who stated that a corrected report is pending and \$195,000 was budgeted for 7 months.

Item #5: The motion was made and seconded by Supervisors DiMezza and Dybas, respectively, to move the Resolution to the full Board with a positive recommendation. The Public Hearing will occur at 6:50 PM on September 27, 2005.

Item #6: The motion was made and seconded by Chairman Quackenbush and Supervisor Dybas, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #7: This agenda item was not discussed.

Item #8 Other: (Add-on) "Resolution of the Board of Supervisors Montg. Co., Increasing Taxes on Sales and Uses of Tangible Personal Prop. and of Certain Services, on Occupancy of Hotel Rooms and on Amusement Charges Pursuant to Article 29 of the NYS Tax Law."

Attorney Landon stated that the language hasn't been approved by the state, and may change.

The motion was made and seconded by Supervisors DiMezza and Strevy, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #8 Other: (Add-on) "Resolution Rescinding Resolution 194 of 2005 - A Resolution Which Terminates Sales Tax Distribution to Municipalities in Montgomery County".

The Resolution is sponsored by Supervisor Jonker and seconded by Supervisor Schumann.

Supervisors DiMezza and McMahon made a motion and seconded, respectively, to table the Resolution. Supervisors Schumann and Stagliano objected.

The motion was made and seconded by Supervisors DiMezza and Quackenbush, respectively, to adjourn the Finance Committee. Chairman Quackenbush adjourned the Finance Committee meeting at 8:53 PM.

Respectfully submitted,

Kimberly Sanborn
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, August 23, 2005

COMMITTEE MEETING DISCUSSION

Chairman Jonker presided over the meeting commencing at 6:03 PM.

Roll call indicated Committee members present included Supervisors Dybas and Sinicropi. Supervisors Stagliano, Paton, DiMezza, and Brodie were absent.

Additional Supervisors present were Mancini, Strevy, McMahon, Schumann, and Thomas. Absent were Supervisors Walters, Quackenbush, and Cechnicki.

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

1. Resolution Authorizing Chairman to Sign Memorandum of Agreement - CSEA - On Call Pay for RN's (Montgomery Meadows)
2. Resolution Authorizing Chairman to Sign Agreement - The Nurse Connection Staffing, Inc. - Supp. Staffing Svcs (Montgomery Meadows)
3. Resolution Authorizing Chairman to Sign Agreement - Medstaff - Supplemental Staffing Services (Montgomery Meadows)
4. Resolution Authorizing Chairman to Sign Agreement - Intelistaf Healthcare - Supplemental Staffing Services (Montgomery Meadows)
5. Resolution Authorizing Chairman to Sign Agreement - HFM BOCES - Use of Facility for Clinical Training (Montgomery Meadows)
6. Resolution Authorizing Montgomery Meadows to Apply to the NYS DOH for Approval to Become a CNA Training Facility Site
7. Resolution Authorizing Chairman to Sign Agreements - State Approved Child Care Facilities (Social Services)
8. Resolution Authorizing Chairman to Sign Agreements - Investigative Services (Social Services)
9. Other

Supervisor Dybas asked Chairman Jonker if items #2, 3 & 4 on the agenda could be merged into one Resolution. Chairman Jonker chose to let the Resolutions remain as they stand in the interest of time and simplicity.

Item #1: The Resolution, sponsored and seconded by Supervisors Sinicropi and Dybas, respectively, moved to the full Board with a positive recommendation.

Item #2: The Resolution, sponsored and seconded by Supervisors Dybas and Sinicropi, respectively, moved to the full Board with a positive recommendation.

Item #3: The Resolution, sponsored and seconded by Supervisors Strevy and Sinicropi, respectively, moved to the full Board with a positive recommendation.

Item #4: The Resolution, sponsored and seconded by Supervisors Dybas and Sinicropi, respectively, moved to the full Board with a positive recommendation.

Item #5: Pat Failing, Consultant to MMRHCF, spoke in support of the HFM Boces agreement for the use of Montgomery Meadows RHCF for the clinical training of its students.

The Resolution, sponsored and seconded by Supervisors Dybas and Sinicropi, respectively, moved to the full Board with a positive recommendation.

Item #6: The Resolution, sponsored and seconded by Supervisors McMahon and Dybas, respectively, moved to the full Board with a positive recommendation.

Item #7: The Resolution, sponsored and seconded by Supervisors Sinicropi and Strevy, respectively, moved to the full Board with a positive recommendation.

Item #8: The Committee recognized William Cranker, Commissioner of Social Services, who stated that three investigators were originally hired, and that five more have been newly hired, bringing the total number of investigators to eight. He stated that currently, there is funding for nine

investigators, but no additional investigators are needed.

Item #9: At Supervisor Sinicropi's request, Commissioner Cranker to provide a progress report on the investigators.

Chairman Jonker adjourned the Health & Human Services/Social Services Committee meeting at 6:19 PM.

Respectfully submitted,

Kimberly Sanborn
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 , August 23, 2005

Fulton Montgomery Community College 2005 - 2006 Tentative Operating Budget

PUBLIC HEARING DISCUSSION

Chairman Strevy 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, August 23, 2005 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, 2005 and ends August 31, 2006.

FURTHER NOTICE is hereby given that a copy of the 2005-2006 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.

Kim Sanborn
Clerk of the Board

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

Michelle Eggleston, a resident of Glen NY, is a Middle School Art teacher in the Canajoharie School District. She stated that she's attended FMCC while her children were of school age. Her credits were then transferred to the College of St. Rose, where she continued her education. She stated how affordable FMCC is, and the high quality of education she received. FMCC came to the Canajoharie school for a presentation, which a positive impact on her students.

There were no other speakers.

Chairman Strevy adjourned the public hearing at 6:40 p.m.

Respectfully submitted,

Kimberly Sanborn
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 23, 2005

CALL TO ORDER

Chairman Strevy called the Regular Meeting of the Montgomery County Board of Supervisors for August 23, 2005 to order at 7:00PM.

SALUTE TO THE FLAG

Supervisor DiMezza led the Salute to the Flag.

ROLL CALL

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

PRIVILEGE OF THE FLOOR

PUBLIC COMMENT

Burt Wilson, President of Montgomery Co. Sheriffs Dept.'s Police Benevolent Association. He stated that the Association was offered an embarrassing counter proposal. He stated that the Board of Supervisors appears to be uninformed of when the contract meetings occur, and the Board needs a positive plan to settle the contracts in a timely manner.

Kurt Semon, Councilman of Amsterdam, spoke in support of the Maple Avenue Extension/Log City Road project in his City. He asked the Board to continue supporting the project in every possible way.

Chairman Strevy adjourned the Privilege of the Floor at 7:08PM

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (July 26-August 9, 2005) by Supervisor DiMezza, seconded by Supervisor Quackenbush, passed with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Dybas, seconded by Supervisor Paton, passed with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent.

UNFINISHED BUSINESS

NEW BUSINESS

RESOLUTION NO. 222 of 2005

DATED: August 23, 2005

RESOLUTION AUTHORIZING DISTRIBUTION OF REQUEST FOR PROPOSALS FOR DESIGN SERVICES FOR THE ELECTRICAL VAULT WATER INFILTRATION AND LIBRARY BUILDING ROOF REPLACEMENT (FMCC 2005 CAPITAL PLAN)

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Schumann

WHEREAS, Resolution 125 of 2005 approves the 2005 Capital Projects at Fulton-Montgomery Community College which includes the Electrical Vault Repairs and the Replacement of the Library Roof, and

WHEREAS, it is necessary to request proposals for design services for said projects,

RESOLVED, that in conjunction with the Fulton County Board of Supervisors, the Fulton County

Purchasing Agent is hereby authorized and directed to distribute a Request for Proposals to engineers for design services for the Electrical Vault Water Infiltration Project and Library Building Roof Replacement Project at FMCC, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors, in conjunction with the Fulton County Board of Supervisors, hereby reserves the right to reject any and 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(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 223 of 2005

DATED: August 23, 2005

RESOLUTION ADOPTING 2005-2006 FMCC OPERATING BUDGET

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Schumann

WHEREAS, the Fulton-Montgomery Community College Board of Trustees has presented Fulton and Montgomery County, the sponsoring counties, with a 2005-2006 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, 2005 and ending on August 31, 2006, with appropriations totaling \$15,153,076, 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 _____, and

FURTHER RESOLVED, that said sponsor's share shall be included in the Montgomery County Operating Budget for 2006, as required by the Education Law of the State of New York, and

FURTHER RESOLVED, that this Resolution shall take effect upon adoption of a similar Resolution by the Fulton County Board of Supervisors.

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor DiMezza, in the first FURTHER RESOLVED clause to insert the figure \$1,295,821 into the blank space, passed with Aye(1431). Supervisor Dybas voted Nay. Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

RESOLUTION ADOPTED with Aye(1431). Supervisor Dybas voted Nay. Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 224 of 2005

DATED: August 23, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NYSARC INC., MONTGOMERY COUNTY CHAPTER (COMMUNITY SERVICES/MENTAL HEALTH)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Quackenbush

WHEREAS Section 41.05 of the Mental Hygiene Laws of the State of New York requires that each local government establish a local government unit to plan for and administer mental health, mental retardation, alcoholism and substance abuse services, and

WHEREAS Section 41.13(2)6. provides the authority for the local government unit to enter into contracts with local services providers to implement the local services plan for mental health, mental retardation, alcoholism and substance abuse services,

RESOLVED that following the approval of the County Attorney the Chairman of the Board of Supervisors is hereby authorized and directed to sign and execute any and all prospective agreement documents entered into between the County and agencies providing mental health, mental retardation, alcoholism and substance abuse services as listed below:

1) NYSARC Inc., Montgomery County Chapter for vocational and related services for individuals with serious emotional illnesses, not to exceed \$ 420,000 and subject to reimbursement by the New York State Office of Mental Health

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 225 of 2005

DATED: August 23, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ST. MARY'S HOSPITAL - PSYCHIATRIC SERVICES REIMBURSEMENT (COMMUNITY SERVICES/MENTAL HEALTH)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Paton

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 provided 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 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(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 226 of 2005

DATED: August 23, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ANNUAL PLAN UPDATE - COUNTY COMPREHENSIVE PLAN FOR YOUTH SERVICES (YOUTH BUREAU/ACSD)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Paton

WHEREAS, the County has a three-year Comprehensive Youth Services Planning agreement with the New York State Office of Children and Family Services, and

WHEREAS, an Annual Plan Update is a requirement of said agreement,

RESOLVED, that the Chairman of the Board of Supervisors is authorized and directed to sign the Annual Plan Update as prepared by the Youth Bureau/Alternative Community Services Director.

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 227 of 2005

DATED: August 23, 2005

RESOLUTION SEEKING SUPPORT OF THE COUNTY'S STATE REPRESENTATIVES & ENCOURAGING THE NYSDOH TO ACT EXPEDITIOUSLY IN APPROVING THE CERTIFICATE OF NEED APPLICATION (#052034E) FOR THE TRANSFER OF THE MONTGOMERY MEADOWS RESIDENTIAL HEALTH CARE FACILITY

Resolution by Supervisor: Strevy

Seconded by Supervisor: Paton

WHEREAS, due to financial constraints, Montgomery County Board of Supervisors determined it necessary to relieve the taxpayers of the County of the growing monetary subsidy necessary to maintain operations at the Montgomery Meadows Residential Health Care Facility, a County-owned Nursing Home located in Amsterdam, NY, and

WHEREAS, by Resolution 261 of 2004, which adopted an introductory Local Law, which became Local Law No. 4 of 2004, the Board of Supervisors authorized the sale of property no longer needed for a County purpose, said property being the Montgomery Meadows Residential Health Care Facility, to the Providers, Inc. of Broadalbin, NY, and

WHEREAS, as required by NYS Law, the Providers, Inc. have made application to the NYS Department of Health for a Certificate of Need for the approval of the transfer of Ownership of said facility, Application #052034E, and

WHEREAS, The NYS Public Health Council, which is statutorily authorized to consider any matter relating to the preservation and improvement of public health, is responsible for reviewing and approving proposed health care facilities, and

WHEREAS, the Counsel, in partnership with the State Hospital Review and Planning Council and the Department of Health, oversees the Certificate of Need process, the Department of Health conducting the initial review of all Certificate of Need applications and providing its analyses to the Councils, which are responsible for recommending whether the application should be approved, and

WHEREAS, without said approval, it has been determined by the Board of Supervisors that the taxpayer subsidy of the Meadows shall grow to over three (3) million dollars for fiscal year 2006, and

WHEREAS, transfer of said facility shall not only relieve the taxpayers of Montgomery County, but it will also provide a continuum of care for the residents of the facility, a continuation of jobs at the facility and a property tax revenue source to the County of Montgomery, the City of Amsterdam, and the Greater Amsterdam School District,

RESOLVED, that the Montgomery County Board of Supervisors does hereby encourage the NYS Department of Health, the State Hospital Review and Planning Council and the Public Health Council to act expeditiously in its review of the Providers, Inc. Certificate of Need application (#052034E), and to ultimately act favorably in approving the transfer of the Montgomery Meadows Residential Health Care Facility located in Amsterdam, NY, and

FURTHER RESOLVED, the Board strongly urges Senator Hugh Farley, Assemblyman Paul Tonko and Governor George Pataki to support said Certificate of Need application (#052034E) and encourage an expeditious and favorable review of said transfer, and

FURTHER RESOLVED, that copies of this Resolution shall be sent to the City of Amsterdam Common Council and the Greater Amsterdam School District Board of Education to encourage each to adopt similar resolutions.

RESOLUTION ADOPTED with Aye(1428). Supervisor Schumann voted Nay. Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

The Supervisors jointly requested that a copy of the CON application, as referenced in Resolution 227, be made available for their inspection, as desired.

RESOLUTION NO. 228 of 2005

DATED: August 23, 2005

RESOLUTION APPOINTING MEMBER - MONTGOMERY COUNTY FIRE ADVISORY BOARD (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, there is currently a vacancy on the Montgomery County Fire Advisory Board representing the Florida Volunteer Fire Department, and

WHEREAS, the Department has made recommendation of an appointment,

RESOLVED, that Keith Rackowski is hereby appointed to the Montgomery County Fire Advisory Board representing the Florida Fire Department to fill an unexpired vacant term ending on December 31,

2005.

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 229 of 2005

DATED: August 23, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - NYS UNIFIED COURT SYSTEM (SHERIFF'S OFFICE)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Cechnicki

WHEREAS, the Sheriff provides Court Security Services under the Unified Court System of the State of New York (UCS), and

WHEREAS, by Resolution 268 of 2004, Montgomery County entered into a basic ordering agreement with the UCS to provide reimbursement of the cost of said services from April 1, 2004 through March 31, 2009, and

WHEREAS, said basic ordering agreement provides that the dates of each Period of the contract term after the initial period, as well as the maximum compensation for the dates shall be established by the mutual written agreement of the parties, and

WHEREAS, the previous period expired on March 31, 2005 and UCS has recommended a new period beginning April 1, 2005 through March 31, 2006, all terms and conditions to continue except that compensation shall be increased from a maximum of \$48,000 to a maximum of \$50,000,

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 renewal agreement with the New York State Uniform Court System from April 1, 2005 through March 31, 2006 for a total reimbursement which shall not exceed \$50,000.

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 230 of 2005

DATED: August 23, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NYS DIVISION OF CRIMINAL JUSTICE - AID TO PROSECUTION GRANT (DISTRICT ATTORNEY)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Walters

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.

RESOLUTION ADOPTED with Aye(1431). Supervisor Dybas voted Nay. Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 231, Supervisors Thomas and Dybas asked Attorney Doug Landon if the wording on this Resolution in the FURTHER RESOLVED should be changed to read either "base salary" or "minimum salary" (for salary supplementation purposes).

Attorney Landon stated that the wording change is unnecessary, as the City, Towns and Villages

can supplement the salaries at will.

RESOLUTION NO. 231 of 2005

DATED: August 23, 2005

RESOLUTION RESCINDING RESOLUTION 281 OF 1991 AND ESTABLISHING A NEW POLICY REGARDING PRINTING OF ELECTION SUPPLIES AND BILLING COSTS TO THE TOWNS AND CITY OF AMSTERDAM

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Schumann

WHEREAS, Resolution 281 of 1991 established a policy regarding printing of election supplies and billing costs to the Towns and the City of Amsterdam, and

WHEREAS, the Board of Elections has recommended changes in the established policy definition of printing election supplies and billing costs to also include custodian training salaries, inspector salaries for election and training, as well as new election system software,

RESOLVED, that Resolution 281 of 1991 is hereby rescinded, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors does hereby establish the following policy regarding the printing and billing costs of election materials, custodian training salaries and inspector salaries for elections and training and the purchase of new election system software:

- To the maximum extent feasible, all printing of election materials for the Montgomery County Board of Elections shall be performed by the Montgomery County Printing Department
- The salary for election inspectors (192) be set at \$75 for a primary and \$125 for a general election (200).
- The salaries for training be set at \$25 per year for each (14) custodians and approximately (260) election inspectors
- The printing costs, the Custodian Training Salaries, Inspector salaries for training and elections and the cost of Election System Software shall be billed back to the towns, villages and City of Amsterdam proportionately based on the latest number of established election districts.

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 232 of 2005

DATED: August 23, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NTS DATA SERVICES, LLC - ELECTION SOFTWARE SYSTEM (BOARD OF ELECTIONS)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Dybas

WHEREAS, the Board of Elections has made recommendation that the County Purchase a new election software system to not only provide a significant cost savings to the County, but a complete and fully integrated voter registration solution for efficiently storing and processing all voter related data,

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed, upon review and approval of the County Attorney, to sign an agreement with NTS Data Services, LLC for the provision of a new election software system, and

FURTHER RESOLVED, that the cost of said system shall not exceed \$64,879 which includes hardware and software, in which said charges shall be allocated by an initial payment of \$2000 for the hardware and a down payment of \$9432 for the software in the 2005 budget year and remaining payments for the software of \$10,690 each year there after for five years, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

_____ (Contingency or Chargeback)

Increase Appropriations:

A-11-1450-00-2259 Computer Equipment	\$2,000
A-11-1450-00-4459 Computer Software	\$9,432

FURTHER RESOLVED, that remaining payments for software shall be appropriately budgeted in the 2006-2010 Budgets.

MOTION TO AMEND by Supervisor Schumann, seconded by Supervisor Sinicropi, Jr. as follows:

To insert in the line in the 2nd FURTHER RESOLVED clause the following:

"Transfer from:
A-01-4-1990-00-4400 Contingency Account \$11,432"

and delete the words "(Contingency or Chargeback)";

And to strike the words "Increase Appropriations:" and replace them with "Transfer To:",
passed with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 233 of 2005

DATED: August 23, 2005

RESOLUTION ESTABLISHING A PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 3 OF 2005 - A LOCAL LAW WHICH INCREASES MORTGAGE TAX IN MONTGOMERY COUNTY

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Dybas

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 3 of 2005, "A Local Law Which Increases Mortgage Tax in Montgomery County".

RESOLVED, that Introductory Local Law No. 3 of 2005 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing as follows:

A Local Law Imposing An Additional Mortgage Tax in Montgomery County
Be it enacted by the Board of Supervisors of the County of Montgomery as follows:

Section 1. For the period commencing November 1, 2005 and ending October 31, 2008, unless further extended by local law of the Board of Supervisors, there is hereby imposed in Montgomery County a tax of Fifty Cents (\$.50) for each one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within such county and recorded on or after the date upon which such tax takes effect and a tax of Fifty Cents (\$.50) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars (\$100.00).

Section 2. The taxes imposed pursuant to this local law shall be administered and collected in the same manner as the taxes imposed under subdivision one of Section 253 and paragraph (b) of subdivision 1 of Section 255 of the Tax Law. Except as otherwise provided in this section, all the provisions of the Tax Law relating to or applicable to the administration and collection the taxes imposed by such subdivisions shall apply to the taxes imposed under the authority of this section with such modifications as may be necessary to adapt such language to the tax so authorized. Such provisions shall apply with the same force and effect as if those provisions had been set forth in full in this section, except to the extent that any provision is either inconsistent with a provision of this section or not relevant to the tax authorized by this section. For purposes of this section, any reference to the Tax Law to the tax or taxes imposed by the Tax Law shall be deemed to refer to a tax imposed pursuant to this section, and any reference to the phrase "within this state" shall be read as "within Montgomery County", unless a different meaning is clearly required.

Section 3. Where the real property covered by the mortgage subject to the tax imposed pursuant to the authority of this section is situated in the State by within and without Montgomery County, the amount of such tax due and payable to Montgomery County shall be determined in a manner similar to that prescribed in the first paragraph of Section 260 of the Tax Law, which concerns real property situated in two or more counties. Where such property is situated both

within Montgomery County and without the State, the amount due and payable in Montgomery County shall be determined in the manner prescribed in the second paragraph of such Section 260, which concerns property situated within and without Montgomery County. Where real property is situated within and without Montgomery County, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed pursuant to this section.

Section 4. A tax imposed pursuant to this Local Law shall be in addition to the taxes imposed by Section 253 of the Tax Law.

Section 5. Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all monies paid to the recording officer of the county of Montgomery during each month upon account of the tax imposed pursuant to this Local Law, after deducting the necessary expenses of his office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of this Section or Section 260 of the Tax Law, are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by such officer on or before the tenth (10) day of each succeeding month to the Montgomery County Treasurer and after the deduction by such County Treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law, shall be deposited in the general fund of the county of Montgomery for expenditure on any county purpose. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, which under the provisions of this Local Law or Section 260 of the Tax Law are first to be apportioned by the Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of said Commissioner of Taxation and Finance.

Section 6. The tax imposed pursuant to this Local Law shall be payable on the recording of each mortgage of real property subject to taxes thereunder. Such tax shall be paid to the recording officer of the county in which the real property or any part thereof is situated, except where real property is situated within and without the county, the recording officer of the county in which the mortgage is first recorded shall collect the tax imposed by this Local Law, as required by subdivision two of Section 253-d of the Tax Law. It shall be the duty of such recording officer to indorse upon, each mortgage a receipt for the amount of the tax so paid. Any mortgage so endorsed may thereupon or thereafter be recorded by any recording officer and the receipt of such tax indorsed upon each mortgage shall be recorded therewith. The record of such receipt shall be conclusive proof that the amount of tax stated therein has been paid upon such mortgage.

Section 7. This local law shall take effect on the first day of a calendar month, provided a certified copy thereof is mailed by registered or certified mail to the New York State Commissioner of Taxation and Finance at the Commissioner's office in Albany at least thirty days prior to the date the local law shall take effect. Certified Copies of this local law shall also be filed with the County Clerk, the Secretary of State and the State Comptroller within five (5) days after the local law is duly enacted.

, and

FURTHER RESOLVED, that said public hearing shall be held September 27, 2005 at 6:50 PM, 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(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 234, Treasurer Shawn Bowerman stated that no transfer was needed. He spoke in support of amending the Resolution by removing the FURTHER RESOLVED entirely.

RESOLUTION NO. 234 of 2005

DATED: August 23, 2005

RESOLUTION TO SETTLE PENDING LITIGATION AND AMENDING 2005 OPERATING BUDGET (BOARD OF SUPERVISORS)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Dybas

WHEREAS, Montgomery County is a defendant in civil litigation known as Yoko Barrett v. County of Montgomery and Michael A. Davis, which involves county foreclosure of a certain parcel of real property, and

WHEREAS, a decision of the Supreme Court, State of New York, County of Montgomery, dated July 5, 2005, finds in favor of the Plaintiff and against Montgomery County, and left the issue of damages and reimbursement to the co-defendant by the County for trial, and

WHEREAS, the County Attorney has reached a proposed settlement of the case with plaintiff's attorney,

RESOLVED, that the above referenced case be settled upon payment by the County of the sum of \$11,245, representing the purchase price and administrative fee paid by Michael Davis to Montgomery County, with payment of no additional costs or damages, with said sum not in the current operating budget, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Schumann, by deleting the FURTHER RESOLVED paragraph entirely and replacing ", and" with a period at the end of the RESOLVED paragraph, passed with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

In regards to Resolution 235, Attorney Doug Landon clarified the changes to the Board and how Resolutions 130 & 194 pertain to this Resolution. He stated that this Resolution could be amended as needed in the future, and that the overriding purpose of this Resolution is to implement 1% of additional tax for two successive years, as of December 1, 2005.

Supervisor Quackenbush asked Attorney Landon what the formula would be if the City of Amsterdam decides to preempt. Attorney Landon stated that he would have to do some legal research to answer that question.

Supervisor Walters stated that the timeframe as well as the 1% are the highlights of this Resolution.

RESOLUTION NO. 235 of 2005

DATED: August 23, 2005

RESOLUTION OF THE BOARD OF SUPERVISORS MONTGOMERY COUNTY, INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE NYS TAX LAW

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Strevy

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

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

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

Pursuant to the authority of Section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by Sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning December 1, 2005, and ending November 30, 2007. Such additional taxes shall be identical to the taxes imposed by such Sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating to or applicable to the administration and collection of the taxes imposed by such Sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the

additional taxes imposed by this section.

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

- (1) (A) In respect to the use of property used by the purchaser in this County prior to March 1, 1968.
- (B) With respect to the additional tax of one percent imposed for the period beginning December 1, 2005, and ending November 30, 2007, in respect to the use of property used by the purchaser in this County prior to December 1, 2005.

Section 3. Section 14 of Resolution No. 311 enacted by the Board of Supervisors of the County of Montgomery on December 5, 1967, which was amended by Section 3 of Resolution 116 of 2003, enacted by the Board of Supervisors on April 22, 2003 imposing sales and use taxes, is further amended to read as follows:

Section 14. Disposition of Revenue

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

- (a) 100 percents of such monies shall be set aside for County purposes and shall be available for any County purpose.
- (b) As used in this Resolution the following terms shall mean or include:
 - (1) Net Collections. The monies collected from a tax or taxes imposed by this Resolution, after the New York State Commission of Taxation and Finance deducts there from expenses of administration and collection and amounts refunded or to be refunded.

Section 4. This enactment shall take effect on December 1, 2005.

MOTION TO AMEND the Resolution by Supervisor Walters, seconded by Supervisor Quackenbush, to strike all of the text of the above Resolution and replace with the following:

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

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

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

Pursuant to the authority of Section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by Sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning June 1, 2003, and ending November 30, 2007. Such additional taxes shall be identical to the taxes imposed by such Sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating to or applicable to the administration and collection of the taxes imposed by such Sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

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

- (1) (A) With respect to the additional tax of one percent imposed for the period beginning June 1, 2003, and ending November 30, 2007, in respect to the use of property used by the purchaser in this County prior to June 1, 2003.

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

(b) Notwithstanding subdivision (a) of this section, pursuant to section 1262 of the New York Tax Law and Resolution No. 194 of 2005 adopted by the Board of Supervisors on June 28, 2005, for the period December 1, 2005, through June 30, 2006:

(1) Fifty percent of net collections from the county's taxes imposed by this resolution at a rate of three percent shall be set aside for the county purposes. Fifteen percent of the net collections from such taxes imposed at the rate of three percent shall continue to be allocated and paid monthly to the city of Amsterdam. The remaining thirty-five percent of net collections from such taxes imposed at the rate of three percent shall continue to be allocated and paid quarterly to the area of the county outside such city; that is, to the towns and villages in such area. Such allocations and payments to the city and to the towns and villages shall be made in the manner that they have been made under the agreement between the county and the city entered into pursuant to the authority of section 1262 (c) of the New York Tax Law that runs through November 30, 2005.

(2) Ninety percent of net collection from the county's additional one percent rate of taxes imposed by this Resolution shall be set aside for county purposes. The remaining ten percent of net collections from such taxes imposed at the additional rate of one percent shall continue to be allocated and paid monthly to the city of Amsterdam. Such allocations and payments to the city shall be made in the manner that they have been made under the agreement between the county and city entered into pursuant to the authority of section 1262(c) of the New York Tax Law that runs through November 30, 2005.

Section 4. This enactment shall take effect on December 1, 2005.",

and the title of the Resolution shall remain the same,

passed with Aye(1155). Supervisors Schumann, Dybas and Mancini voted Nay. Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

RESOLUTION ADOPTED with Aye(1155). Supervisors Schumann, Dybas and Mancini voted Nay. Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 236 of 2005

DATED: August 23, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET - CHIPS FUNDS (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thomas

WHEREAS, the final allocation of State Consolidated Highway Improvement Program funds has been clarified, and

WHEREAS, it is necessary to adjust the County Road fund to reflect increased revenue and appropriations,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005 Operating Budget, as follows:

INCREASE:

Revenue:

D-12-3-3501	Consolidate Highway Aid	\$355,922
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Appropriations:

D-12-4-9900-00.9950	Interfund Transfer Transfer Cap. Proj. Fund	\$355,922
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RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 237 of 2005**DATED:** August 23, 2005**RESOLUTION AUTHORIZING SALE OF COUNTY PROPERTY - VAN WITH AERIAL LIFT (PUBLIC WORKS)**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Mancini

WHEREAS, the Commissioner of Public Works has determined that certain equipment no longer is needed by the County, and

WHEREAS, said Commissioner recommends acceptance of an offer to purchase said equipment, pursuant to provisions of the Highway Law,

RESOLVED, that the Board of Supervisors hereby authorizes the sale of a 1988 Van with Aerial Lift to the Village of Fonda for the sum of \$600.00.

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 238 of 2005**DATED:** August 23, 2005**RESOLUTION AWARDING BID NO. 07-05 - SALE OF SURPLUS VEHICLES (DPW & SHERIFF)**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Quackenbush

WHEREAS, the Purchasing Agent was authorized to solicit bids for the Sale of Surplus Vehicles, and

WHEREAS, six bids were received and opened on August 12, 2005, and

WHEREAS, the Purchasing Agent, Commissioner of Department of Public Works and Sheriff have reviewed the bids and have recommended that awards be made to the highest responsible bidder for each vehicle,

RESOLVED, that the Board of Supervisors hereby awards Bid 07-05 as follows:

Awarded to Main Street Development of Saratoga Springs:

1977 Chevrolet Van Vin # CGL3374104986	for \$301.00
1987 International 10 Wheel Dump Truck (Parts), Vin # 1HTZPGCTXHH481747	for \$301.00
1997 Ford Crown Vic Vin # 2FALP71W6VX156739	for \$300.00
1994 Ford Crown Vic Vin # 2FALP71W2RX132427	for \$25.00
Shipmate Flat Trailer	for \$50.00

Awarded to Dado's Inc. of Broadalbin:

1972 Allis Chalmers Dozer	for \$2,176.00
1980 International 6 Wheel Dump Truck Vin # AA185KHA1950	for \$576.00
1994 Olds Station wagon (Bad Transmission) Vin # 1G3AJ85M8R6383322	for \$11.00
1995 Olds Station wagon Vin # 1G3AJ85M7S6399517	for \$11.00

Awarded to Everett Hanchett of Fultonville:

1992 Jeep 4X4
Vin # 1J4FJ28S1NL253966 for \$100.00

1992 Mercury
Vin # 2MEPM36X3NB637140 for \$75.00

1991 Mitsubishi
Vin # 4A3CU26A4ME114697 for \$25.00

Awarded to Richard Christiano of Gloversville:

1986 Mustang
Vin # 1FABP28M6GF284531 for \$200.00

Awarded to John Balbian of Amsterdam:

1987 International 10 Wheel Dump Truck
Vin # 1HTZPGCT8HH481746 for \$2,890.00

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent.
(8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

In regard to Resolution 239, Treasurer Shawn Bowerman stated that the History and Archives project is a Capital Project, and should be stated thus in the Resolution.

RESOLUTION NO. 239 of 2005

DATED: August 23, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT ACCEPTANCE AWARD - LGRMIF (HISTORY AND ARCHIVES)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: McMahon

WHEREAS, the Department of History & Archives has applied for outside funding for planning and design of adequate storage space for permanent records, and

WHEREAS, Montgomery County has been notified of an \$24,559 grant award to be applied toward the cost of said project,

RESOLVED, that the Board of Supervisors hereby accepts an \$24,559 grant award from the New York State Local Government Records Management Improvement Fund for the period ending in July 2006, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005 Operating Budget, as follows:

MOTION TO AMEND by Supervisor Dybas and seconded by Supervisor Thomas, in the FURTHER RESOLVED clause to strike the phrase "amend the 2005 Operating Budget" and insert the phrase "establish a Capital Project in 2005" in its place, passed with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent.
(8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 240 of 2005

DATED: August 23, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT - CENSUS AFFILIATE PROGRAM (ECONOMIC OPPORTUNITY AND DEVELOPMENT)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Mancini

RESOLVED, that the Chairman of the Board of Supervisors is authorized, following review and approval of the County Attorney, to sign an agreement with New York State Department of Economic Development to allow the County's Economic Opportunity and Development Department to act as the local service affiliate.

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 241 of 2005

DATED: August 23, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CHIEF LOCAL ELECTED OFFICIALS AGREEMENT (FMS WORKFORCE DEVELOPMENT BOARD)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

WHEREAS, In accordance with the Workforce Investment Act of 1998(WIA), the Counties of Fulton, Montgomery and Schoharie are required to enter into an agreement as described in WIA to organize and implement activities pursuant to WIA and in accordance with requirements established by the Governor of the NYS for purposes of implementing programs and services under WIA,

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 Fulton and Schoharie Counties, and the FMS Workforce Development Board to organize and implement activities pursuant to the Workforce Investment Act of 1998.

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 242 of 2005

DATED: August 23, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - CSEA - ON CALL PAY FOR RN'S (MEADOWS)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Dybas

WHEREAS, the Administrator of the Montgomery County Meadows has recommended the Registered Nurses be included in the CSEA Contract for on-call pay, and

WHEREAS, the CSEA Bargaining Unit tentatively has agreed to stipulate to amendments to the collective bargaining agreement to enable implementation of said Policy,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a Memorandum of Agreement, between the County of Montgomery and CSEA, Inc., Local 1000, authorizing RN's at the Montgomery Meadows to receive on-call pay in the same manner as Public Health and Social Services Nurses, and

FURTHER RESOLVED, that said Stipulation shall be effective and retroactive to August 1, 2005.

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Thomas, in the RESOLVED clause by adding the phrase "within the bargaining unit" directly after the "authorizing RN's" phrase, passed with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 243 of 2005

DATED: August 23, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - THE NURSE CONNECTION STAFFING, INC. - SUPPLEMENTAL STAFFING SERVICES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Siniropi, Jr.

WHEREAS, the Nursing Home Administrator at the Montgomery Meadows has recommended entering into an agreement with The Nurse Connection Staffing, Inc. of Albany, NY for the provision of supplemental staffing services,

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 one-year agreement with The Nurse Connection Staffing, Inc. of Albany, NY for the provision of supplemental staffing services at the Montgomery Meadows, and

FURTHER RESOLVED, said agreement will provide, RN's, LPN's and CNA's on an as needed basis at an hourly rate as specified in said contract.

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 244 of 2005

DATED: August 23, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MEDSTAFF - STAFFING SERVICES AGREEMENT (MONTGOMERY MEADOWS)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Siniropi, Jr.

WHEREAS, the Nursing Home Administrator at the Montgomery Meadows has recommended entering into an agreement with Medstaff of Albany, NY for the provision of supplemental staffing services,

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 one-year agreement with Medstaff, of Albany, NY for the provision of supplemental staffing services at the Montgomery Meadows, and

FURTHER RESOLVED, said agreement will provide, RN's, LPN's and CNA's on an as needed basis at an hourly rate as specified in said contract.

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 245 of 2005

DATED: August 23, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - HFM BOCES - USE OF FACILITY FOR CLINICAL TRAINING (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Siniropi, Jr.

WHEREAS, the Nursing Home Administrator has recommended entering into a contract with HFM BOCES for the use of the Montgomery Meadows for clinical training of its students in such areas as housekeeping, laundry, dietary, occupation therapy and related occupations,

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 HFM BOCES, of Johnstown, NY for the use of the Montgomery Meadows Residential Health Care Facility for the Clinical Training of its students for the 2005-2006 Health Occupations Services Program School Year.

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 246 of 2005**DATED:** August 23, 2005**RESOLUTION AUTHORIZING MONTGOMERY MEADOWS RESIDENTIAL HEALTH CARE FACILITY TO APPLY TO THE NYS DEPARTMENT OF HEALTH FOR APPROVAL TO BECOME A CNA TRAINING FACILITY SITE**

Resolution by Supervisor: McMahon

Seconded by Supervisor: Dybas

WHEREAS, the Nursing Home Administrator and the Personnel Officer have indicated that there has been an ongoing shortage of staff at the Montgomery Meadows Residential Health Care Facility, and

WHEREAS, the Nursing Home has the ability to run a CNA Training Class to utilize as an additional recruiting method to alleviate CNA turnover at the facility,

RESOLVED, that the Board Supervisors hereby consents to application to the NYS Department of Health to become a CNA Training Facility Site by the Montgomery Meadows Residential Health Care Facility, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to enter into agreements necessary to implement said training.

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 247 of 2005**DATED:** August 23, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - STATE APPROVED CHILD CARE FACILITIES (SOCIAL SERVICES)**

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Strevy

WHEREAS, children placed in the care and custody of the Commissioner of Social Services as a result of behaviors that place these children or others at risk of harm, and require them to receive specialized treatment and intense supervision in a residential child care facility, and

WHEREAS, these facilities are regulated by the New York State Office of Children and Family Services (OCFS), and

WHEREAS, the per diem rates for these facilities are established by the state OCFS,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to enter in to agreements with said child care facilities.

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 248 of 2005**DATED:** August 23, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - INVESTIGATIVE SERVICES (SOCIAL SERVICES)**

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Dybas

WHEREAS, the Commissioner of Social Services has established an investigative procedure which requires contracting for the services of external investigators, and

WHEREAS, the Commissioner of Social Services is requesting authorization to enter into contract for said services,

RESOLVED, that the Montgomery County Commissioner of Social Services is hereby authorized annually or as needed to enter into contracts for the purchase of investigative services within the limits of funds appropriated annually for such purposes, and

FURTHER RESOLVED, that the Commissioner of Social Services is hereby authorized to enter into such agreements and to sign any appropriate documents following the review and approval by the Chairman of the Board of Supervisors and review by the County Attorney.

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 249 of 2005

DATED: August 23, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - INTELISTAF HEALTHCARE - STAFFING SERVICES AGREEMENT (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, the Nursing Home Administrator at the Montgomery Meadows has recommended entering into an agreement with Intelistaf Healthcare of Albany, NY for the provision of supplemental staffing services,

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 one-year agreement with Intelistaf Healthcare, of Albany, NY for the provision of supplemental staffing services at the Montgomery Meadows, and

FURTHER RESOLVED, said agreement will provide, RN's, LPN's and CNA's on an as needed basis at an hourly rate as specified in said contract.

RESOLUTION ADOPTED with Aye(1567). Supervisors Brodie, Cechnicki and Stagliano were absent. (8/23/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor DiMezza, passed with Aye (1567). Supervisors Brodie, Cechnicki and Stagliano were absent. Chairman Strevy adjourned the meeting at 8:23 PM.

Respectfully submitted,

Kimberly Sanborn
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, August 30, 2005

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 6:05 p.m.

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

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

1. Presentation - Preliminary Study of Life Cycle Costs for Consolidation of County Offices - Teitsch-Kent-Fay Architects, P.C.
2. Other

Item #1: Chairman Strevy summarized the prior steps taken which led to this point in the project.

The Committee acknowledged Architect Robert Kent of Teitsch-Kent-Fay Architects, and Consulting Engineer Paul Sack of Sack and Associates. Mr. Kent and Mr. Sack presented a spreadsheet and slideshow report summary of the project and answered pointed questions from the Committee. In brief, the four scenarios are as follows:

- Scenario #1: Upgrade and maintain current structures
- Scenario #2: Renovate and add to current structures
- Scenario #3: Build new structure on existing site
- Scenario #4: Build new structure on new site

Supervisor Dybas expressed financial concern over the parking garage concept.

Supervisor Stagliano spoke on behalf of the project, and the need for County Office expansion based on current and future needs.

Supervisor Mancini expressed his concern for necessary security if Family Court is moved into a large office complex.

Supervisor Dybas stated that he supports scenario #4.

Supervisor Walters stated that he supports an additional study which would create a new office building on Park St. at the current County Annex site, leaving the courthouse at its present location, with room for expansion. Supervisor Dybas supports Supervisor Walters' suggestion.

The Committee discussed the procedure for moving the County Seat, if the need arises.

Supervisor Mancini stated that he supports incorporating all offices and Court at a new site such as the current Correctional Facility location, and moving the County Seat as needed.

Supervisor Paton supports looking at the Jafee land, located across from the Fonda High School, as a potential site.

Supervisor Stagliano supports looking at the Glen Park as a potential site.

Chairman Strevy asked how the Committee would like to proceed, and the consensus was to return discussion to the Steering Committee level, the next step being site location and design.

Motion to adjourn the Committee of the Whole was made by Supervisor Walters, seconded by Supervisor McMahon. Chairman Strevy adjourned the meeting at 7:15 p.m.

Respectfully submitted,

Kimberly Sanborn
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, September 13, 2005

COMMITTEE MEETING DISCUSSION

Chairman McMahon presided over the meeting commencing at 6:00 PM.

Roll call indicated Committee members present included Supervisors Quackenbush, Schumann, Cechnicki, Dybas and Walters. Supervisor Sinicropi was absent.

Additional Supervisors present were Supervisors Thomas, Jonker, Stagliano, Paton, DiMezza and Chairman Strevy. Supervisors Brodie and Mancini were absent.

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

1. Resolution Supporting Parents Television Council's Cable Choice Campaign
2. Resolution Authorizing Chairman to Sign Contracts - Stirling Electric, Trane & Amendment No. 1 - Phillips Associates - Integrated Campus Fire Alarm System and HVAC Control Conversion Project - Capital Projects (FMCC)
3. Discussion regarding Alternative Form of Government Referendum
4. Other

Item #1: Supervisors Quackenbush and Cechnicki made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Schumann states that she feels this is an unnecessary Resolution and recommends it doesn't get moved.

Supervisor Quackenbush stated it should be moved to the Board with no recommendation.

Supervisor Cechnicki withdrew his seconded sponsorship. Supervisor Walters accepts the seconded sponsorship. The Resolution will be moved to the full Board with no recommendation.

Item #2: Supervisors Quackenbush and Chairman McMahon made a motion and seconded, respectively, to move the Resolution to the full Board with positive recommendation.

Item #3: The Committee recognized Jacqueline Meola, Administrative Assistant to the Board. She clarified her need for direction for avenues of posting and noticing for at least three public meetings regarding the alternative form of government. She inquired to the best method of announcing these meetings to the public.

Supervisor Dybas asked John Jablonski, Acting FMCC President, if it would be possible to hold any of the upcoming informational meetings at the college. President Jablonski indicated the availability of the college.

Supervisor Quackenbush stated that FMCC would be an ideal place for a public meeting. Also, he stated that in the western and eastern end of county, a school auditorium would probably be sufficient for the expected number of attendees.

Supervisor Cechnicki states that he has been working with Karl Smoczynski of the Office of the State Comptroller's Office. Members of his legal staff would be making the presentation to the public at these meetings. He also stated that they might be available for a presentation to the Board next Tuesday during a Committee meeting in Chambers. If they are not available, a written report would be available for the Board's inspection that night.

Supervisor Dybas suggests that the schools participating in the meetings could send out notice of the said meeting to parents.

Attorney Landon stated that he has been asked by Board of Elections to formulate the question that will be on the ballot regarding this subject. He stated that Resolution 245 specifically identifies the question to be asked in quotes, and he feels there is no need to deviate from the language as adopted in the Resolution. The Committee agreed.

Motion was made and seconded by Supervisors Schumann and Dybas, respectively, to adjourn the Committee meeting.

Chairman McMahon adjourned the Education/Government Committee meeting at 6:16PM.

Respectfully submitted,

Kimberly Sanborn
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, September 13, 2005

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 6:19 PM.

Roll call indicated Committee members present included Supervisors Jonker, Stagliano, Cechnicki, Schumann and Walters. Supervisor Brodie was absent.

Additional Supervisors present were Supervisors DiMezza, Strevy, Paton, Dybas, McMahon, and Quackenbush. Supervisors Sinicropi and Mancini were absent.

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

1. Resolution Authorizing Chairman to Sign Grant Acceptance Agreement - NYS Homeland Security - Law Enforcement Terrorism Prevention (Sheriff)
2. Discussion Regarding A04853/S918A - Legislation which amends S11-907 of NYS Environmental Conservation Law which allows hunters in Montgomery County to use a rifle during open season for deer and bear
3. Other

Item #1: Supervisors Quackenbush and Schumann made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: Supervisor Walters stated that his town, with 5000 acres of state land, is completely opposed to this Legislation, and he feels that the deer population will not be effected nor will hunters be encouraged. He strongly encourages the County to follow suit in not supporting this Legislation.

Supervisor Jonker stated this Resolution endangers the public and doesn't solve any problems.

Chairman Strevy stated that he called the Senator's office. He feels that the residents of Montgomery County have been put in harms way.

Jacqueline Meola, Administrative Assistant to the Board, stated that the Senator's office stated that the County cannot make a local ordinance prohibiting the use of rifles. However, the County can file a Home Rule requesting County exclusion from Legislation. However, she stated that any action taken by the County will not be in a timely enough manner to effect this coming hunting season.

Supervisor McMahon stated that his land will now be posted against hunting.

Supervisor Schumann asked if there are statistics available showing an increase in fatalities in counties that allow rifle hunting.

Supervisor Walters stated that there are several hilly surrounding Counties which allow rifle hunting, but he doesn't support it because of the flatness of Montgomery County. He also states that he's not seeing an increase in deer population in general.

Chairman Thomas concurs.

The Committee acknowledged Under Sheriff Jeffrey Smith. When questioned, Under Sheriff Smith stated that, during a typical hunting season, he receives many reports of houses and/or outbuildings being struck by errant bullets.

Chairman Thomas asked the Committee if they want to pursue the Home Rule.

Attorney Landon stated that the Home Rule is a formal request to be excluded from Legislation, and may not be granted by the state.

Chairman Strevy inquired if a sister resolution should be drafted to the state in asking for reconsideration of the Legislation.

Supervisor Dybas inquired that if exclusion is pursued, would there be ramifications from DEC.

Chairman Thomas stated that he's unaware of any potential ramifications.

Supervisor McMahon stated that he feels the best approach would be to speak with property owners, and that he'll be drafting a letter to the Farm Bureau tomorrow.

Supervisor Jonker asked Under Sheriff Smith to clarify the trespassing laws. Under Sheriff Smith stated that the charge would be Criminal Trespass if the land is posted versus a minor violation for unposted land.

Based on the discussion of this issue, it is the unanimous wish of the Committee to pursue this further.

Item #3 Other: Under Sheriff Smith stated that a tentative agreement with GAVAC is in the works for presentation to the Board. GAVAC has approached the Sheriff's Office about using their garage facility, for a fee, as a nighttime staging area during the winter months while awaiting an ambulance call in the Fultonville/Fonda area. The Sheriff's Office feels this may be source of potential revenue.

Supervisor Walters stated that, based on his experience, the Sheriff's Office should contact their insurance company to make sure there are no coverage issues, as GAVAC is not contracted.

Supervisor Schumann supports the agreement between GAVAC and the Sheriff's Office.

Chairman Thomas stated that the town of Glen has a similar agreement with GAVAC.

Based on Committee discussion, Under Sheriff Smith will pursue the agreement with GAVAC.

Item #3 Other: Supervisor Stagliano stated that he has been approached by a resident about Amish horse droppings.

Under Sheriff Smith stated that the Village of Nelliston has passed a law that requires the Amish to clean up their horse droppings within Village limits.

Attorney Landon stated that this would be a local government issue.

Motion was made and seconded by Supervisors Walters and Jonker, respectively, to adjourn the Committee meeting.

Chairman Thomas adjourned the Public Safety Committee meeting at 6:49 PM, with no objections.

Respectfully submitted,

Kimberly Sanborn
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, September 20, 2005

COMMITTEE MEETING DISCUSSION

Chairman Jonker presided over the meeting commencing at 6:45 PM.

Roll call indicated Committee members present included Supervisors Dybas, Stagliano, Paton, DiMezza, Brodie, and Sinicropi.

Additional Supervisors present were Mancini, Strevy, McMahon, Schumann, Walters, Quackenbush, Cechnicki, and Thomas. Absent was Supervisor Mancini.

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

1. Resolution Accepting Proposal - Enteral Feeding, Urological and Ostomy Services (Montgomery Meadows)
2. Resolution Authorizing Chairman to Sign Agreement - Carestaff of Albany - Staffing Services Agreement (Montgomery Meadows)
3. Resolution Authorizing Chairman to Sign Agreement - Amsterdam Memorial Healthcare - HEPA Equipment and Filters for Isolation and Quarantine Purposes (Public Health)
4. Resolution Authorizing Chairman to Sign Agreement - Montgomery County Office for Aging - Home Energy Assistance Outreach Services (Social Services)
5. Resolution Authorizing Chairman to Sign Agreements - Programs to Avoid or Reduce Detention for JD and PINS (Social Services)
6. Presentation Marvin & Company, P.C. - Montgomery Meadows Residential Health Care Facility - Financial Report - December 31, 2004 (Please have previously distributed Report available for discussion)
7. Other

Item #1: Attorney Landon clarified certain points in the Nunn's Hospital Supply and Meadows contract to the Committee and stated that he has the authority to alter said contract as needed in regards to the termination issue.

Supervisors Dybas and Sinicropi made a motion to sponsor and second the Resolution, respectively, to move it to the Board with a positive recommendation.

Item #2: Attorney Landon stated that ordinarily a contract between the Meadows and Carestaff of Albany wouldn't be required at this stage and has no objection to any wording in said contract.

Supervisors Dybas and Jonker made a motion to sponsor and second the Resolution, respectively, to move it to the Board with a positive recommendation.

Item #3: Chairman Strevy confirmed to the Committee that there is no cost to the County for the stated HEPA filter equipment.

Supervisors Jonker and Sinicropi made a motion to sponsor and second the Resolution, respectively, to move it to the Board with a positive recommendation.

Item #4: Supervisors Schumann and McMahon made a motion to sponsor and second the Resolution, respectively, to move it to the Board with a positive recommendation.

Item #5: Supervisors Sinicropi and Schumann made a motion to sponsor and second the Resolution, respectively, to move it to the Board with a positive recommendation.

Supervisor Dybas asked William Cranker, Dept. of Social Services, to clarify the financial source on the Resolution. Mr. Cranker stated that it is state funding.

Item #6: The Committee acknowledged Carol Hausamann, Director, and Jenn Mulligan, Project Manager, both of Marvin and Co., PC. Ms. Hausamann and Ms. Mulligan presented to the Committee the independent audit report which was conducted on the Montgomery Meadows financial statements. The financial statements had been presented to the Board at a prior date. Ms. Hausamann clarified certain points in the financial statement and Ms. Mulligan summarized the independent audit report. Ms. Mulligan also clarified the Meadow's plan for rectification of their Medicare/Medicaid

billing issues.

Item #7 (Other): Supervisor Schumann inquired about the status of the CON filed by The Providers. Attorney Landon stated that he is giving a copy to the Board Chairman.

Item #7 (Other): Chairman Jonker stated that Executive Session is needed for a personnel issue at the Meadows, and will be done during the Finance Committee meeting.

The motion was made and seconded by Supervisors Sinicropi and DiMezza, respectively, to adjourn the Committee meeting.

Chairman Jonker adjourned the Health & Human Services/Social Services Committee meeting at 7:52 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE
7:00 PM, September 20, 2005

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:54 PM.

Roll call indicated Committee members present included Supervisors Dybas, Schumann, Di Mezza, McMahon, Stagliano, and Thomas.

Additional Supervisors present were Supervisors Jonker, Strevy, Paton, Brodie, Sincropi, Walters, and Cechnicki. Supervisor Mancini was absent.

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

1. 2006 Departmental Budget Review - Youth Bureau/ACSD/Stop DWI
2. Resolution Adopting 2006 Stop DWI Plan (Stop DWI)
3. Discussion regarding the exemption of sales and compensating use tax for the purchase and the service of installation of residential solar energy.
4. Resolution Adopting Introductory Local Law No. 3 - A Local Law which Increases Mortgage Tax in Montgomery County
5. Resolution Rescinding Resolution 194 of 2004 - A Resolution which Terminates Sales Tax Distribution to Municipalities in Montgomery County
6. Discussion Regarding Delinquent Taxes in the City of Amsterdam
7. Resolution Transferring Funds - Taxes and Assessments (County Treasurer)
8. Discussion regarding Alternative Forms of Government Referendum
9. Other

Chairman Quackenbush acknowledged two Resolutions and an Executive Session (pending litigation) as add-on agenda items. He also stated that he would be moving agenda item numbers as needed.

Item #1: The Committee acknowledged Director Jennifer Pettyes of Youth Bureau/Alternative Sentencing. She shared a status report on Pretrial and Community Services with the Board. She also summarized the 2006 Youth Bureau/Alternative Community Service Department budget worksheet and the 2006 Stop-DWI budget worksheet.

The Committee as a whole was very satisfied with the information presented in the report and worksheets.

Item #2 Chairman Quackenbush presented an add-on RESOLUTION AWARDING BID 08-05 - SYNCHRONIZED CLOCK SYSTEM & INSTALLATION (SHERIFF'S OFFICE).

Supervisors Schumann and Thomas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #3 (previously item #8 on the agenda, "Discussion regarding Alternative Forms of Government Referendum"): Supervisor Cechnicki presented to the Board a draft PowerPoint presentation on the County Executive/President Form of Government.

The Committee acknowledged Karl Smoczynski of the State Comptroller's Office, who was available for questions and comments regarding the presentation. He stated that this is not an unusual form of County government, but no Counties in New York state currently use this form of government. He also stated that the County would still have the option under Municipal Home Rule to modify the alternate form of government.

Supervisors Walters and DiMezza stated their concern about public representation within this alternate form of government and the lack of any historical information on this form.

Supervisor Stagliano stated that the public needs to first determine if they feel that the current form of government is not working before exploring other options.

Supervisor Schumann stated that the neutral presentation should be presented at the public information sessions, without any Supervisor opinions interjected.

Chairman Quackenbush asked the Committee if the Board of Elections should receive an information sheet on this subject to be disseminated as needed. Supervisor Cechnicki stated that the information sheet would be inspected by the Comptroller's office for accuracy and neutrality. The Board had no objections to sending an information sheet to the Board of Elections.

Item #4 Chairman Quackenbush stated the need to enter into Executive Session regarding pending litigation and personnel issues, as our attorneys were present.

Chairman Quackenbush requested a Motion to go into Executive Session Pursuant to Section 105 (d) and (f) of NYS Open Meeting Law to discuss pending litigation and employment of particular persons. A motion to enter Executive Session was made by Chairman Strevy and seconded by Supervisor DiMezza. Executive Session began at 8:50 PM.

Supervisors Jonker and McMahon made a motion and seconded, respectively, to adjourn Executive Session. The Executive Session was adjourned at 9:26PM.

Based on the Executive Session, the Board chose to take no action.

Item #5: Chairman Quackenbush entertained an add-on discussion as the next item on the agenda; discussion of Montgomery Meadows R.N. sign-on bonus as presented by Supervisor Jonker.

The Committee acknowledged Pat Failing, Nurse Clinical Consultant at Montgomery Meadows. She presented to the Board a financial comparison statement regarding the cost of the current Nurse Agency Contract vs. a proposed sign-on bonus for four F.T.E. Registered Nurses. She stated her support of the sign-on bonus as a way to attract quality Nursing staff and reduce the costs that are associated with the current Agency contract.

Supervisors Jonker and Dybas made a motion and seconded, respectively, that a Resolution be drafted and moved to the full Board with a positive recommendation.

Supervisors Dybas and Stagliano left the Supervisors Chamber at 9:46 PM.

Item #6 (previously item # 2 on the agenda, "Resolution Adopting 2006 Stop DWI Plan [Stop DWI]"): Supervisors McMahon and DiMezza made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #7 (previously item # 3 on the agenda, "Discussion regarding the exemption of sales and compensating use tax for the purchase and the service of installation of residential solar energy"): In the interest of time, Chairman Quackenbush stated that the Committee members should study this item further and it will be brought before the Finance Committee at a future date.

Item #8 (previously item # 4 on the agenda, "Resolution Adopting Introductory Local Law No. 3 - A Local Law which Increases Mortgage Tax in Montgomery County"): Supervisors Quackenbush and Cechnicki made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. Supervisor McMahon and DiMezza oppose the Resolution.

Item #9 (previously item #5 on the agenda, "Resolution Rescinding Resolution 194 of 2004 - A Resolution which Terminates Sales Tax Distribution to Municipalities in Montgomery County"): This Resolution was reviewed in last months Committee meeting and it did not move out of Committee. Supervisor Jonker asked for further discussion. A vote of Committee members present was taken to move the Resolution to the full Board. A majority of members present voted "Nay". The Resolution didn't get moved to the full Board.

Item #10 (previously item #6 on the agenda, "Discussion Regarding Delinquent Taxes in the City of Amsterdam"): Based on discussion with Attorney Landon, Chairman Quackenbush chose to remove this item from this agenda and add it to the agenda of the next Finance meeting, pending additional research by Attorney Landon.

Item #11 (previously item #7 on the agenda, "Resolution Transferring Funds - Taxes and Assessments [County Treasurer]"): Supervisors Quackenbush and McMahon made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #12: Chairman Quackenbush presented an add-on RESOLUTION ESTABLISHING FEES (FIRE COORDINATOR/EMERGENCY MANAGEMENT).

Supervisor Schumann stated that she feels the cost of the photo disks are extravagant, and would like an opportunity to discuss the issue further.

Supervisors Thomas and DiMezza made a motion to sponsor and second, respectively, the Resolution and move it to the Board with no recommendation.

The motion was made and seconded by Supervisor Schumann and Quackenbush, respectively, to adjourn the Finance Committee. Chairman Quackenbush adjourned the Finance Committee meeting at 9:46 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PERSONNEL
6:00 PM, September 27, 2005

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present are Supervisors Cechnicki, Paton, Mancini and Quackenbush. Supervisors Brodie, and Stagliano were absent.

Additional Supervisors present were McMahon, Strevy, Walters, Dybas, Thomas and Jonker. Absent were Supervisors Sinicropi and Schumann.

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

1. Discussion Regarding Union Negotiations
2. Other

Item #1: Chairman DiMezza requested a Motion to go into Executive Session Pursuant to Section 105 (e) and (d) of NYS Open Meeting Law to discuss collective negotiations and pending litigation. A motion to enter Executive Session was made by Supervisor Quackenbush and seconded by Supervisor Cechnicki. Executive Session began at 6:00 PM.

Supervisors Strevy and Cechnicki made a motion and seconded, respectively, to adjourn Executive Session. The Executive Session was adjourned at 6:46 PM.

Based on the Executive Session, Chairman DiMezza asked for a second sponsor for a Resolution. Supervisor Thomas seconded the draft "RESOLUTION RATIFYING MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF MONTGOMERY AND MONTGOMERY COUNTY LOCAL 829 OF CSEA, INC. AND AUTHORIZING CHAIRMAN TO SIGN CONTRACT FOR THE PERIOD OF JANUARY 1, 2004 AND DECEMBER 31, 2008". The Resolution moved to the full Board with no recommendation.

Chairman DiMezza also asked for a draft RESOLUTION TRANSFERRING FUNDS - PAYMENT OF JUDGEMENT (BOARD OF SUPERVISORS) to be written in Chamber. Supervisors Thomas and DiMezza sponsored and seconded the Resolution, respectively. The Resolution moved to the full Board with no recommendation.

Supervisor Schumann entered Supervisor's Chamber at 6:25PM.

The motion was made and seconded by Supervisors Quackenbush and Cechnicki, respectively, to adjourn the Committee meeting.

Chairman DiMezza adjourned the Personnel Committee meeting at 6:46 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
PUBLIC HEARING
6:50 PM , September 27, 2005

INTRODUCTORY LOCAL LAW NO. 3 OF 2005 - A LOCAL LAW WHICH INCREASES MORTGAGE TAX IN MONTGOMERY COUNTY

PUBLIC HEARING DISCUSSION

"A LOCAL LAW WHICH INCREASES MORTGAGE TAX IN MONTGOMERY COUNTY"

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

The following notice was read:

INTRODUCTORY LOCAL LAW NO. 3 OF 2005

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, September 27, 2005, for the purpose of holding a public hearing on Introductory Local Law No. 3 of 2005-"A Local Law Which Increases Mortgage Tax in Montgomery County."

FURTHER NOTICE is hereby given that copies of said Introductory Local Law No. 3 of 2005 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.

Kim Sanborn, Clerk of the Board

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

There were no speakers.

Chairman Strevy adjourned the public hearing at 7:00 p.m.

Respectfully submitted,

Kimberly Sanborn
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 27, 2005

CALL TO ORDER

Chairman Strevy called the Regular Meeting of the Montgomery County Board of Supervisors for September 27, 2005 to order at 7:00PM.

SALUTE TO THE FLAG

Supervisor Walters led the Salute to the Flag.

ROLL CALL

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

PRIVILEGE OF THE FLOOR

PRESENTATION

Presentation - Montgomery County Office of Aging "2005 Older Worker of the Year" Mary Tepaske.

Ms. Tepaske was not present. Gary Ferraro of the Office of the Aging accepted the proclamation in her stead, as presented by Supervisor Jonker.

PUBLIC COMMENT

There were no speakers.

Chairman Strevy adjourned the Privilege of the Floor at 7:05 PM.

OTHER

MOTION TO AMEND AGENDA to provide for the inclusion of Resolution Numbers 265 and 266 by Supervisor Walters, seconded by Supervisor Quackenbush, passed with Aye(1633). Supervisors Brodie and Stagliano were absent.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (Sept 13-20) by Supervisor DiMezza, seconded by Supervisor Quackenbush, passed with Aye(1633). Supervisors Brodie and Stagliano were absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Quackenbush, seconded by Supervisor DiMezza, passed with Aye(1633). Supervisors Brodie and Stagliano were absent.

UNFINISHED BUSINESS

NEW BUSINESS

Supervisors Quackenbush and Walters stated their support of Resolution 250 as a way of empowering parental choices.

Supervisor Schumann stated that Resolution 250 is blatant censorship and she doesn't support it.

RESOLUTION NO. 250 of 2005

DATED: September 27, 2005

RESOLUTION SUPPORTING PARENTS TELEVISION COUNCIL'S CABLE CHOICE CAMPAIGN

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Walters

WHEREAS, the Parents Television Council has started a nationwide campaign to win "Cable Choice" for families, and

WHEREAS, the typical "basic cable" package requires parents and grandparents to allow into their homes, and to pay for, programming on certain channels with gratuitous, graphic and sordid material in order to get other wholesome and educational channels for their children and grandchildren, and

WHEREAS, it has been recommended by some constituents that the Montgomery County Board of Supervisors support the Parents Television Council's Cable Choice Nationwide Campaign,

RESOLVED, that the Montgomery County Board of Supervisors does hereby support the Parents Television Council's Cable Choice Campaign which would allow consumers the ability to choose cable channels wanted and to pay only for those channels, and

FURTHER RESOLVED, that the Federal Communications Commission and our Legislative Representative do everything in their power to ensure that cable providers allowed to do business in Montgomery County will be contractually obligated to give consumers choice as to what channels they will pay for.

MOTION TO TABLE by Supervisor Schumann, seconded by Supervisor Cechnicki, was defeated with Aye(205). Supervisors Schumann and Cechnicki voted Aye. Supervisors Brodie and Stagliano were absent. (9/27/2005)

RESOLUTION ADOPTED with Aye(1040). Supervisors Schumann, Dybas, Mancini, Jonker and Cechnicki voted Nay. Supervisors Brodie and Stagliano were absent. (9/27/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 251 of 2005

DATED: September 27, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONTRACTS - STILSING ELECTRIC, TRANE & AMENDMENT NO.1 - PHILLIPS ASSOCIATES - INTEGRATED CAMPUS FIRE ALARM SYSTEM AND HVAC CONTROL CONVERSION PROJECT - CAPITAL PROJECTS (FMCC)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: McMahon

WHEREAS, by Resolution 127 of 2004, the Montgomery County Board of Supervisors, in conjunction with the Fulton County Board of Supervisors, approved certain Capital Projects at Fulton-Montgomery Community College, and

WHEREAS, by Resolution 181 of 2004 and 218 of 2004, the Montgomery County Board of Supervisors, in conjunction with the Fulton County Board of Supervisors, approved the RFP for engineering firms to prepare design plans and bid specifications for the Integrated Fire Alarm System Project and the HVAC Control Conversion Project, which was awarded to Phillips Associates of Saratoga Springs, NY, and

WHEREAS, by Resolution 126 of 2005, the Montgomery County Board of Supervisors, in conjunction with the Fulton County Board of Supervisors, approved the final design plans for said projects and authorized and directed the Fulton County Purchasing Agent to advertise for sealed bids from contractors for said projects, and

WHEREAS, said bid opening was completed and Phillips Associates has made recommendations that said contracts be awarded,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign the following contracts associated with the Integrated Campus Fire Alarm System and the HVAC Control Conversion Capital Projects at Fulton-Montgomery Community College:

1. Integrated Campus Fire Alarm System:

Contractor	:	Stilsing Electric
Base Bid	:	\$192,100
Alternate Bids 1 and 2	:	\$ 48,470

Total Contract	:	\$240,570

2. HVAC Control Conversion Project:

Contractor	:	Trane
Base Bid	:	\$145,800
Alternate Bid 1	:	\$ 8,700

Total Contract	:	\$154,500

3. Amendment No. 1 to Engineering and Design Services Contract

Contractor	:	Phillips Associates
Approved Contract	:	\$ 42,800
Construction Inspection	:	\$ 3,500
Advertisement for Bids	:	62

Total Contract	:	\$ 46,362

, 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(1497). Supervisor Dybas voted Nay. Supervisors Brodie and Stagliano were absent. (9/27/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 252 of 2005**DATED:** September 27, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT ACCEPTANCE AGREEMENT - NYS OFFICE OF HOMELAND SECURITY - LAW ENFORCEMENT TERRORISM PREVENTION (SHERIFF)**

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Schumann

WHEREAS, the County has been notified of the award of a \$30,000 FY05 Law Enforcement Terrorism Prevention Program (LETPP) Grant, and

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes acceptance of 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, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

INCREASE REVENUE:

A 15 3 4389	Other Public Safety - Federal Aid	\$30,000
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INCREASE APPROPRIATIONS:

A 15 4 3010 00 1111 (1212)	Overtime	\$ 4,500
A 15 4 3010 00 2250	Technical Equipment	\$10,200
A 15 4 3010 00 4438	Misc. Supporting svc.	\$15,300

RESOLUTION ADOPTED with Aye(1633). Supervisors Brodie and Stagliano were absent. (9/27/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 253 of 2005**DATED:** September 27, 2005**RESOLUTION AWARDING BID 08-05 - SYNCHRONIZED CLOCK SYSTEM & INSTALLATION (SHERIFF'S OFFICE)**

Resolution by Supervisor: Schumann

Seconded by Supervisor: Thomas

WHEREAS, the Purchasing Agent solicited bids for qualified providers to supply and install a synchronized clock system (Bid #08-05) to update and synchronize the time system which is used by the County's 911 system located in the Public Safety Facility, and

WHEREAS, said bids were opened on September 16, 2005, and

WHEREAS, the Sheriff has reviewed the bid documents and recommended that award be made to Wells Communications of Troy, New York, the lowest responsible bidder, in an amount not to exceed \$12,700,

RESOLVED, that the Board of Supervisors hereby awards Bid #08-05 to Wells Communications of Troy, New York, in an amount not to exceed \$12,700.

RESOLUTION ADOPTED with Aye(1633). Supervisors Brodie and Stagliano were absent. (9/27/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 254 of 2005

DATED: September 27, 2005

RESOLUTION ACCEPTING PROPOSAL - ENTERAL FEEDING, UROLOGICAL AND OSTOMY SERVICES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, the Purchasing Agent was authorized to solicit proposals for Enteral Feeding, Urological and Ostomy Services for Montgomery Meadows, and

WHEREAS, said proposals were opened on September 2, 2005.

RESOLVED, that the Board of Supervisors hereby accepts the proposal submitted by Nunn's Hospital Supplies, Inc. of Rome, NY, for Enteral Feeding, Urological and Ostomy Services, for a one year period from the date of signing billed to Medicare or Montgomery Meadows, when applicable, at the current Medicare Fee Schedule, and

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

RESOLUTION ADOPTED with Aye(1633). Supervisors Brodie and Stagliano were absent. (9/27/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 255 of 2005

DATED: September 27, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CARESTAF OF ALBANY - STAFFING SERVICES AGREEMENT (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

WHEREAS, the Nursing Home Administrator at the Montgomery Meadows has recommended entering into an agreement with Carestaf of Albany, NY for the provision of supplemental staffing services,

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 one-year agreement with Carestaf, of Albany, NY for the provision of supplemental staffing services at the Montgomery Meadows, and

FURTHER RESOLVED, said agreement will provide, RN's, LPN's and CNA's on an as needed basis at an hourly rate as specified in said contract.

RESOLUTION ADOPTED with Aye(1549). Supervisor Thomas voted Nay. Supervisors Brodie and Stagliano were absent. (9/27/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 256 of 2005**DATED:** September 27, 2005**RESOLUTION ESTABLISHING SIGN-ON BONUS PROGRAM FOR CERTAIN RN POSITIONS (MONTGOMERY MEADOWS)**

Resolution by Supervisor: Jonker

Seconded by Supervisor: Dybas

WHEREAS, the Administrator at the Montgomery County Meadows has recommended the establishment of a Sign-On Bonus Program to assist in the recruitment of Full-time Registered Professional Nurses, and

WHEREAS, said bonus program will be for \$4,000, with the first payment of \$2,000, made after 3 months of service, and the remaining \$2,000.00 to be paid after six months of service,

RESOLVED, that the Montgomery County Board of Supervisors hereby establishes a Sign-on Bonus Program for Registered Professional Nurses who are hired at the Montgomery Meadows Residential Health Care Facility, said bonus program will be for \$4,000, with the first payment of \$2,000 made after 3 months of service, and the remaining \$2,000.00 to be paid after six months of service, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign a Memorandum of Agreement with Civil Service Employers Association, Local for the provision of said Sign-On Bonus Program effective September 27, 2005.

RESOLUTION ADOPTED with Aye(1486). Supervisor Paton voted Nay. Supervisors Brodie and Stagliano were absent. (9/27/2005)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 257 of 2005****DATED:** September 27, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CONSULTING SERVICES - NYASHA (MONTGOMERY MEADOWS)**

Resolution by Supervisor: Jonker

Seconded by Supervisor: Thomas

WHEREAS, the Nursing Home Administrator at the Montgomery Meadows has recommended entering into an agreement with The New York Association of Homes and Services for the Aging (NYAHS) for the provision supplemental training services for the staff at the Montgomery Meadows as required by the Department of Health,

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 NYASHA Procure Consulting Program for the provision of supplemental training services to the staff at the Montgomery Meadows at a cost of \$7,400, plus expenses and other applicable charges, and

FURTHER RESOLVED, said agreement will shall be effective as of September 20, 2005.

RESOLUTION ADOPTED with Aye(1633). Supervisors Brodie and Stagliano were absent. (9/27/2005)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 258 of 2005****DATED:** September 27, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - AMSTERDAM MEMORIAL HEALTHCARE - HEPA EQUIPMENT AND FILTERS FOR ISOLATION AND QUARANTINE PURPOSES (PUBLIC HEALTH)**

Resolution by Supervisor: Jonker

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, Montgomery County Public Health has the authority to isolate or quarantine individual(s) under article 21 of New York State Public Health Law and 10 NYCRR Part 2 in order to protect the public, and

WHEREAS, in order to protect the public, Montgomery County Public Health may need to isolate or quarantine a home or building to prevent the spread of communicable disease, and

WHEREAS, Montgomery County's Isolation and Quarantine Protocol would benefit by having access and usage of portable High Efficiency Particulate Air (HEPA) Filter Equipment, should the need ever arise to isolate or quarantine individual(s), and

WHEREAS, Donald W. Massey, President/CEO of Amsterdam Memorial Healthcare, is the person authorized to permit Montgomery County Public Health and/or Montgomery County Jail to use Amsterdam Memorial Healthcare's HEPA equipment and filters for isolation and quarantine purposes and wishes to cooperate and enter into agreement with the Montgomery County Legislatures, Montgomery County Public Health and Montgomery County Jail for such purposes,

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 the provision of Amsterdam Memorial Healthcare's HEPA equipment and filters for isolation and quarantine purposes.

RESOLUTION ADOPTED with Aye(1633). Supervisors Brodie and Stagliano were absent. (9/27/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 259 of 2005

DATED: September 27, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONTGOMERY COUNTY OFFICE FOR AGING - HOME ENERGY ASSISTANCE OUTREACH SERVICES (SOCIAL SERVICES)

Resolution by Supervisor: Schumann

Seconded by Supervisor: McMahon

WHEREAS, the Home Energy Assistance Program (HEAP) is a federally funded program for energy services supplied to vendors for consumers who are eligible for HEAP benefits, and

WHEREAS, the Commissioner of Social Services has made recommendation to contract with the Montgomery County Office for Aging to provide outreach services to the elderly people of Montgomery County,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized and directed to sign an agreement with the Montgomery County Office for Aging for the provision of Home Energy Assistance Outreach Services.

RESOLUTION ADOPTED with Aye(1633). Supervisors Brodie and Stagliano were absent. (9/27/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 260 of 2005

DATED: September 27, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - PROGRAMS TO AVOID OR REDUCE DETENTION FOR JD AND PINS (SOCIAL SERVICES)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Schumann

WHEREAS, the NYS office of Children and Family Services has allocated \$40,000 funding to Montgomery County Department of Social Services to initiate programs to avoid or reduce detention for JD and PINS for services to PINS 16 and 17 years of age, and

WHEREAS, the Commissioner of Social Services has made recommendation that the County enter into an agreement with Catholic Charities of Montgomery County for the provision of said deterrence program,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign appropriate documents related to the grant funding and for the contracting of services with Catholic Charities of Montgomery County for the provision of a PINS diversion program in an amount not to exceed \$35,000, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend to the 2005 Operating Budget as follows:

INCREASE:

REVENUE:

A-18-3-3610 State Aid DSS Administration \$16,000

APPROPRIATIONS:

A-18-4-6010-00-4438 DSS Administration Misc. Svcs. \$16,000

RESOLUTION ADOPTED with Aye(1633). Supervisors Brodie and Stagliano were absent. (9/27/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 261 of 2005

DATED: September 27, 2005

RESOLUTION ADOPTING 2006 STOP DWI PLAN (STOP-DWI)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Di Mezza

WHEREAS, the Stop DWI Coordinator has submitted the 2006 Stop DWI plan,

RESOLVED, that the Board of Supervisors hereby adopts said plan, and

FURTHER RESOLVED, that no funds for said plan should be appropriated from general revenue of the County of Montgomery.

RESOLUTION ADOPTED with Aye(1633). Supervisors Brodie and Stagliano were absent. (9/27/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Quackenbush stated that he is withdrawing his sponsorship of Resolution 262. Supervisor Schumann agrees to sponsor the Resolution.

Supervisor McMahon stated that this Local Law will hurt new, young homebuyers.

Based on Supervisor McMahon's comments, Supervisor Quackenbush stated that he does not support Resolution 262 at this time.

RESOLUTION NO. 262 of 2005

DATED: September 27, 2005

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 3 OF 2005 - A LOCAL LAW WHICH INCREASES MORTGAGE TAX IN MONTGOMERY COUNTY

Resolution by Supervisor: Schumann

Seconded by Supervisor: Cechnicki

WHEREAS, on August 23, 2005 a proposed Local Law for the County of Montgomery County entitled " A Local Law which Increases Mortgage Tax in Montgomery County" was presented to the Board of Supervisors for consideration, and

WHEREAS, on August 23, 2005 Resolution 233 of 2005 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 27th day of September, 2005 at the time and place appointed, and

WHEREAS, said public hearing has been held,

RESOLVED, that Introductory Local Law No. 3 of 2005 entitled " A Local Law which Increase Mortgage Tax in Montgomery County" hereby is adopted and is incorporated as follows:

A Local Law Imposing An Additional Mortgage Tax in Montgomery County

Be it enacted by the Board of Supervisors of the County of Montgomery as follows:

Section 1. For the period commencing November 1, 2005 and ending October 31, 2008, unless further extended by local law of the Board of Supervisors, there is hereby imposed in Montgomery County a tax of Fifty Cents (\$.50) for each one hundred dollars (\$100.00) and each remaining major fraction thereof of principal debt or obligation which is or under any contingency may be secured at the date of execution thereof, or at any time thereafter, by a mortgage on real property situated within such county and recorded on or after the date upon which such tax takes

effect and a tax of Fifty Cents (\$.50) on such mortgage if the principal debt or obligation which is or by any contingency may be secured by such mortgage is less than one hundred dollars (\$100.00).

Section 2. The taxes imposed pursuant to this local law shall be administered and collected in the same manner as the taxes imposed under subdivision one of Section 253 and paragraph (b) of subdivision 1 of Section 255 of the Tax Law. Except as otherwise provided in this section, all the provisions of the Tax Law relating to or applicable to the administration and collection the taxes imposed by such subdivisions shall apply to the taxes imposed under the authority of this section with such modifications as may be necessary to adapt such language to the tax so authorized. Such provisions shall apply with the same force and effect as if those provisions had been set forth in full in this section, except to the extent that any provision is either inconsistent with a provision of this section or not relevant to the tax authorized by this section. For purposes of this section, any reference to the Tax Law to the tax or taxes imposed by the Tax Law shall be deemed to refer to a tax imposed pursuant to this section, and any reference to the phrase "within this state" shall be read as "within Montgomery County", unless a different meaning is clearly required.

Section 3. Where the real property covered by the mortgage subject to the tax imposed pursuant to the authority of this section is situated in the State by within and without Montgomery County, the amount of such tax due and payable to Montgomery County shall be determined in a manner similar to that prescribed in the first paragraph of Section 260 of the Tax Law, which concerns real property situated in two or more counties. Where such property is situated both within Montgomery County and without the State, the amount due and payable in Montgomery County shall be determined in the manner prescribed in the second paragraph of such Section 260, which concerns property situated within and without Montgomery County. Where real property is situated within and without Montgomery County, the recording officer of the jurisdiction in which the mortgage is first recorded shall be required to collect the taxes imposed pursuant to this section.

Section 4. A tax imposed pursuant to this Local Law shall be in addition to the taxes imposed by Section 253 of the Tax Law.

Section 5. Notwithstanding any provision of Article 11 of the Tax Law to the contrary, the balance of all monies paid to the recording officer of the county of Montgomery during each month upon account of the tax imposed pursuant to this Local Law, after deducting the necessary expenses of his office as provided in Section 262 of the Tax Law, except taxes paid upon mortgages which under the provisions of this Section or Section 260 of the Tax Law, are first to be apportioned by the New York State Commissioner of Taxation and Finance, shall be paid over by such officer on or before the tenth (10) day of each succeeding month to the Montgomery County Treasurer and after the deduction by such County Treasurer of the necessary expenses of his or her office provided in Section 262 of the Tax Law, shall be deposited in the general fund of the county of Montgomery for expenditure on any county purpose. Notwithstanding the provisions of the preceding sentence, the tax so imposed and paid upon mortgages covering real property situated in two or more counties, which under the provisions of this Local Law or Section 260 of the Tax Law are first to be apportioned by the Commissioner of Taxation and Finance, shall be paid over by the recording officer receiving the same as provided by the determination of said Commissioner of Taxation and Finance.

Section 6. The tax imposed pursuant to this Local Law shall be payable on the recording of each mortgage of real property subject to taxes there under. Such tax shall be paid to the recording officer of the county in which the real property or any part thereof is situated, except where real property is situated within and without the county, the recording officer of the county in which the mortgage is first recorded shall collect the tax imposed by this Local Law, as required by subdivision two of Section 253-d of the Tax Law. It shall be the duty of such recording officer to indorse upon, each mortgage a receipt for the amount of the tax so paid. Any mortgage so endorsed may thereupon or thereafter be recorded by any recording officer and the receipt of such tax indorsed upon each mortgage shall be recorded therewith. The record of such receipt shall be conclusive proof that the amount of tax stated therein has been paid upon such mortgage.

Section 7. This local law shall take effect on the first day of a calendar month, provided a certified copy thereof is mailed by registered or certified mail to the New York State Commissioner of Taxation and Finance at the Commissioner's office in Albany at least thirty days prior to the date the local law shall take effect. Certified Copies of this local law shall also be filed with the County Clerk, the Secretary of State and the State Comptroller within five (5) days after the local law is duly enacted.

, 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 DEFEATED with Aye(205). Supervisors Schumann and Cechnicki voted Aye. Supervisors Brodie and Stagliano were absent. (9/27/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 263 of 2005

DATED: September 27, 2005

RESOLUTION TRANSFERRING FUNDS - TAXES AND ASSESSMENTS (COUNTY TREASURER)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: McMahon

WHEREAS, There were not enough funds budgeted for the town and school taxes on County owned property,

RESOLVED, the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

TRANSFER:

From:	A 06 4 1325 00 4470	Travel: Related Costs	\$210
To:	A 06 4 1950 00 4400	Taxes & Assessments	\$210

RESOLUTION ADOPTED with Aye(1633). Supervisors Brodie and Stagliano were absent. (9/27/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 264 of 2005

DATED: September 27, 2005

RESOLUTION ESTABLISHING FEES (FIRE COORDINATOR/EMERGENCY MANAGEMENT)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Di Mezza

WHEREAS, it has been recommended by the Fire Coordinator/Emergency Management Officer to increase fees for certain services provided in the Emergency Management Office,

RESOLVED, that effective immediately, the following fees are hereby established:

Fire Reports	\$25.00 per report, (plus an hourly rate of \$50.00 per hour for time spent on investigation reports and files)
Photo Disks	\$100.00 per disk
Photo Prints	\$1.00 per print

, and

FURTHER RESOLVED, that the above fees will be payable to the Emergency Management Office of Montgomery County and shall be credited as departmental revenue, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Budget as follows:

ADD AND INCREASE:

Revenue		
A-03-3-1589	Other Public Safety Department Income	\$200

INCREASE

Appropriations		
A-03-4-3410-00-4449	Special Supplies and Materials	\$200

RESOLUTION ADOPTED with Aye(1633). Supervisors Brodie and Stagliano were absent. (9/27/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

THE FULL BOARD WAS UNANIMOUSLY REQUESTED.

RESOLUTION NO. 265 of 2005

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

DATED: September 27, 2005

RESOLUTION RATIFYING MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF MONTGOMERY AND MONTGOMERY COUNTY LOCAL 829 OF CSEA, INC. AND AUTHORIZING CHAIRMAN TO SIGN CONTRACT FOR THE PERIOD OF JANUARY 1, 2004 DECEMBER 31, 2008.

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, negotiations for a successor employment agreement to the contract with Montgomery County Local 829 of CSEA have been conducted, with the parties reaching a Memorandum of Agreement for Full-time and Part-time employees, and

WHEREAS, the membership of Montgomery County Local CSEA 829 has ratified both Memorandums of Agreement,

RESOLVED, that the Montgomery County Board of Supervisors hereby ratifies and approves the Fulltime and Part-time Memorandums of Agreement, as attached hereto, between the County of Montgomery and Local 829 of CSEA, Inc. pertaining to a successor employment contract, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney is hereby authorized and directed to sign the Full-time and Part-time contracts, incorporating said Memorandums of Agreement, with CSEA for the period of January 1, 2004 - December 31, 2008.

RESOLUTION ADOPTED with Aye(1633). Supervisors Brodie and Stagliano were absent. (9/27/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 266 of 2005

DATED: September 27, 2005

RESOLUTION TRANSFERRING FUNDS - PAYMENT OF JUDGEMENT (BOARD OF SUPERVISORS)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Di Mezza

WHEREAS, Under direction of the County Attorney, the Board of Supervisors have been advised to provide payment for judgment in the litigation case "Lee vs. Montgomery County",

RESOLVED, the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

TRANSFER:

From: A-01-4-1990-00-4400	Contingency	\$72,000
To: A-01-4-1930-00-4433	Judgment & Claims (Court Related)	\$72,000

RESOLUTION ADOPTED with Aye(1633). Supervisors Brodie and Stagliano were absent. (9/27/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Di Mezza, seconded by Supervisor Jonker, passed with Aye(1633). Supervisors Brodie and Stagliano were absent. Chairman Strevy adjourned the meeting at 7:36 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
COMMITTEE MEETING - FINANCE
7:00 PM, October 3, 2005

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Dybas, DiMezza, and McMahon. Supervisors Schumann, Stagliano and Thomas were absent.

Additional Supervisors present were Supervisors Jonker, Strevy and Walters. Supervisors Mancini, Paton, Brodie, Sinicropi and Cechnicki was absent.

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

1. 2006 Tentative Operating Budget Workshop - The Finance Committee will be holding Departmental Reviews as listed below.

6:00 Public Defender
6:15 Historian
6:30 Veterans Services
6:45 Purchasing
7:00 Weights & Measures
7:15 County Clerk
7:30 Real Property
7:45 Treasurer
8:00 Public Health

(These times are approximate; the next scheduled department will follow at the conclusion of each.)

2. Other

Chairman Quackenbush stated that he is asking all Committee members to prepare to summarize their desired budget changes on Friday for presentation to the rest of the Committee, starting with page 1 of the proposed budget. Once that changes are noted, those recommendations will be presented to the full Board. Nothing else will be acted upon by the Finance Committee until the Oct. 18th Finance Committee meeting.

Chairman Quackenbush stated that he reserves the right to change the order of the departmental presentations, based on attendance of department heads.

Item #1: Historian - Kelly Farquhar, Historian/Record Management Officer, gave a summary of the duties her department performs. She asked for an increase in "Travel: Related Costs" (line item #4470) which helps pay for conference registration and attendance. She also asked for a small "Mileage Allocations" and "Assoc/Membership Dues" increase.

Veteran's Services - Dwight Thompson, County Director (accredited by the American Legion), asked for an increase was "Misc. Supporting Services" from \$10,000 to \$20,000 but \$15,000 would be acceptable (Indigent Burials). There is a need for an \$800 increase in "Travel: Related Costs" (line item #4470) for additional schooling related to the American Legion accreditation, as well as "Transportation" (line item #4475). In response to a question posed by Chairman Strevy, the Federal Government does reimburse \$600 for indigent burials.

Purchasing - Scott Surento, Purchasing Agent, spoke on the increase needed for insurance (line item #1910 on the bottom of the budget), as discussed with Chairman Strevy prior to the meeting.

Treasurer Shawn Bowerman reminded the Committee that all insurance goes through the Purchasing Dept., not through individual departments.

Supervisor Dybas asked for a breakdown from Shawn Bowerman of all insurance increases for the upcoming Committee meeting on Friday.

Public Health - Kim Conboy, Public Health Director and Debbie Auriemma, Accounting Clerk, spoke on the significant increase in the Appropriations Account. The salaries reflect the 4% increase plus the increase in longevity, so those posted numbers are correct.

Ms. Auriemma stated there is an increase in County population of children ages 3-5, which means an increase of \$35,000 per child is needed for that child to receive services, represented by line item #4046 ("Co. Co-ord Childrens Serv"). Ms. Conboy asked for support legislation that would support an attempt to control costs within the program, which are determined by the NYS Dept. of Education. Ms. Auriemma also stated that an issue is collection from third-party insurance

parties, which creates additional stress in the 3-5 program.

When queried by Chairman Quackenbush, Ms. Auriemma stated that grants received help offset administrative costs, but adding for reimbursement of fringes wouldn't be prudent. She stated that the grants are pretty much maxed out now.

Weights and Measures - Nick Bartosik, Director, stated an increase in the "Gasoline, Oil, Diesel Fuel" (line item #4441), as well as an increase on the costs related to the lease on his truck (line item #4422, "Equip Rental/Lease/Repair"). Revenues should also increase, which is determined by penalties in fines collected, plus petroleum sampling reimbursement by the state (line item #1962, "Weights & Measures").

Treasurer - Shawn Bowerman, Treasurer stated that the revenue on line item #1051 ("Gain Sale Tax Acq Prop") is gain on sale of properties from the latest tax foreclosure auction (\$400,000). He stated that interest earnings are also up and CD's are averaging 3.5%. OTB earnings aren't as lucrative as anticipated, and to date, it's a total of \$102,000. The County will probably be short of the projected \$200,000 in "OTB Distributed Earnings" (line item #2720).

Treasurer Bowerman stated that the budget doesn't reflect the details of the upcoming sales tax resolution, but rather the distribution as status quo. Supervisor DiMezza stated that the City is waiting until the last minute, but can't go without the \$2,800,000.

Treasurer Bowerman stated that line item #4431 (Professional Services) has a possibility of fluctuation either way. A resolution will be pending in October.

\$50,000 extra was put into FMCC. \$10,000 was added into Community College tuition. If a resident attends a community college outside of the county, we pay half the tuition.

He also stated that transfers are negotiable. He stated that line item #9950 (Trans. To Capt. Proj. Fd") includes the FMCC Capital Projects, and also that Contingency was reduced.

Based on a question by Supervisor Dybas, Treasurer Bowerman stated that the Meadows is in for the whole year.

Supervisor Dybas left the Chamber at 7:00 PM.

Real Property - Flo Stanton, Director, stated that the additional position of Part Time Real Property Tax Aid is needed at a cost of \$10,200 (line item #1120, "Real Property Tax Aide-p/t").

Public Defender - Shawn Bowerman, Treasurer, stated there are two possible movements, including an increase based on the new "Indigent Legal Services" program (line item #3025). Supervisor DiMezza stated that bumping that line item up to \$60,000 would be more realistic. Shawn concurred. Professional Services have expended \$105,000 (line item #4431) to date. He stated that, unfortunately, bills are not being submitted for payment in a timely manner.

County Clerk - Helen Bartone, County Clerk, stated that an additional Senior Clerk Typist (line item #1110) is needed. She also stated that she is expecting an additional increase in revenue to equal around \$700,000 by December 31st. Supervisor DiMezza stated that a more realistic figure for next year would be \$660,000 for next year's budget revenue. He also stated that an additional MV Clerk (\$21,654) would be beneficial for the increased MV Dealer paperwork. Ms. Bartone stated her frustration based on lack of space in the DMV office. She also stated that a revenue increase from Passport photos are on the horizon, and if so, a new digital camera (final cost would be approximately \$800) would be needed also. To date, 476 Passports have been issued. Shawn Bowerman stated that the (vacant) MV Clerk position wasn't removed from the budget in the first place.

The motion was made and seconded by Supervisors DiMezza and McMahon, respectively, to adjourn the Finance Committee. Chairman Quackenbush adjourned the Finance Committee meeting at 7:30 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
COMMITTEE MEETING - FINANCE
6:00 PM, October 4, 2005

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Dybas, Di Mezza, McMahon, Stagliano and Thomas. Supervisor Schumann was absent.

Additional Supervisors present were Mancini, Jonker, Strevy, Paton, and Walters. Supervisors Brodie, Sinicropi and Cechnicki were absent.

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

1. 2006 Tentative Operating Budget Workshop - The Finance Committee will be holding Departmental Reviews as listed below.

6:00 EOD
6:15 County Attorney
6:30 Emerg. Mgmt./Fire Coord.
6:45 Sheriff
7:30 Social Services

(These times are approximate; the next scheduled department will follow at the conclusion of each.)

2. Other

Item #1: EOD - Mike Yevoli, Director, stated that the department is reducing appropriations. Also, a reduction in revenue is noted due to grant funding being spent (line item #2189, "Home & Comm Serv. Dept. Inc."). However, Director Yevoli stated that additional grant applications are being submitted. He stated that revenues are likely to increase next year. Also, he stated that an EOD Program Assistant was hired, as noted in line item #367, "Economic Dev. Prog. Assistant".

County Attorney - Doug Landon, Attorney, stated there is no change from the projected 2005 numbers.

Supervisor Paton entered the Chamber at 6:14PM.

Emergency Management/Fire Coordinator - Gary Nestle, Director, stated that the small increases include the "Gasoline, Oil, Diesel Fuel" line item (#4441). He also stated that the Federal Aid revenue (line item #4960, "Fed. Aid-Emergen. Dis. Aid") will cover some of the other increases. Line item #4455 ("Training") will be covered by a grant. Director Nestle stated that the "Motor Vehicle Equipment" line item (#2230) will be the purchase of a new truck, which will replace the existing white van.

Supervisor Stagliano entered the Chamber at 6:30PM.

Sheriff & Jail - Michael Amato, Sheriff, stated the most significant increase is two new Deputy Sheriffs positions and a couple of vehicles. He would also like to upgrade a current Dispatcher position to "Technical Communications Coordinator" because of increased responsibilities. Grant funding has helped offset additional increases. Salaries have increased for part-time Road Patrol Deputies and Corrections Officers to compete in the employment market. He stated that fuel prices have also increased, and that's reflected in the budget.

In response to a question from Supervisor Dybas, Sheriff Amato stated that overtime has increased by approximately \$21,800. Under sheriff Smith stated that Last year's overtime budget was cut drastically. The Sheriff stated that revenue will be approximately \$100,000 shy of what is anticipated.

Sheriff Amato stated that \$9,979 was inadvertently included (line item #854), and the consensus of the Committee is that the money will be moved around to cover salary increases or new positions.

Sheriff Amato stated that he'd like to alter two positions; "Acct Clerk Typist f/t- Sheriffs office" (upgrade to "Principal Account Clerk") and \$3,705 additional funds are needed for that position. The second position, "Acct Clerk Typist p/t - Jail" (upgrade to full-time), will require \$11,675 in additional funds.

Supervisor Schumann entered the Chamber at 7:03PM.

Social Services - William Cranker, Commissioner, stated that the fiscal year will be changing under the direction of NYS and that the new cap starts January 1st. He stated he's keeping records

of the weekly shares. He stated that projected revenue will drop by \$3.5M (line item #3602, "MMIS-Mdcaid Mang Info Sys") due to overburden.

He stated a budget decrease in appropriations of approximately 11% (Medicaid Cap). He stated that before the budget goes into effect, there may be a reduction in the MMIS account.

A new position of Caseworker (line item #725 1110) for Lynch Middle School is requested, as well as a Senior Clerk Typist position (line item #726 1110) is needed at the switchboard.

He stated that the Social Services Programs are split as far as being over and under budget.

Supervisor DiMezza stated that he feels that if the county built an independent facility to run the programs, it would be more fiscally logical than outsourcing EIP and PAC maintenance. Supervisor DiMezza asked the Commissioner to inquire with other Commissioners as to their expenses in outsourcing those programs.

In response to a question posted by Chairman Strevy, Commissioner Cranker stated that should the HEAP allocated funding expire prematurely, monies would be transferred from other sources to cover expenses as needed.

The motion was made and seconded by Supervisor Dybas and DiMezza, respectively, to adjourn the Finance Committee. Chairman Quackenbush adjourned the Finance Committee meeting at 8:00 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
COMMITTEE MEETING - FINANCE
6:00 PM, October 5, 2005

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Dybas, Di Mezza, McMahon, and Thomas. Absent were Supervisors Schumann and Stagliano.

Additional Supervisors present were Strevy, Paton, and Walters. Supervisors Jonker, Brodi, Sinicropi, Cechnicki and Mancini were absent.

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

1. 2006 Tentative Operating Budget Workshop - The Finance Committee will be holding Departmental Reviews as listed below.

6:00 Mental Health
6:15 District Attorney
6:30 Probation
6:45 BOE
7:00 Auditor
7:15 Data Processing
7:30 Personnel

(These times are approximate; the next scheduled department will follow at the conclusion of each.)

2. Other

Item #1: Mental Health - Jim Gumaer, Director of Community Services, stated that three line items inadvertently left blank: line item #1620 ("Mental Health Fees"), line item #4567 ("Assist. Outpat. Treatment") and line item #4433 ("Court Related Fees"). It was agreed by the Finance Committee that line item #4433 should read \$25,000. He also states he'll be in contact with Treasurer Shawn Bowerman with the necessary figure for line item #1620. He stated that line item #4567 ("Assist. Outpat. Treatment") should read \$5,000.

District Attorney - James "Jed" Conboy, DA, stated that an additional Clerk Typist is needed in his office for non-felony cases. In response by a question from Chairman Quackenbush, there isn't currently a grant that he's aware of that can fund this position at this time.

Probation - Lucille Sitterly, Director, is requesting several increases in line items, as stated below:

Line item #1580 ("Reparation & Restit Surch") to be increased to \$4,000 from \$3,500.
Line item #3310 ("Probation Services") to be decreased to \$148,679 from \$148,895.
Line item #150 ("Probation Officer") is an added position.
Line item #724 ("Prin Account Clerk Typist") is a \$1 typo, and should read \$25,359.
Line item #1261 ("Administrative Assistant") should be zero, as this person is retiring, and the position will not be refilled.

Treasurer Bowerman stated that a line item (#4414, "Natural Gas") was inadvertently left out, and should read \$2,150. He stated that line item #4412 ("Light & Power") should read \$650.

Director Sitterly also requested an increase in line items #4441 and 4471 ("Gasoline, Oil, Diesel Fuel" and "Mileage Allocations") to \$1,700 and \$11,500, respectively, based on current market projections.

BOE - Joan Graimer and Lyn May, Commissioners. HAVA law requirements will require a change in salaries for inspectors.

Chairman Strevy stated that the revenue should increase based on the charge-back of printing expenses. Commissioner Graimer stated she'll get a figure to Treasurer Bowerman by this coming Friday.

Commissioner May stated that an issue within BOE is how the electronic voting machines will be stored and transported. No solution has been found, so that figure is not included in the budget.

Auditor - Marco Zumbolo, Auditor, stated that he's pleased with the projected budget.

Supervisor Di Mezza stated that he would like to increase line item #1120 ("County Auditor") to \$30,000.

Data Processing - Deborah Bain, Director, requested that the Micro-Tech part-time position (line item #719 that is at zero) be upgraded to full-time, thereby reinstating line item #662 with a salary of \$29,633 (without fringe). The Committee stated that a reduction to \$20,290 in line item #4459. Director Bain agreed.

Supervisor Dybas made a motion to meet on Friday at 3:00 PM. Supervisor Thomas seconded the motion. It passed unanimously.

Supervisor McMahon stated that computer security should be an issue for the county, and the option of "dummy terminals" should be considered.

Supervisors Strevy and Dybas left the Chamber at 7:05PM.

Personnel - Shawn Bowerman, County Treasurer, stated that increases include "Professional Services" (line item #4431) due to Labor Attorney fee increases, "Training" (line item #4455), and "Tuition Reimbursement" (line item #4431). He stated that there is a reduction in line "Hospital & Medical Ins" (item #8850). He submitted to the Committee a justification statement. Treasurer Bowerman also stated that there are changes in co-pay for 2006 and drug plan in 2006.

The motion was made and seconded by Supervisor McMahon and DiMezza, respectively, to adjourn the Finance Committee. Chairman Quackenbush adjourned the Finance Committee meeting at 7:10 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
COMMITTEE MEETING - FINANCE
6:00 PM, October 6, 2005

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 6:14 PM.

Roll call indicated Committee members present included Supervisors Dybas, Stagliano, DiMezza, and Thomas. Absent were Supervisors Schumann and McMahon.

Additional Supervisors present were Supervisors Jonker, Strevy, Paton, Mancini and Walters. Supervisor Cechnicki, Brodie, and Sinicropi were absent.

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

1. 2006 Tentative Operating Budget Workshop - The Finance Committee will be holding Departmental Reviews as listed below.

6:00 Montgomery Meadows
7:00 DPW

(These times are approximate; the next scheduled department will follow at the conclusion of each.)

2. Other

Item #1: Montgomery Meadows - Heather Reynicke, Montgomery Meadows Business Manager, stated that there is an revenue increase in line item #1651 ("Medicaid"). "Private Pay" (line item #1657) was decreased due to the related increase in Medicaid days. Treasurer Bowerman stated that to date, the Medicaid figure is \$3.3M; \$1.3M of the \$3.3M has been transferred (58%).

Ms. Reynicke stated that the salaries reflected hold no significant changes, other than two Cleaners (line items #37 and 39) being dropped because of lack of need. She also stated that utilities have increased based on the current and projected natural gas market prices.

Treasurer Bowerman stated that all salaries reflected are carry overs from 2005.

Supervisor DiMezza entered Chamber at 6:28PM.

DPW - Paul Clayburn, Commissioner, stated that most changes are minor and consistent with past years figures.

Regarding the A Fund's Natural Gas line item (#4414) Commissioner Clayburn is concerned that this item is under funded. He'd like to do more research on current prices and needs and report back to the Committee.

Regarding the D Fund's figures, Commissioner Clayburn is concerned about the snow removal contracts (line item #4469) and wishes for the Board to act on the contracts in the October full Board meeting.

Supervisor Schumann entered the Chamber at 6:40PM.

In response to a question by Chairman Strevy, Commissioner Clayburn a need to return line item #4422 ("Equip Rental/Lease/Repair") to the 2004 figure of \$400,000, because of current needs and uses.

Regarding to DM (Road Machinery) Fund's numbers, there were no significant changes, and no questions from the Committee.

The motion was made and seconded by Supervisor Thomas and DiMezza, respectively, to adjourn the Finance Committee. Chairman Quackenbush adjourned the Finance Committee meeting at 6:55 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
COMMITTEE MEETING - FINANCE
3:00 PM, October 7, 2005

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 3:00 PM.

Roll call indicated Committee members present included Supervisors Dybas, Di Mezza, McMahon, and Thomas. Absent were Supervisors Schumann and Stagliano.

Additional Supervisors present were Supervisors Strevy, Paton, Mancini, and Walters. Supervisors Cechnicki, Jonker, Brodie, and Sinicropi were absent.

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

1. 2006 Tentative Operating Budget Workshop - The Finance Committee will be holding a review of the Budget Officer's Recommendations for the Tentative Budget.
2. Discussion regarding plan for submission of report or structured submissions of resolutions to amend the 2006 Tentative Operating Budget
3. Other

Item #1: Chairman Quackenbush and Supervisor Thomas made a motion and seconded, respectively, to draft a Resolution to retain \$4,150,000 of the sales tax revenue after June 30, 2005. The following Supervisors voted "Aye" to move the Resolution to the full Board: Quackenbush, Di Mezza, McMahon and Thomas. Supervisor Dybas abstained.

The Chair and Committee members expressed their reluctance to support any new positions within any department at this time. Any positions that were already put in the tentative budget by Treasurer Bowerman will need a Resolution for removal.

Treasurer Shawn Bowerman presented to the Committee a list of proposed Budget changes. Each item was discussed, and either discarded or moved to the full Board as a draft Resolution with a sponsor and second.

Of the list as presented by Treasurer Bowerman, the following items were sponsored (department, sponsorship [respectively], line item #, Line item title, monies added or deleted, and new total):

Board of Supervisors	- #3589 (Transportation) +\$2,900 = \$23,100
(Thomas/McMahon)	- #4433 (Court Related Expenses) +\$50,000 = \$50,000
	- #4403 (Federal Section 18) +\$2,900 = \$23,100
Emergency Management	- #4410 (Utilities) -\$8,000 = 0
Di Mezza/Thomas	- #4412 (Light and Power) +\$8,000 = \$8,000 (new line item)
County Clerk	- #1255 (Clerk Fees) +\$50,000 = \$650,000
Dybas/Thomas	
Personnel	- #2220 (Office Equipment) +\$2,000 = \$2,000
Thomas/McMahon	- #4406 (Tuition Reimbursement) -\$4,500 = \$3,000
Board of Elections	- #2215 (Election Service Charges) +\$12,300 = \$80,040
Dybas/Di Mezza	
Sheriff & Jail	- #731 (Allowances) +\$4,000 = \$4,000 (new line item)
Dybas/Thomas	- #922 (Deputy Sheriff) -\$30,433 = \$0
Mental Health	- #1620 (Mental Health Fees) +\$174,021 = \$174,021
Dybas/McMahon	- #4433 (Court Related Expenses) +\$25,000 = \$25,000
	- #4567 (Assist. Outpat. Treatment) +\$5,000 = \$5,000
Social Services	- #1110 (Caseworker) -\$25,359 = \$0
Quackenbush/Thomas	
Youth Bureau	- #4438 (Misc. Supporting Service) +\$3,000 = \$25,000
Di Mezza/Thomas	
Probation	- #1580 (Reparation & Restit Surch) +\$500 = \$4,000
Di Mezza/Dybas	- #1110 (Acct Clk Typist) -\$1,000 = \$21,654

- #1110 (Probation Officer) +\$33,051 = \$33,051
- #1110 (Prin Account Clerk Typis) +\$1 = \$25,359
- #4412 (Light & Power) -\$1,900 = \$650
- #4414 (Natural Gas) +2,150 = \$2,150
- #4441 (Gasoline, Oil, Diesel Fuel) +\$700 = \$1,700
- #4471 (Mi leage Al locations) +\$1,700 = \$11,500

Public Defender - #3025 (Indigent Legal Services) +\$38,000 = \$50,000
 Di Mezza/Thomas - #4431 (Professional Services) -\$30,000 = \$200,000

After Committee discussion, Supervisors DiMezza and Thomas made a motion and seconded, respectively, to draft a Resolution authorizing any savings to be divided by 70%/30% (70% to reduce use of the fund balance, and 30% to reduce the tax levy).

Supervisor Thomas stated, in regards to Sheriff & Jail, that it is worth investigating if their payroll could be done in-house as a money-saving option.

The motion was made and seconded by Supervisor DiMezza and Dybas, respectively, to adjourn the Finance Committee. Chairman Quackenbush adjourned the Finance Committee meeting at 4:35 PM.

Herein below is a copy of the Report of the Finance Committee, dated Oct. 11, 2005, as submitted by Committee Chairman Thomas Quackenbush.

Report of the Finance Committee

October 11, 2005

Please consider the following correspondence and attached resolutions the report of the Finance Committee in regards to the County of Montgomery 2006 Budget.

In fulfilling our obligation as the Finance Committee we convened October 3rd, 4th, 5th, and 6th, 2005 with the various Departments within Montgomery County for review of the 2006 Tentative Budget, the 2006 Preliminary Budget, and Departmental backup information as presented by the Budget Officer.

Prior to the Departmental reviews and the formulation of the Preliminary Budget a memo was sent by the Chairman of the Finance Committee to all Departments requesting they use the 2005 budget as a guideline when requesting funds for the 2006 fiscal year. While the Finance Committee was pleased overall with most department requests other departments increased their appropriation request from the 2005 spending plan. The Budget officer reduced those requests with the end result being an approximate \$900,000 increase or 3.4%.

The Finance Committee reconvened on October 7th, 2005 to review the Budget Officers Tentative Budget, consider departmental requests as presented during reviews, and recommend changes of the Tentative Budget to include in this report as well as offer for consideration to the entire Board of Supervisors.

The Finance Committee after careful consideration felt that the Budget Officer should have included in the Tentative Budget an increase of \$4.15 Million in sales tax revenue as a result of a prior action by the Full Board of Supervisors in which a determination was made that Montgomery County would choose not to distribute any sales tax revenues unless an agreement was reached with the City of Amsterdam for sales tax distribution.

With no agreement in place by the adoption of the 2006 budget the appropriated fund balance would be reduced to \$0 and the tax levy for the 2006 spending plan of Montgomery County and its taxpayers would be reduced significantly. In the absence of a sales tax agreement, reduction of the appropriated fund balance, and reduction in the tax levy the majority of this committee feels it would be impossible to enter into an agreement for sales tax distribution after adoption of the 2006 budget.

The Finance Committee also agreed that with so many uncertainties such as aforementioned sales tax issue, Montgomery Meadows, ongoing labor contract negotiations, and snow removal contracts to name a few there should be no new positions added to the Montgomery County Payroll. We as a committee feel very strongly that we would rather take a more conservative approach and spend our efforts on sustaining our existing work force until a time when some of these issues create for us a clearer financial picture.

It is the hopes of the Finance Committee that the Full Board of Supervisors will agree with the report of the Finance Committee and continue even further with a more conservative approach in regards to the 2006 spending plan for Montgomery County.

Sincerely,

Thomas L. Quackenbush, Chairman
Montgomery County Finance Committee

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
COMMITTEE MEETING - PUBLIC SAFETY
6:00 PM, October 11, 2005

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 6:04 PM.

Roll call indicated Committee members present included Supervisors Jonker, Cechnicki, Schumann and Walters. Supervisors Brodie and Stagliano were absent.

Additional Supervisors present were DiMezza, Sinicropi, Mancini, Strevy, Paton, and Dybas. Supervisors McMahon and Quackenbush were absent.

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

1. Resolution Requesting Home Rule Legislation which would exclude Montgomery County from A0483/S918a - Legislation which amends Environmental Conservation Law S11-907 to allow for the use of a rifle during open season for deer and bear in Montgomery County.
2. Resolution establishing positions - Sheriff's Office
3. Other

Item #1: Supervisor Cechnicki stated that his town will be shortly passing a Resolution supporting this Resolution.

Supervisor Walters clarified to the Committee the history of the Legislation. He also stated that the majority of his hunting constituents support the Resolution.

The Committee recognized Sheriff Amato, who stated that he supports the Resolution, based on the overly long distance the rifle bullet can travel.

Chairman Thomas stated that the number of transient hunters is increasing in general, and that those hunters aren't familiar with their surroundings (including the location of homes), which puts the residents in danger.

Supervisor DiMezza stated his support of the Resolution.

Supervisors Cechnicki and Jonker made a motion and seconded, respectively, to move this Resolution to the full Board with a positive recommendation.

Supervisor Schumann stated that her preference is to move the Resolution to the full Board with no recommendation, as other regions of NYS permit hunting with rifles.

Item #2: Sheriff Amato detailed the two positions to the Committee and stated that these upgrades are necessary because of the continued increased workload within the Department.

Supervisors Schumann and Thomas made a motion to sponsor and second the Resolution, respectively, and to move it to the full Board with a positive recommendation.

Item #3 (Other): Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PICTOMETRY INTERNATIONAL CORP (SHERIFF)

Sheriff Amato explained the benefits of the \$171,325 3-D mapping software. He explained that no software incompatibility is expected, as it would be on a stand-alone computer. He clarified to the Committee the projected ongoing software maintenance needs and licensing responsibilities.

Supervisors Jonker and Thomas made a motion to sponsor and second the Resolution, respectively, and to move it to the Finance Committee with a positive recommendation, and to add the figure of \$171,325 to the draft Resolution.

Motion was made and seconded by Supervisors Walters and Jonker, respectively, to adjourn the Committee meeting.

Chairman Thomas adjourned the Public Safety Committee meeting at 6:28 PM, with no objections.

Supervisor Schumann left the Chamber at 6:29 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
COMMITTEE MEETING - HEALTH & HUMAN SERVICES/SOCIAL SERVICES
6:15 PM, October 11, 2005

COMMITTEE MEETING DISCUSSION

Chairman Jonker presided over the meeting commencing at 6:30 PM.

Roll call indicated Committee members present included Supervisors Dybas, Paton, DiMezza, and Sinicropi. Supervisors Stagliano and Brodie were absent.

Additional Supervisors present were Strevy, Mancini, Walters, Cechnicki, and Thomas. Absent were Supervisors McMahon, Quackenbush and Schumann.

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

1. Resolution Expressing Opposition to Tobacco Advertising and Tobacco Use in Movies Rated G, PG or PG13
2. Resolution Supporting Tobacco Advertising Free Magazines that are Sent to School Settings
3. Resolution Authorizing Chairman to Sign Agreement - Resource Allocation Plan (Youth Bureau)
4. Resolution Authorizing Chairman to Sign Program Agreements (Youth Bureau)
5. Resolution Authorizing Funding Allocations - Delinquency Prevention Program (Youth Bureau)
6. Other

Item #1 & #2: Supervisor DiMezza stated that "Reality Check" will be making a presentation at the next full Board meeting.

Supervisors DiMezza and Walters made a motion and seconded, respectively, to move the Resolution to the full Board with positive recommendation.

Supervisor Sinicropi stated his concern over underage smokers. However, he feels it's the parents' responsibility to monitor this situation. He stated that this is a touchy subject in general (as is any kind of censorship).

Supervisor Dybas stated his lack of support for this Resolution and any governmental attempt to regulate certain personal choices.

Chairman Jonker stated that the Committee should be supporting the "Reality Check" group in their efforts.

Supervisor Dybas made a motion to amend the Resolutions as follows: by combining them into one Resolution that states that the Board supports "Reality Check" and their efforts to (1) remove tobacco ads from magazines in school libraries and (2) have movies be rated R if tobacco use or tobacco products are shown.

Supervisors DiMezza and Walters withdrew their sponsorship of the two original Resolutions.

Supervisors DiMezza and Jonker made a motion and seconded, respectively, to move the amended, combined Resolution to the full board with a positive recommendation.

Item #3: Supervisors DiMezza and Paton made a motion and seconded, respectively, to move the Resolution to the full Board with positive recommendation.

Item #4: Supervisors Paton and Sinicropi made a motion and seconded, respectively, to move the Resolution to the full Board with positive recommendation.

Item #5: Supervisors Paton and Sinicropi made a motion and seconded, respectively, to move the Resolution to the full Board with positive recommendation.

The motion was made and seconded by Supervisors DiMezza and Sinicropi, respectively, to adjourn the Committee meeting.

Chairman Jonker adjourned the Health & Human Services/Social Services Committee meeting at 6:47 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
COMMITTEE MEETING - GENERAL SERVICES/PUBLIC WORKS/SOLID WASTE
6:00 PM, October 18, 2005

COMMITTEE MEETING DISCUSSION

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

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

Additional Supervisors present were Supervisors Dybas, McMahon, Stagliano, Quackenbush and Strevy. Supervisors DiMezza, Jonker and Sinicropi were absent.

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

1. Discussion regarding duties of Data Processing duty in regards to software/hardware
2. Discussion regarding snow removal contracts
3. Discussion regarding MOSA
4. Other

Item #1: The Committee recognized Deborah Bain, Director of Data Processing/Printing, who expressed her frustration that the Data Processing department is not always involved in the procedure of obtaining new software and hardware. She feels that Data Processing departmental approval, prior to purchasing, should be required.

Supervisor McMahon made a motion to draft a Resolution supporting Data Processing's involvement in the purchasing process. Supervisor Dybas seconded the motion, to move to the full Board with a positive recommendation.

Supervisor Schumann stated that not all RFPs go through purchasing.

Supervisor Paton entered the Chamber at 6:20PM.

Item #2: Chairman Walters clarified to the Committee how costly plowing is, and the necessity of an increase in funds for the snow removal contracts. He stated also that the cost of fuel and salt is increasing, and that his Town Board is asking for a \$1,700 increase to help offset costs. His Town currently receives \$105,000 from the County. He stated that the snow contract should have already been negotiated.

Supervisor Dybas stated that he supports any increase, but there is a lack of accountability on what the towns are actually spending.

Supervisor Stagliano explained to the Committee how his town is reimbursed from the state for plowing a state road. He also stated that the Sales Tax is still an issue that would impact a proposed Resolution.

Supervisor Schumann stated that she won't approve a Resolution without facts and figures regarding the actual cost per mile per town.

Chairman Walters made a motion to draft a Resolution for the full Board meeting approving a contract, without an actual figure. Supervisor McMahon seconded the motion. The Committee, when polled, concurred. The draft Resolution will be moved to the full Board with a positive recommendation. The Resolution will leave the amount of the increase blank for an amendment at the full Board meeting.

Item #3: The Committee recognized Olga Podmajersky, Montgomery Co. Board Member for MOSA, who stated a transportation increase in MOSA contracts will take effect in 2007, which will increase the tip by \$10/ton. She stated that 40,000 tons of County waste are currently delivered to MOSA and 20,000 tons of outside (out-of-County) waste is also currently handled.

The Committee recognized Ray Halgas, Montgomery Co. Board Member for MOSA, who stated that expected cost increases will reach \$58.50 per ton by 2007. He stated that MOSA users will take a hit because tip fees will be increased accordingly.

Supervisor Stagliano stated that he sponsors a draft Resolution to enter into an agreement with MOSA to subsidize the 2006 tip fee, but the Resolution should leave the subsidized amount blank for an amendment at the full Board meeting. There was no second.

Supervisor Schumann stated that more discussion is needed.

The Committee, when polled, decided that more discussion is needed, and the issue was tabled.

Supervisors Thomas and Schumann made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Walters adjourned the General Services/Public Works/Solid Waste Committee meeting at 7:08PM

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
COMMITTEE MEETING - PERSONNEL
6:30 PM, October 18, 2005

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 7:09 PM.

Roll call indicated Committee members present are Supervisors Cechnicki, Paton, Mancini, Stagliano and Quackenbush. Supervisors DiMezza and Brodie were absent.

Additional Supervisors present were McMahon, Walters, Dybas, Thomas and Schumann. Absent were Supervisors Jonker and Sinicropi.

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

1. Resolution Providing Salary Schedule for Non-Bargaining Personnel and Updating Non-Bargaining Policy Regarding Longevity and Benefits
2. Other

Chairman Strevy is Acting Personnel Chair, in Chairman DiMezza's absence.

Item #1: The Committee recognized Rich Baia, Personnel Officer, who clarified the history of the Resolution. He stated that the Resolution needs revision, and would like the Resolution to be pulled from the Committee.

Chairman Strevy, at the Committee's direction, pulled the Resolution.

Item #2 Other: Deb Bain, Director of Data Processing and Printing, stated that an employee in the Print Dept. is leaving, and a temp replacement is needed for training purposes. Supervisor Cechnicki stated he is sponsoring a draft Resolution to amend the budget to reflect the new position. Supervisor Strevy seconded the motion to move to the draft Resolution to full Board with a positive recommendation.

Chairman Strevy adjourned the Personnel Committee meeting at 7:19 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
COMMITTEE MEETING - FINANCE
7:00 PM, October 18, 2005

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:19 PM.

Roll call indicated Committee members present included Supervisors Stagliano, Schumann, Dybas, McMahon, and Thomas. Absent was Supervisor DiMezza.

Additional Supervisors present were Strevy and Cechnicki. Supervisors Mancini, Jonker, Brodie, Paton, Sinicropi and Walters were absent.

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

1. Discussion regarding the exemption of sales and compensating use tax for the purchase and the service of installation of residential solar energy.
2. Resolution Authorizing Contract with Clark Patterson Associates for Design Services for the Roof Replacement and Electrical Vault Water Infiltration Projects at FMCC (2005 Capital Plan)
3. Resolution Transferring the Former Tryon Oil Site - Fort Johnson, NY to the Village of Fort Johnson (Economic Development)
4. Resolution Authorizing Advance to Montgomery County Chamber of Commerce 2005-2006 Tourism Year
5. Resolution Amending 2005 Operating Budget for CSEA Contract Settlement (Personnel)
6. Discussion Regarding Delinquent Taxes in the City of Amsterdam
7. Discussion regarding Insurance and Pending Litigation
8. Resolution Authorizing the Personnel Officer and the Personnel Committee to formulate a Job Description for a County Administrator
9. Other

Chairman Quackenbush stated that he will change the order of the agenda at will. He also stated there are two add-on items for "Other".

Item #1 (formerly agenda item #9, "Other"): The Committee recognized Darryl Purinton, CPA, of Marvin and Company, who summarized the Audit report previously presented to the Board of Supervisors. Supervisors Stagliano and Dybas asked for clarification of certain points related to the amount of unappropriated fund balance that was available in the report dated 12/31/04 and whether or not the same amount would be available for 12/31/05.

Supervisor Dybas stated that this cash flow study should accompany the budget.

Item #2 (formerly agenda item #1, "Discussion regarding the exemption of sales and compensating use tax for the purchase and the service of installation of residential solar energy"): The Committee was presented with a model local law/ordinance/resolution.

Supervisor Schumann made a motion to sponsor a draft Resolution that would begin on March 1, 2006. Supervisor Dybas stated he seconds the motion, to move the full Board with a positive recommendation.

Item #3 (formerly agenda item #2, "Resolution Authorizing Contract with Clark Patterson Associates for Design Services for the Roof Replacement and Electrical Vault Water Infiltration Projects at FMCC (2005 Capital Plan)": Supervisors Schumann and Thomas made a motion and seconded, respectively to move the Resolution to the full Board with a positive recommendation.

Item #4 (formerly agenda #3, Resolution Transferring the Former Tryon Oil Site - Fort Johnson, NY to the Village of Fort Johnson (Economic Development)": Supervisors Dybas and Thomas made a motion and seconded, respectively to move the Resolution to the full Board with a positive recommendation.

The Committee recognized Mike Yevoli, EOD/P Director, who stated that the revenue anticipated from the state is \$32,618.00, and the total County costs will be \$8,333.00.

Item #5 (formerly agenda item #4, "Resolution Authorizing Advance to Montgomery County Chamber of Commerce 2005-2006 Tourism Year"): Supervisors Dybas and Thomas made a motion and seconded, respectively to move the Resolution to the full Board with a positive recommendation.

The Committee recognized Chairman Richard Brown, Occupancy Tax Board, who clarified the Resolution to the Committee.

Item #6 (formerly agenda item #5, "Resolution Amending 2005 Operating Budget for CSEA Contract Settlement (Personnel)": Supervisors Thomas and Schumann made a motion and seconded, respectively to move the Resolution to the full Board with a positive recommendation.

Treasurer Bowerman will provide the Committee with the necessary numbers prior to the full Board meeting so an amendment can be made.

Item #7 (formerly agenda item #6, "Discussion Regarding Delinquent Taxes in the City of Amsterdam"): Supervisor Schumann directed the question of unpaid tax collection and enforcement to Attorney Landon. Attorney Landon stated that the County has no mechanism for enforcing collection from the City.

Item #8 (formerly agenda item #9, "Other"): RESOLUTION #270: RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PICTOMETRY INTERNATIONAL CORP (SHERIFF). This Resolution was moved forward in the Public Safety Committee meeting on Oct. 11, 2005 to the Finance Committee. The Finance Committee agreed to move it to the full Board.

Item #9 (formerly agenda item #8, "Resolution Authorizing the Personnel Officer and the Personnel Committee to Formulate a Job Description for a County Administrator"): Chairman Quackenbush clarified the need for the Resolution. He stated that he believes that the majority of Board members feel that the position of Administrator must be supported and moved forward.

Supervisors Quackenbush and Thomas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Supervisors Cechnicki and Schumann stated that they feel that there is not a need for moving forward with the Administrator position at this time.

Supervisor Quackenbush stated that the voting public need the information to make an informed choice.

Supervisor McMahon left the Chamber at 8:16PM.

Supervisors Stagliano and Dybas reminded the Committee of the past experience the Board has had with former County Administrators, and they stated that they don't support the position.

Supervisors Schumann and Dybas made a motion and seconded, respectively, to table the Resolution. When polled, Supervisor Thomas voted nay toward the motion to table.

Chairman Quackenbush stated that he withdraws his sponsorship.

Supervisor Cechnicki left the Chamber at 8:33PM.

Item #10 (formerly agenda item #7, "Discussion regarding Insurance and Pending Litigation"): Chairman Quackenbush requested a Motion to go into Executive Session Pursuant to Section 105 (d) of NYS Open Meeting Law to discuss pending litigation. A motion to enter Executive Session was made by Supervisor Dybas and seconded by Supervisor Thomas. Executive Session began at 8:33 PM.

Supervisors Dybas and Thomas made a motion and seconded, respectively, to adjourn Executive Session. The Executive Session was adjourned at 8:51 PM.

As a result of the Executive Session, no action was taken.

The motion was made and seconded by Supervisor Dybas and Thomas, respectively, to adjourn the Finance Committee. Chairman Quackenbush adjourned the Finance Committee meeting at 8:51 PM.

Respectfully submitted,

Kimberly Sanborn
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 25, 2005

CALL TO ORDER

Chairman Strevy called the Regular Meeting of the Montgomery County Board of Supervisors for Oct. 25, 2005 to order at 7:00PM.

SALUTE TO THE FLAG

Supervisor DiMezza led the Salute to the Flag.

ROLL CALL

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

Supervisor Paton entered the Chamber at 7:05PM.

PRIVILEGE OF THE FLOOR

PRESENTATION

Presentation - Supervisor DiMezza introduced Sue Hagadorn and local students involved in Reality Check. The students discussed their efforts and initiatives to remove tobacco ads from magazines in school libraries and have movies be rated "R" if tobacco use or tobacco products are shown.

PUBLIC COMMENT

James Kierzinski, Mayor of St. Johnsville, spoke about the proposed sales tax distribution. He stated that the tax loss would be devastating for his town.

Betty Sanders, Councilperson of the town of Palatine, echoed Mayor Kierzinski's sentiments.

Chairman Strevy adjourned the Privilege of the Floor at 7:08 PM.

OTHER

MOTION TO SUSPEND THE RULES by Supervisor DiMezza, seconded by Supervisor McMahon, to move Resolution #279 to the top of the NEW BUSINESS segment, and to add RESOLUTION AUTHORIZING THE PERSONNEL OFFICER AND THE PERSONNEL COMMITTEE TO FORMULATE A JOB DESCRIPTION FOR A COUNTY ADMINISTRATOR.

MOTION TO AMEND THE RESASON FOR SUSPENDING RULES by Supervisor Dybas, seconded by Supervisor Stagliano, to disallow the addition of the above named Resolution and to move Resolution #279 to the top of the NEW BUSINESS segment, was defeated with Aye(713). Supervisors DiMezza, McMahon, Walters, Strevy, Thomas, Quackenbush, Paton and Jonker voted Nay. Supervisor Sinicropi, Jr. was absent.

Because the MOTION TO AMEND failed, the Board proceeded to vote on the original MOTION TO SUSPEND THE RULES by Supervisor DiMezza, seconded by Supervisor McMahon, to move Resolution #279 to the top of the NEW BUSINESS segment, and to add RESOLUTION AUTHORIZING THE PERSONNEL OFFICER AND THE PERSONNEL COMMITTEE TO FORMULATE A JOB DESCRIPTION FOR A COUNTY ADMINISTRATOR, was defeated with Aye(1018). Supervisors Brodie, Schumann, Dybas, Mancini, Cechnicki and Stagliano voted Nay. Supervisor Sinicropi, Jr. was absent.

MOTION TO AMEND AGENDA by Supervisor Dybas, seconded by Supervisor McMahon, to move Resolution #279 to the top of the NEW BUSINESS segment, passed with Aye(1731). Supervisor Sinicropi, Jr. was absent.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (Aug. 16 - 30 and Sept. 27 - Oct. 18, 2005) by Supervisor Mancini, seconded by Supervisor Dybas, passed with Aye(1731). Supervisor Sinicropi, Jr. was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Quackenbush, seconded by Supervisor Dybas, passed with Aye(1592). Supervisor Schumann voted Nay. Supervisor Sinicropi, Jr. was absent.

UNFINISHED BUSINESS

NEW BUSINESS

Supervisor Stagliano clarified to the Reality Check representatives the Board's position. Personally, he stated that he is concerned with making impositions on a free society.

RESOLUTION NO. 279 of 2005

DATED: October 25, 2005

RESOLUTION SUPPORTING MONTGOMERY COUNTY REALITY CHECK'S INITIATIVE TO REMOVE TOBACCO ADS FROM MAGAZINES IN SCHOOL LIBRARIES AND HAVE MOVIES BE RATED 'R' IF TOBACCO USE OR TOBACCO PRODUCTS ARE SHOWN

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Jonker

WHEREAS, Montgomery County Reality Check is a youth group working together to fight the manipulation brought on by big tobacco companies and the targeting of youth with their marketing, and

WHEREAS, Reality Check conducts activities and projects designed to educate teens about the manipulative marketing tactics of the tobacco industry, and

WHEREAS, the Montgomery County Board of Supervisors encourages the youth of Montgomery County to participate in such programs, and

WHEREAS, recent initiatives include the removal of tobacco ads from magazines in school libraries and have movies be rated "R" if tobacco use or tobacco products are shown,

RESOLVED, the Montgomery County Board of Supervisors encourages the endeavors of Montgomery County Reality Check and supports their initiatives for the removal of tobacco ads from magazines in school libraries and have movies be rated "R" if tobacco use or tobacco products are shown.

MOTION TO AMEND by Supervisor Jonker, seconded by Supervisor Strevy, to remove the last WHEREAS clause completely, and also to remove, from the RESOLVED clause, the statement "for the removal of tobacco ads from magazines in school libraries and have movies be rated "R" if tobacco use or tobacco products are shown", and replace with "on tobacco advertisement." was defeated with Aye(662). Supervisors Dybas, Strevy, Thomas, Quackenbush, Jonker and Cechnicki voted Aye. Supervisor Sinicropi, Jr. was absent. (10/25/2005)

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Stagliano stated that local Mayors haven't been given an opportunity to comment on this issue in general and Resolution #267.

Supervisor Schumann stated that she feels that action on this Resolution is not needed today, and she will move to table it if necessary.

Supervisor Jonker stated that Real Property taxes support the County, and the property owners deserve relief.

RESOLUTION NO. 267 of 2005

DATED: October 25, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - TREASURER

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC / (DEC)
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REVENUES

A-06-3-1110	Sales and Use Tax	\$12,650,000	\$16,800,000	\$4,150,000
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APPROPRIATED FUND BALANCE - General Fund	\$1,428,300	\$	0	(\$1,428,300)
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MOTION TO TABLE by Supervisor Stagliano, seconded by Supervisor Schumann, was defeated with Aye(828). Supervisors Brodie, Schumann, Dybas, Mancini, Jonker, Cechnicki and Stagliano voted Aye. Supervisor Sinicropi, Jr. was absent. (10/25/2005)

RESOLUTION DEFEATED with Aye(903). Supervisors DiMezza, McMahon, Walters, Strevy, Thomas, Quackenbush and Paton voted Aye. Supervisor Sinicropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 268 of 2005

DATED: October 25, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - BOARD OF SUPERVISORS

Resolution by Supervisor: Thomas

Seconded by Supervisor: McMahon

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC / (DEC)
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REVENUE

A-01-3-3589	State Aid - Transportation	\$20,200	\$23,100	\$ 2,900
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APPROPRIATIONS

A-01-4-1930-00-4433	Court Related Expenses	\$	0	\$50,000	\$50,000
A-01-4-5630-00-4403	Bus Operations Federal Sect 18	\$20,200	\$23,100	\$ 2,900	

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 269 of 2005

DATED: October 25, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - EMERGENCY MANAGEMENT

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Thomas

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC / (DEC)
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APPROPRIATIONS

A-02-4-3020-00-4410	Utilities	\$8,000	\$	0	(\$8,000)
A-02-4-3020-00-4411	Telephone	\$	0	\$1,800	\$1,800
A-02-4-3020-00-4412	Light & Power	\$	0	\$6,200	\$6,200

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 270 of 2005**DATED:** October 25, 2005**RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - COUNTY CLERK**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Thomas

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC / (DEC)
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REVENUES:

A-08-3-1255	Clerk Fees	\$600,000	\$650,000	\$50,000
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RESOLUTION ADOPTED with Aye(1731). Supervisor Siniropi, Jr. was absent. (10/25/2005)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 271 of 2005****DATED:** October 25, 2005**RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - PERSONNEL**

Resolution by Supervisor: Thomas

Seconded by Supervisor: McMahon

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC / (DEC)
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APPROPRIATIONS

A-10-4-1430-00-2220	Office Equipment	\$0	\$2,000	\$2,000
A-10-4-1430-00-4406	Tuition Reimbursement	\$7,500	\$3,000	(\$4,500)

RESOLUTION ADOPTED with Aye(1731). Supervisor Siniropi, Jr. was absent. (10/25/2005)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 272 of 2005****DATED:** October 25, 2005**RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - BOARD OF ELECTIONS**

Resolution by Supervisor: Dybas

Seconded by Supervisor: DiMezza

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC / (DEC)
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REVENUES:

A-11-3-2215	Election Service Chrgs	\$67,740	\$80,040	\$12,300
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RESOLUTION ADOPTED with Aye(1731). Supervisor Siniropi, Jr. was absent. (10/25/2005)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors

Supervisor Schumann stated that she doesn't support Resolution #273.

Sheriff Amato stated that he had originally asked for two Deputy Sheriff positions, but agreed on one position after discussion with the County Treasurer Shawn Bowerman. The Sheriff reiterated to the Board how overworked and understaffed the Sheriff's Dept. is, and how he feels that the County is not providing support to the Sheriff's Department.

Supervisor Dybas clarified to the Sheriff the intent of the Finance Committee during the budget discussions, regarding the cut of certain positions.

RESOLUTION NO. 273 of 2005

DATED: October 25, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - SHERIFF

Resolution by Supervisor: Dybas

Seconded by Supervisor: Thomas

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC / (DEC)
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APPROPRIATIONS

A-15-4-3020-14-1150 (731)	Allowances	\$ 0	\$4,000	\$ 4,000
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A-15-4-3110-00-1110 (922)	Deputy Sheriff	\$30,433	\$ 0	(\$30,433)
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RESOLUTION ADOPTED with Aye(1244). Supervisors Brodie, Schumann, McMahon and Cechnicki voted Nay. Supervisor Sinicropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 274 of 2005

DATED: October 25, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - MENTAL HEALTH

Resolution by Supervisor: Dybas

Seconded by Supervisor: McMahon

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC / (DEC)
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REVENUES

A-17-3-1620	Mental Health Fees	\$0	\$174,021	\$174,021
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APPROPRIATIONS

A-17-4-4320-00-4433	Court Related Expenses	\$0	\$ 25,000	\$ 25,000
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A-17-4-4320-00-4567	Assist. Outpat. Treatment	\$0	\$ 5,000	\$ 5,000
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RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 275 of 2005

DATED: October 25, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - SOCIAL SERVICES

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC / (DEC)
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APPROPRIATIONS

A-18-4-6010-00-1110 (725) Caseworker \$25,359 \$0 (\$25,359)

RESOLUTION ADOPTED with Aye(1592). Supervisor Schumann voted Nay. Supervisor Siniropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 276 of 2005

DATED: October 25, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - YOUTH/ACSD

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thomas

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC / (DEC)
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APPROPRIATIONS

A-21-4-3157-00-4438	Misc. Supporting Svcs.	\$22,000	\$25,000	\$3,000
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RESOLUTION ADOPTED with Aye(1592). Supervisor Schumann voted Nay. Supervisor Siniropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 277 of 2005

DATED: October 25, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - PROBATION

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Dybas

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC / (DEC)
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REVENUES

A-27-3-1580	Reparation & Restitution	\$ 3,500	\$ 4,000	\$ 500
A-27-3-3310	Probation Services	\$148,895	\$148,679	(\$ 216)

APPROPRIATIONS

A-27-4-3140-00-1110(102)	Account Clerk Typist	\$ 22,654	\$ 21,654	(\$ 1,000)
A-27-4-3140-00-1110(250)	Probation Officer	\$ 0	\$ 33,051	\$33,051
A-27-4-3140-00-1110(724)	Princ. Acct. Clerk/Typist	\$ 25,358	\$ 25,359	\$ 1
A-27-4-3140-00-4412	Light & Power	\$ 2,550	\$ 650	(\$ 1,900)
A-27-4-3140-00-4414	Natural Gas	\$ 0	\$ 2,150	\$ 2,150
A-27-4-3140-00-4441	Gasoline, Oil, Diesel	\$ 1,000	\$ 1,700	\$ 700
A-27-4-3140-00-4471	Mileage Allocations	\$ 9,800	\$ 11,500	\$ 1,700

RESOLUTION ADOPTED with Aye(1731). Supervisor Siniropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 278 of 2005**DATED:** October 25, 2005**RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - PUBLIC DEFENDER**

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thomas

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT		FROM	TO	INC / (DEC)
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REVENUES

A-28-3-3025	Indigent Legal Services	\$ 12,000	\$ 50,000	\$38,000
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APPROPRIATIONS

A-28-4-1170-00-4431	Professional Services	\$230,000	\$200,000	(\$30,000)
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RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (10/25/2005)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors

Supervisor Paton reiterated to the Board that this Resolution #280 will not be in effect this hunting season.

Supervisor Schumann stated that she has received several petitions regarding Resolution #280.

RESOLUTION NO. 280 of 2005**DATED:** October 25, 2005**RESOLUTION REQUESTING HOME RULE LEGISLATION WHICH WOULD EXCLUDE MONTGOMERY COUNTY FROM LEGISLATION A04853/S918A WHICH ALLOWS HUNTERS TO USE A RIFLE DURING OPEN SEASON FOR DEER AND BEAR IN MONTGOMERY COUNTY**

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Jonker

WHEREAS, On August 30, 2005 the Governor of the State of New York signed into legislation A04853/S918a, which amended NYS Environmental Conservation Law Section 11-907 to allow hunters to use a rifle during open season for deer and bear in the counties of Allegany, Cattaraugus, Chenango, Herkimer, Montgomery, Oneida, Oswego, Otsego, Schoharie and Tioga, as well as certain rural towns in Broome County in those areas east of the Susquehanna River, and

WHEREAS, there is immediate concern that such legislation would prove to be more harmful than good,

RESOLVED, that the Montgomery County Board of Supervisors hereby requests that our Legislative Representatives introduce Home Rule Legislation which would exclude Montgomery County from A04853/S918a.

MOTION TO TABLE by Supervisor Paton, seconded by Supervisor Quackenbush, passed with Aye(1212). Supervisors Schumann, Strevy, Jonker, Cechnicki and Stagliano voted Nay. Supervisor Sinicropi, Jr. was absent. (10/25/2005)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 281 of 2005****DATED:** October 25, 2005**RESOLUTION ESTABLISHING POSITIONS - SHERIFF'S OFFICE**

Resolution by Supervisor: Schumann

Seconded by Supervisor: Thomas

WHEREAS, it has been recommended by the Sheriff that the Board of Supervisors allow for the upgrade of an Account Clerk Typist to a Principal Account Clerk Typist and also a part-time Account Clerk Typist to a full-time Account Clerk Typist to assist with the clerical workload in

his office,

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

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

TRANSFER FROM:

A-15-4-1110-1110(1416)	Account Clerk Typist	\$4,631
A-15-4-3150-1120(854)	Account Clerk Typist - PT	\$8,315

ADD AND TRANSFER TO:

A-15-4-3110-1110(335)	Principal Account Clerk Typist	\$4,631
A-15-4-3150-1110(338)	Account Clerk Typist	\$8,315

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 282 of 2005

DATED: October 25, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PICTOMETRY INTERNATIONAL CORP (SHERIFF)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Thomas

WHEREAS, Resolution 176 of 2005 accepted Wireless E-911 Round 2 Expedited Deployment Funding and authorized a project at the Sheriff's office in the amount of \$278,397, and

WHEREAS, the Sheriff has recommended entering an agreement with Pictometry International Corp. of Rochester, NY for the provision of computer equipment and software to assist with the completion of said project,

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 Pictometry International Corp. of Rochester, NY for the provision of computer equipment and software related to the Wireless E-911 project at the Public Safety Facility in an amount not to exceed \$171,325, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Thomas, to insert in the FURTHER RESOLVED clause the following:

TRANSFER FROM

A-15-4-3020-14-2259 Computer Equipment \$170,909

TRANSFER TO

A-15-4-3020-14-4459 Computer Software \$170,909

passed with Aye(1731). Supervisor Sinicropi, Jr. was absent. (10/25/2005)

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Deb Bain, Director of the Data Processing and Printing Department, stated that the Pictometry software will be networked and is concerned with compatibility.

Sheriff Amato stated that the company contract states that no monies will be exchanged if the software isn't found to be "true and usable".

RESOLUTION NO. 283 of 2005

DATED: October 25, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROGRAM AGREEMENTS (YOUTH BUREAU)

Resolution by Supervisor: Paton

Seconded by Supervisor: Siniropi, Jr.

WHEREAS, the Montgomery County Youth Board of Directors has recommended 2006 Youth Initiative Program and Youth Development/Delinquency Prevention agreements with various providers,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign 2006 Youth Initiatives Program agreements as follows:

Catholic Charities/Montgomery County (Better Your Own Body)	\$ 2,000.00
Big Brothers/Big Sisters of Montgomery County (Youth Recruitment)	\$ 1,725.00
Catholic Charities/Montgomery County (Schools Aiding Family Environment)	\$ 2,860.00
Alcoholism & Substance Abuse Council (Reconnecting Youth)	\$ 2,500.00

FURTHER RESOLVED, that said Chairman is authorized and directed to sign 2006 Youth Development/Delinquency Prevention Program agreements, as follows:

Catholic Charities/Montgomery County (Schools Aiding Family Environment)	\$ 6,367.00
Big Brothers/Big Sisters of Montgomery County (Big Brothers/Big Sisters Program)	\$ 2,500.00
City of Amsterdam Police Department (Juvenile Aid Bureau)	\$ 4,585.00
Community Youth Center (Youth Center)	\$ 6,050.00
St. Johnsville Youth Center (Youth Center)	\$ 5,000.00

RESOLUTION ADOPTED with Aye(1731). Supervisor Siniropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 284 of 2005**DATED:** October 25, 2005**RESOLUTION AUTHORIZING FUNDING ALLOCATIONS - DELINQUENCY PREVENTION PROGRAM (YOUTH BUREAU)**

Resolution by Supervisor: Paton

Seconded by Supervisor: Siniropi, Jr.

WHEREAS, the Montgomery County Youth Board of Directors has recommended allocation of funds for the 2006 Special Delinquency Prevention Program,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign 2006 Special Delinquency Prevention Program agreements, as follows:

Big Brothers/Big Sisters of Montgomery County (Partners to Assist Youth)	\$ 2,150.00
Catholic Charities of Montgomery County (Begin Again)	\$ 9,070.00
Montgomery County Youth Bureau (Administration)	\$ 2,243.00
Montgomery County Probation Department	\$ 9,000.00

(Juvenile Field Project)

Montgomery County Sheriff's Department \$ 2,800.00
(Drug, Alcohol & Safety Training)

Montgomery County Youth Bureau \$ 7,000.00
(Community Service Program)

FURTHER RESOLVED, that said Board also authorized allocation of 2006 Youth Development/Delinquency Prevention Program funds for municipal programs, as follows:

City of Amsterdam (Recreation Department)	\$ 6,000.00
Town of Amsterdam (Town Recreation)	\$ 1,500.00
Village of Fort Johnson (Youth Commission)	\$ 500.00
Village of Hagaman (Youth Commission)	\$ 900.00
Town of Canajoharie (Youth Center)	\$ 1,400.00
Village of Canajoharie (Youth Center)	\$ 1,500.00
Village of Fort Plain (Village Recreation)	\$ 3,800.00
Town of Charleston (Youth Commission)	\$ 500.00
Town of Florida (Youth Commission)	\$ 2,000.00
Town of Glen (Summer Program)	\$ 700.00
Village of Fultonville (Summer Program)	\$ 700.00
Town of Mohawk (Summer Program)	\$ 1,100.00
Town of Mohawk (Tribes Hill Youth Commission)	\$ 500.00
Village of Fonda (Summer Program)	\$ 700.00
Town of Palatine (Youth Center)	\$ 700.00
Village of Palatine Bridge (Youth Center)	\$ 930.00
Town of Root (Youth Center)	\$ 1,100.00
Town of St. Johnsville (Town Recreation)	\$ 500.00
Village of St. Johnsville (Village Recreation)	\$ 2,500.00

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 285 of 2005

DATED: October 25, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - RESOURCE ALLOCATION PLAN (YOUTH BUREAU)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Paton

WHEREAS, the New York State Office of Children and Family Services has allocated \$109,743.00 to Montgomery County for 2006 as delineated in the program summary,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign the Resource Allocation Plan agreement with New York State Office of Children and Family Services.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 286 of 2005

DATED: October 25, 2005

RESOLUTION ESTABLISHING TEMPORARY POSITION - SENIOR PRINTER/COMPOSER (DATA PROCESSING/PRINTING)

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Strevy

WHEREAS, the Senior Printer/Composer in the Data Processing/Printing Department has resigned from his position, giving the department significant notice to provide adequate training for his replacement, and

WHEREAS, it is necessary to create a temporary position to provide for concurrent training for said position,

RESOLVED, that the Montgomery County Board of Supervisors hereby establishes the position of Temporary Senior Printer/Composer, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

TRANSFER FROM:

A-14-4-1680-00-1110(705) Data Entry/Computer Operator \$1,500

ADD AND TRANSFER TO:

A-14-4-1670-00-1130(368) Temporary Senior Printer/Composer \$1,500

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Schumann stated that she feels that the language in Resolution #287 is too strong and that more guidelines for department heads are needed.

Deb Bain, Director of Data Processing and Printing Department, stated that she feels the language is appropriate and that Resolution #287 will open communication with Department Heads in regards to software and hardware testing and purchasing.

RESOLUTION NO. 287 of 2005

DATED: October 25, 2005

RESOLUTION ESTABLISHING GUIDELINES FOR DEPARTMENTS RELATED TO THE PURCHASE OF SOFTWARE, HARDWARE AND/OR TECHNICAL EQUIPMENT AFFECTING THE COUNTY NETWORK (DATA PROCESSING)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Dybas

WHEREAS, the Data Processing Department is charged with the task of recommending, supporting and maintaining all software, hardware and technical equipment related to the systems that are utilized Countywide and by Data Processing Customers, and

WHEREAS, the Data Processing Director has recommended that certain Guidelines be established to better coordinate the purchasing of said equipment,

RESOLVED, that the Montgomery County Board of Supervisors hereby establishes the following Guidelines to be adhered to by all Departments/Customers:

1. The Department Head/Customer shall be required to obtain the sign-off of the Data Processing Department at the onset of each project involving all software, hardware or technical equipment purchases, bids or requests for proposals, including those grant applications which involve said equipment, to ensure compatibility with existing systems.
2. The Purchasing Agent shall be prohibited from proceeding with purchases, bids or requests for proposals for any and all software, hardware or technical equipment without proper sign-off.
3. The Board of Supervisors will not entertain a resolution for any Grant Application, Grant Acceptance, or Contract Agreement which includes software, hardware or technical equipment without proper sign-off.

MOTION TO AMEND by Supervisor Walters, seconded by Supervisor Jonker, to strike in the RESOLVED clause item number 3 and replace with the following:

3. The Board of Supervisors staff will confer with the Data Processing Director on all requests for Resolutions pertaining to Grant Applications, Grant Acceptances and Contract Agreements which involve software, hardware or technical equipment to ensure proper notification", passed with Aye(1731). Supervisor Sinicropi, Jr. was absent. (10/25/2005)

RESOLUTION ADOPTED with Aye(1592). Supervisor Schumann voted Nay. Supervisor Sinicropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Cechnicki stated that he will make a motion to table Resolution #288 (in conjunction with the sales tax issue) after the other Supervisors have a chance to discuss this issue.

Supervisor Quackenbush stated that if the County isn't keeping the sales tax money, then this

Resolution can't be voted on.

Supervisor Schumann stated that she would still like to see specific spending figures from townships in regards to this issue.

Supervisor Schumann made a motion to amend the Resolution by adding the figure of \$3,000 into the FURTHER RESOLVED clause. There was no second.

RESOLUTION NO. 288 of 2005

DATED: October 25, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SNOW AND ICE CONTROL (PUBLIC WORKS)

Resolution by Supervisor: Walters

Seconded by Supervisor: McMahon

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 \$_____ per centerline mile, during the winter of 2005-2006.

MOTION TO TABLE by Supervisor Stagliano, seconded by Supervisor Jonker, passed with Aye(971). Supervisors DiMezza, Walters, Strevy, Thomas, Quackenbush and Paton voted Nay. Supervisor Sinicropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 289 of 2005

DATED: October 25, 2005

RESOLUTION PROVIDING AN EXEMPTION OF SALES AND COMPENSATING USE TAX FOR THE PURCHASE AND THE SERVICE OF INSTALLATION OF RESIDENTIAL SOLAR ENERGY

Resolution by Supervisor: Schumann

Seconded by Supervisor: Dybas

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, PROVIDING EXEMPTIONS FROM SALES AND COMPENSATING USE TAXES FOR RECEIPTS FROM SALES OF, AND CONSIDERATION GIVEN OR CONTRACTED TO BE GIVEN FOR, OR THE USE OF, PROPERTY AND SERVICES EXEMPT FROM STATE SALES AND COMPENSATING USE TAXES PURSUANT TO SUBDIVISION (EE) OF SECTION 1115 OF THE NEW YORK TAX LAW, PURSUANT TO THE AUTHORITY OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK.

Be it enacted by the Board of Supervisors of the county of Montgomery, as follows:

SECTION 1. Section six of Resolution 311 of 1967, as amended, is amended by adding a new subdivision (i) to read as follows:

(i). Receipts from sales of and consideration given or contracted to be given for, or for the use of, property and services exempt from state sales and compensating use taxes pursuant to subdivision (ee) of section 1115 of the New York State Tax Law shall also be exempt from sales and compensating use taxes imposed in this jurisdiction.

SECTION 2. This resolution shall take effect March 1, 2006, and shall apply to sales made, services rendered and uses occurring on and after that date in accordance with the applicable transitional provisions in sections 1106, 1216, and 1217 of the New York State Tax Law,

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 290 of 2005

DATED: October 25, 2005

RESOLUTION AUTHORIZING CONTRACT WITH CLARK PATTERSON ASSOCIATES FOR DESIGN SERVICES FOR THE ROOF REPLACEMENT AND ELECTRICAL VAULT WATER INFILTRATION PROJECTS AT FMCC (FMCC 2005 CAPITAL PLAN) - FMCC

Resolution by Supervisor: Schumann

Seconded by Supervisor: Thomas

WHEREAS, Resolution 125 of 2005 approves the 2005 Capital Plan at FMCC which identifies Library roof replacement and Electrical Vault repair projects at Fulton-Montgomery Community College, and

WHEREAS, Resolution 222 of 2005 authorized distribution of a Request for Proposal from engineering firms for design services for said projects and one (1) proposal was received, and

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, is hereby authorized and directed to sign a contract with Clark Patterson Associates, of Albany, NY, for design services for the Library roof replacement and Electrical Vault repair projects at FMCC, at a cost not to exceed \$24,200.00, 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(1546). Supervisors Dybas and Walters voted Nay. Supervisor Sinicropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor DiMezza requested to sponsor Resolution #291. Based on that request, Supervisor Dybas removed his sponsorship.

RESOLUTION NO. 291 of 2005

DATED: October 25, 2005

RESOLUTION TRANSFERRING THE FORMER TRYON OIL SITE FORT JOHNSON, NEW YORK TO THE VILLAGE OF FORT JOHNSON (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Thomas

WHEREAS, Montgomery County as owner of the property entered into an agreement with New York State Department of Environmental Conservation to remedy certain known environmental issues at the Former Tryon Oil Site located on Route 67 in the Village of Fort Johnson, and

WHEREAS, the Record of Decision concerning cleanup of the site has been issued, and

WHEREAS, the Record of Decision presents selected remedies for future monitoring and institutional controls, and

WHEREAS, it was the initial intent of the Montgomery County Board of Supervisors to transfer this property to the Village of Fort Johnson for future use of the property by the Village,

RESOLVED, that following review and approval of the County Attorney, the Chairman is hereby authorized to sign any documents necessary to transfer the Former Tryon Oil Site to the Village of Fort Johnson,

FURTHER RESOLVED, that said transfer is conditioned upon that Fort Johnson become the responsible party for all selected remedies identified by the Record of Decision.

RESOLUTION ADOPTED with Aye(1731). Supervisor Sinicropi, Jr. was absent. (10/25/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 292 of 2005

DATED: October 25, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET FOR CSEA CONTRACT SETTLEMENT (PERSONNEL)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Schumann

WHEREAS, Pursuant to Resolution #265 dated September 27, 2005 the County of Montgomery ratified a contract with the CSEA, Local 1000 AFSCME, AFL-CIO

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget to fund said ratified agreement as follows:

INCREASE:

A-06-3-1051	Gain Sale Tax Acquired Property	\$_____
A-06-4-2401	Interest and Earnings	\$_____
A-10-4-1430-00-1125 (337)	Other Compensation/Raises	\$_____

MOTION TO AMEND by Supervisors DiMezza, seconded by Supervisor Schumann to insert in the RESOLVED clause the following figures in the line items:

1051 \$360,000
 2401 \$213,500
 337 \$573,500.

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Dybas, to delete in the RESOLVED clause the following

"A-06-3-1051	Gain Sale Tax Acquired Property	\$_____
A-06-4-2401	Interest and Earnings	\$_____"

and replace with the following:

"A-599 APPROPRIATED FUND BALANCE \$573,500"

and to insert in the Other Compensation/Raises line the figure "\$573,500",
 passed with Aye(1731). Supervisor Siniropi, Jr. was absent.

Supervisor DiMezza withdrew his original motion. No one picked it up. (10/25/2005)

RESOLUTION ADOPTED with Aye(1731). Supervisor Siniropi, Jr. was absent. (10/25/2005)

Douglas Landon
 County Attorney

Kimberly Sanborn
 Clerk, Board of Supervisors

RESOLUTION NO. 293 of 2005

DATED: October 25, 2005

RESOLUTION AUTHORIZING ADVANCE TO MONTGOMERY COUNTY CHAMBER OF COMMERCE 2005-2006 TOURISM YEAR

Resolution by Supervisor: Dybas

Seconded by Supervisor: Thomas

WHEREAS, the Montgomery County Chamber of Commerce has requested an advance funding of part of the County contribution for the I Love NY funding,

WHEREAS, the Occupancy Tax Advisory Board has met and recommends the use of bed tax reserve to fund this advance,

RESOLVED, that the Board of Supervisors hereby approves an advance to the Chamber of Commerce for the 2005-2006 I Love NY campaign, and

FURTHER RESOLVED, that the County Treasurer is authorized and directed to amend the 2005 Operating Budget, as follows:

Increase:

A 511	Appropriated Reserve (Bed Tax)	\$20,000
A 01 4 6420 00 4577	Bed Tax Contribution: Tourism	\$20,000

RESOLUTION ADOPTED with Aye(1731). Supervisor Siniropi, Jr. was absent. (10/25/2005)

Douglas Landon
 County Attorney

Kimberly Sanborn
 Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Stagliano, seconded by Supervisor Dybas at 9:13 PM, passed with Aye(1731). Supervisor Siniropi, Jr. was absent.

Respectfully submitted,

Kimberly Sanborn
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, November 1, 2005

COMMITTEE MEETING DISCUSSION

Chairman Jonker presided over the meeting commencing at 6:00 PM.

Roll call indicated Committee members present included Supervisors Dybas, Stagliano and Paton. Supervisors DiMezza, Sinicropi and Brodie were absent.

Additional Supervisors present were Strevy, Quackenbush, McMahon, Schumann, Walters, Cechnicki and Thomas. Absent was Supervisor Mancini.

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

1. Discussion Regarding Building/Maintenance Department (Montgomery Meadows)
2. Resolution Authorizing Chairman to Sign Agreement - EI/3-5 Program Manager & Early Intervention Official - Barbara Fiedler (Public Health)
3. Resolution Authorizing Chairman to Sign Agreement - Tuberculosis Medical Services - Amsterdam Memorial Healthcare System (Public Health)
4. Resolution Authorizing Chairman to Sign Agreement - STD Services - Amsterdam Memorial Healthcare System (Public Health)
5. Resolution Authorizing Chairman to Sign Agreement - Rabies Post Exposure Treatment Services - St. Mary's Hospital (Public Health)
6. Resolution Accepting Early Intervention/Children With Special Health Care Needs Grant (Public Health)
7. Resolution Authorizing Chairman to Sign Agreement - Personal Emergency Response Services (Social Services)
8. Other

Item #1: David Rust, Building Maintenance Supervisor at Montgomery Meadows, stated the need for hiring two full-time maintenance staff (one for first shift, one for second shift) for the Building/Maintenance Department. He explained the general job duties.

Supervisors Stagliano and Dybas stated their confusion over the actual job titles and related descriptions (referencing the 2006 Tentative County Budget publication). They posed the question on whether a Resolution is needed or not, and if a part-time position would be moved to full-time.

Mr. Rust was unable to address the concerns. Supervisor Stagliano and Dybas made a motion and seconded, respectively, to table the discussion and move it to the next Finance Committee meeting (Nov. 15th). The Committee concurred.

Chairman Jonker urged Mr. Rust to speak with Meadows Administrator Daniel Mumpton and also with County Personnel in regards to this issue, so that more information can be presented to the Finance Committee.

Supervisors Schumann and Walters entered the Chamber at 6:10 PM.

Item #2: Supervisors Stagliano and Schumann made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #3: Supervisors Schumann and Paton made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Supervisor Dybas asked if the contract had been RFPed. He stated that there is no bidding proposal attached to the contract, along with the other Public Health contracts listed in the agenda.

Supervisor Dybas made a motion to table the Resolution. There was no second.

Supervisor Dybas asked Chairman Strevy to enforce the attendance of Department Heads when Resolutions are on the agenda, in case there are questions from the Committee.

After discussion on the lack of documentation on bids, the Committee unanimously chose to move all of the Public Health Resolutions to the full Board with no recommendations (except agenda item #2, which will remain a positive recommendation).

Item #4: Supervisors Schumann and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with no recommendation.

Item #5: Supervisors Schumann and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with no recommendation.

Item #6: Supervisors Schumann and Quackenbush made a motion and seconded, respectively, to move the Resolution to the full Board with no recommendation.

Item #7: Supervisors Dybas and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

The motion was made and seconded by Supervisors Dybas and Stagliano, respectively, to adjourn the Committee meeting.

Chairman Jonker adjourned the Health & Human Services/Social Services Committee meeting at 6:32 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
COMMITTEE MEETING - EDUCATION/GOVERNMENT
6:15 PM, November 1, 2005

COMMITTEE MEETING DISCUSSION

Chairman McMahon presided over the meeting commencing at 6:33 PM.

Roll call indicated Committee members present included Supervisors Quackenbush, Schumann, Cechnicki, Dybas and Walters. Supervisor Sinicropi was absent.

Additional Supervisors present were Supervisors Thomas, Jonker, Stagliano, Paton and Chairman Strevy. Supervisors Brodie, DiMezza and Mancini were absent.

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

1. Resolution Approving Sale of Municipal Water Service to Fulton-Montgomery Community College
2. Discussion Regarding December Full Board Meeting Date Change
3. Other

Item #1: Supervisors Cechnicki and Quackenbush made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: The Committee, by unanimous vote, chose to draft a Resolution stating that the December Full Board meeting will be on Tuesday, December 13th. Supervisors Quackenbush and Dybas made a motion and seconded, respectively, to move the draft Resolution to the full Board with a positive recommendation.

Item #3: The Committee, by unanimous vote, also selected to draft a Resolution stating that the 2006 Organizational Meeting will be on Tuesday, January 3, 2006, at 7 PM. Supervisors Quackenbush and Dybas made a motion and seconded, respectively, to move the draft Resolution to the full Board with a positive recommendation.

Motion was made and seconded by Supervisors Quackenbush and Cechnicki, respectively, to adjourn the Committee meeting.

Chairman McMahon adjourned the Education/Government Committee meeting at 6:39 PM.

Respectfully submitted,

Kimberly Sanborn
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
6:20 PM, November 1, 2005

COMMITTEE MEETING DISCUSSION

Chairman Dybas presided over the meeting commencing at 6:39 PM.

Roll call indicated Committee members present included Supervisors Jonker, Quackenbush, McMahon and Thomas. Supervisor Sinicropi and Mancini were absent.

Additionally present were Supervisors Cechnicki, Walters, Schumann, Stagliano, Paton, and Strevy. Supervisors Brodie and DiMezza were absent.

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

1. Resolution Appointing Members - Fulton-Montgomery-Schoharie Workforce Development Board
2. Discussion Regarding Agricultural District #3 Review
3. Other

Item #1: Supervisors Schumann and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

The Committee recognized Gail Breen, who clarified the Resolution to the Committee.

Chairman Dybas stated that Ramon Rodriguez from RCIL and Jason Cintron from Centro Civico will be the new Board members.

Item #2: The Committee recognized Marilyn Smith, Executive Director for the Cornell University Cooperative Extension Fulton and Montgomery Counties. She outlined the costs and expenses for conducting the completion of the Ag District #3 Review.

Supervisor Quackenbush asked if grant money he's received in Minden for general municipal expenses can be used toward the project.

Marilyn Smith will work with Mike Yevoli to bring a draft Resolution to the Finance Committee on the 15th of November.

Supervisors Jonker and Stagliano made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Dybas adjourned the Economic Development/Agriculture and Planning Committee meeting at 6:53 PM.

Respectfully submitted,

Kimberly Sanborn
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 , November 1, 2005

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:00 p.m.

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

Additional Supervisors present were Supervisors Dybas, McMahon, Stagliano, Jonker, Quackenbush and Strevy. Supervisors DiMezza and Sinicropi were absent.

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

1. Resolution Authorizing Chairman to Sign Renewal Agreement - GAT Subsidization (MOSA)
2. Resolution Transferring Funds - 2005 Gat Subsidy (Board of Supervisors)
3. Resolution Amending 2005 Operating Budget - Fuel, Gas, Diesel (DPW)
4. Resolution Amending 2005 Operating Budget - Light & Power, Natural Gas (DPW)
5. Discussion Regarding Energy Saving Measures
6. Other

Item #1: Supervisors Stagliano and Paton made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Chairman Walters stated an error in the second WHEREAS clause. The tipping figure should be \$83.00.

After Committee discussion, the figure to be added in the FURTHER RESOLVED clause should be \$19 per ton.

Item #2: Supervisors Quackenbush and Paton made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #3: Supervisors Quackenbush and Thomas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #4: Supervisors Quackenbush and Thomas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #5: Supervisor Strevy stated there was a recommendation by the fact-finding energy committee to shut down unused County buildings. Also, all thermostats could be tested and set to a particular baseline number. He also stated that prohibiting the use of space heaters are paramount, as it is a code violation.

Supervisor Dybas stated that he felt that a baseline thermostat setting would not be logical or feasible for employee comfort.

The Committee agreed to allow DPW to explore options on regulating temperature.

Supervisors Thomas and Schumann made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Walters adjourned the General Services/Public Works/Solid Waste Committee meeting at 7:21 PM

Respectfully submitted,

Kimberly Sanborn
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, November 15, 2005

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 6:04 PM.

Roll call indicated Committee members present included Supervisors Jonker, Schumann and Walters. Supervisors Brodie, Cechnicki, and Stagliano were absent.

Additional Supervisors present were DiMezza, Sinicropi, Strevy, McMahon, Quackenbush, Mancini, Paton and Dybas.

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

1. Resolution Amending 2005 Operating Budget - Target Donation (Sheriff)
2. Resolution Authorizing Chairman to Sign Agreement - Governor's Traffic Safety Grant - Traffic Safety Deputy and Amending the 2006 Tentative Operating Budget (Sheriff)
3. Other

Chairman Thomas stated that two add-on Resolutions will be added to the agenda.

Item #1: Supervisors Sinicropi and McMahon made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: Supervisors Jonker and Sinicropi made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #3 (Other): Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GOVERNOR'S TRAFFIC SAFETY COMMITTEE - BUNY GRANT AND ANEDING THE 2005 OPEATING BUDGET AND THE 2006 TENTATIVE OPERATING BUDGET (SHERIFF). Supervisors Dybas and Sinicropi made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #3 (Other): Add-on RESOLUTION AWARDING BID #10-05 - PUBLIC SAFETY COMMUNICATIONS EQUIPMENT MAINTENANCE CONTRACT (EMERGENCY MANAGEMENT). The Board recognized Gary Nestle, Director of Emergency Management, who clarified the Resolution. Supervisors Jonker and Thomas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation with the following amendments:

In the RESOLVED clause, adding the following statement where the blank line occurs:

"Leonard Communications, LLC".

In the FURTHER RESOLVED clause, adding the following three statements where the blank lines occur, respectively:

"Leonard Communications, LLC",
"of three years, beginning January 1, 2006 and ending December 31, 2008" , and
"\$44,091.12 yearly".

Supervisors Quackenbush, Mancini and Paton entered Chamber at 6:15PM.

Motion was made and seconded by Supervisors Walters and Jonker, respectively, to adjourn the Committee meeting.

Chairman Thomas adjourned the Public Safety Committee meeting at 6:18 PM, with no objections.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
 SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
 COMMITTEE MEETING - PERSONNEL
 6:15 PM, November 15, 2005

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 6:19 PM.

Roll call indicated Committee members present are Supervisors Paton, Mancini and Quackenbush. Supervisors Brodie, Stagliano and Cechnicki were absent.

Additional Supervisors present were McMahon, Strevy, Walters, Dybas, Thomas, Jonker, Sinicropi and Schumann.

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

1. Resolution Providing Salary Schedule for Non-Bargaining Personnel and Updating Non-Bargaining Policy Regarding Longevity and Benefits
2. Resolution Approving the Standards for Retirement Day Credit for Part-time Elected and Appointed Officials of the County of Montgomery
3. Resolution Authorizing Chairman to Sign Memorandum of Agreement - CSEA, Inc. - Local 829 - On Call Pay for Certified Nursing Assistants (Montgomery Meadows)
4. Resolution Authorizing Chairman to Sign Memorandum of Agreement - CSEA, Inc. - Local 829 - Hourly Pay Rate Increase for Part-time Certified Nursing Assistants (Montgomery Meadows)
5. Resolution Authorizing Chairman to Sign Agreement - Third Party Drug and Alcohol Administrator (Personnel)
6. Resolution Authorizing Chairman to Sign Renewal Agreement - Employee Physical Examinations (Personnel)
7. Resolution Authorizing Chairman to Sign Renewal Agreement - Self Insured Short Term Disability - Benetech, Inc. (Personnel)
8. Resolution Authorizing Chairman to Sign Renewal Agreement - Self Insured Workers' Compensation Program - Benetech, Inc. (Personnel)
9. Resolution Authorizing Chairman to Sign Agreement - NMHC - Retiree Medicare Part D Reporting Service (Personnel)
10. Resolution Authorizing Chairman to Sign Renewal Agreement - MM Hayes - Time Clock Maintenance (Personnel)
11. Resolution Authorizing Chairman to Sign Agreement - (EAP) Employee Assistance Program - St. Mary's Hospital (Personnel)
12. Resolution Approving Transfer of Funds - Various Line Items (Personnel)
13. Other

Item #1: Chairman DiMezza clarified the Resolution. Supervisors Sinicropi and Jonker made a motion and seconded, respectively, to move this Resolution to the full Board with a positive recommendation.

Item #2: The Board recognized Richard Baia, Personnel Officer, who clarified the Resolution. Supervisors Dybas and Thomas made a motion and seconded, respectively, to move this Resolution to the full Board with a positive recommendation.

Item #3: Supervisors Dybas and Quackenbush made a motion and seconded, respectively, to move this Resolution to the full Board with a positive recommendation.

Item #4: Supervisors Dybas and Jonker made a motion and seconded, respectively, to move this Resolution to the full Board with a positive recommendation. with the amendment of adding, based on Personnel Officer Richard Baia's recommendation, LPN's at \$12.62 (part-time hourly rate), and \$13.957 (full-time hourly rate).

Item #5: Supervisors Thomas and Sinicropi made a motion and seconded, respectively, to move this

Resolution to the full Board with a positive recommendation.

Item #6: Richard Baia stated that extensive exam shall not exceed \$125, not \$140, which is stated in the Resolution. Supervisors Jonker and Thomas made a motion and seconded, respectively, to move this Resolution to the full Board with a positive recommendation.

Item #7: Supervisors Thomas and Quackenbush made a motion and seconded, respectively, to move this Resolution to the full Board with a positive recommendation.

Item #8: Supervisors Sinicropi and Quackenbush made a motion and seconded, respectively, to move this Resolution to the full Board with a positive recommendation.

Item #9: Personnel Officer Richard Baia clarified the Resolution. Supervisors Thomas and Dybas made a motion and seconded, respectively, to move this Resolution to the full Board with a positive recommendation.

Item #10: Personnel Officer Richard Baia stated that the ten time clocks referenced are used by approx. 600 people, and the fee has increased by \$3,000. Supervisors Sinicropi and Thomas made a motion and seconded, respectively, to move this Resolution to the full Board with a positive recommendation.

Richard Baia was directed by Supervisor Dybas to look into alternate ways for employees to check in, such as logging into the computer or the new phone system.

Item #11: Supervisors Quackenbush and Thomas made a motion and seconded, respectively, to move this Resolution to the full Board with a positive recommendation.

Item #12: Supervisors Thomas and Paton sponsored and seconded, respectively, the Resolution and moved it with a positive recommendation to the full Board meeting.

Supervisor Schumann entered Chamber at 6:40PM.

Item #13 (Other): Chairman Strevy approached Chairman DiMezza on the need for Executive Session. Supervisors Mancini and Dybas made a motion and seconded, respectively, to allow all Supervisors Elect to remain in Chamber for Executive Session. There were no objections.

Pursuant to Section 105 (h) of NYS Open Meeting Law, the motion was made and seconded by Supervisor Strevy and Sinicropi, respectively, to enter into Executive Session to discuss the proposed acquisition of real property. Executive Session commenced at 6:40PM.

Motion to adjourn the Executive Session was made and seconded by Supervisors Dybas and Quackenbush, respectively. Executive Session was adjourned at 7:12 PM.

As a result of Executive Session, no action was taken.

Supervisors Quackenbush and Sinicropi made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman DiMezza adjourned the Personnel Committee meeting at 7:12 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
 SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
 COMMITTEE MEETING - FINANCE
 7:00 PM, November 15, 2005

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:15 PM.

Roll call indicated Committee members present included Supervisors DiMezza, Schumann, Dybas, McMahon, and Thomas. Absent was Supervisor Stagliano.

Additional Supervisors present were Strevy, Paton, Mancini, Jonker, Sinicropi and Walters. Supervisors Brodie and Cechnicki were absent.

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

1. Resolution Amending 2005 Operating Budget - Non-Bargaining Employees Bonus & Longevity Payout (Personnel)
2. Resolution Establishing a Public Hearing - Introductory Local Law #4 - A Local Law which Authorizes Additional Compensation for Various Montgomery County Officials
3. Resolution Amending 2006 Tentative Operating Budget - 2006 Non-Bargaining Raises
4. Resolution Authorizing Chairman to Sign Agreement - Certified Public Accounting Services (Treasurer)
5. Resolution Authorizing County Treasurer to Disburse Mortgage Tax Money
6. Resolution Amending 2005 Operating Budget - Utilities (Sewer District)
7. Resolution Amending 2006 Tentative Operating Budget (Sewer District)
8. Resolution Approving Re-levy of Delinquent School Taxes, Village Taxes, Water Rents and Sewer Taxes
9. Resolution Amending 2005 Operating Budget (Community College Tuition)
10. Resolution Authorizing Chairman to Sign Agreement - Auctioneering Services - Real Property Sale - Haroff Auction and Realty, Inc. (Treasurer)
11. Resolution Establishing a Hearing on the Montgomery County 2006 Tentative Operating Budget
12. Resolution Authorizing Chairman to Sign Change Order #1 - Gaffney Communications - County-Wide Telephone System Capital Project (Public Works)
13. Discussion Regarding Agricultural District #3 Review
14. Discussion Regarding Building/Maintenance Department (Montgomery Meadows)
15. Discussion Regarding Exemption of Real Property Tax Exemption of 10% with No Cap at the County Level for Volunteer Fire Fighters and Ambulance Corps Member who Serve and Reside in Montgomery County
16. Resolution Authorizing Request for Proposals - Montgomery County Census
17. Other

Chairman Quackenbush stated that he will be adding two add-on Resolutions to the agenda.

Item #1 (formerly item #17 Other): Add-on RESOLUTION AUTHORIZING THE PERSONNEL OFFICER AND THE PERSONNEL COMMITTEE TO FORMULATE A JOB DESCRIPTION FOR A COUNTY ADMINISTRATOR

Supervisors Quackenbush and Dybas made a motion and seconded, respectively, to move the Resolution off the table for discussion.

As a result of Board discussion, Personnel Officer Richard Baia was directed by the Committee to explore job description options and pay scale options based on prior experience of this County and others.

County Attorney Doug Landon was directed by the Committee to explore what the limitations of the local laws are in regards to creating such a position.

The Committee unanimously chose to amend the Resolution by changing the position title "County Administrator" to "Administrative Employee" throughout the Resolution.

Item #2 (formerly agenda item #1 "Resolution Amending 2005 Operating Budget - Non-Bargaining Employees Bonus & Longevity Payout (Personnel)": Supervisors DiMezza and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation with the following amendments:

to change the Appropriated Fund Balance from "\$110,400" to "\$111,650" and to add the following two positions to the Resolution in the Increase Appropriations section:

"Personnel Assistant P/T A-10-4-1430-00-1120 (706) \$625" and "Public Health Physician P/T A-16-4-4010-00-1120 (315) \$625".

Item #3 (formerly agenda item #2 "Resolution Establishing a Public Hearing - Introductory Local Law #4 - A Local Law which Authorizes Additional Compensation for Various Montgomery County Officials)": Supervisors Thomas and DiMezza made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation, with the amended FURTHER RESOLVED clause of adding the date and time of "December 13" and "6:45PM".

Item #4 (formerly agenda item #3 "Resolution Amending 2006 Tentative Operating Budget - 2006 Non-Bargaining Raises": Supervisors McMahon and Thomas made a motion to sponsor and seconded, respectively, to move the Resolution to the full Board with a positive recommendation, with the following amendments:

in the RESOLVE clause, changing the "A-10-4-1430-00-1125 (337) Other Comp/Raises To INC/(DEC.)" figure to \$698,587 (\$121,413)" and adding the following positions:

A-01-1340-00-1120(676)	Budget Officer	\$5,000	\$5,200	\$200
A-01-1340-00-1120(455)	Deputy Budget Officer	\$2,000	\$2,080	\$80
A-03-3410-00-1120(117)	County Fire Coordinator P/T	\$6,550	\$6,812	\$262
A-16-4010-00-1120(315)	Physician P/T	\$4,000	\$4,160	\$160
A-32-3315-00-1120(271)	DWI Coordinator	\$8,000	\$8,320	\$320

Item #5 (formerly agenda item #4 "Resolution Authorizing Chairman to Sign Agreement - Certified Public -Certified Public Accounting Services (Treasurer)": The Committee recognized County Treasurer Shawn Bowerman, who explained the bids received and the options available.

Supervisors Dybas stated his support of the Marvin & Co. bid, based on familiarity. Supervisors McMahon, Schumann, DiMezza and Thomas stated their support of the lowest bidder, which is the firm Bollam, Sheedy and Torani.

Supervisors Thomas and McMahon made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation, with the RESOLVED clause to be amended to read the firm name "Bollam, Sheedy, Torani", and the following figures to be added in the FURTHER RESOLVED clause by date, respectively:

\$58,550
\$59,950
\$61,350

Item #6 (formerly item #5, "Resolution Authorizing County Treasurer to Disburse Mortgage Tax Money)": Supervisors Thomas and McMahon made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #7 (formerly item #6, "Resolution Amending 2005 Operating Budget - Utilities (Sewer District)": Supervisors DiMezza and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #8 (formerly item #7, "Resolution Amending 2006 Tentative Operating Budget (Sewer District)": Treasurer Bowerman stated that this Resolution is in regards to the handling of excess waste from Beechnut.

Supervisors McMahon and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #9 (formerly item #8, "Resolution Approving Re-levy of Delinquent School Taxes, Village Taxes, Water Rents and Sewer Taxes)": Supervisors Schumann and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #10 (formerly item #9, "Resolution Amending 2005 Operating Budget (Community College Tuition)": Supervisor Dybas asked Treasurer Bowerman to make a report at the next meeting of the status of Contingency Accounts.

Supervisors Schumann and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #11 (formerly item #10, "Resolution Authorizing Chairman to Sign Agreement - Auctioneering Services - Real Property Sale - Haroff Auction and Realty, Inc. (Treasurer)": Supervisors McMahon and Thomas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #12 (formerly item #11, "Resolution Establishing a Hearing on the Montgomery County 2006 Tentative Operating Budget"): Supervisors Dybas and Schumann made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation, with the Resolution to be amended to read that the Public Hearing will be held in the Supervisors Chamber at 6:30PM on Dec. 13, 2005. There were no objections.

Item #13 (formerly item #12, "Resolution Authorizing Chairman to Sign Change Order #1 - Gaffney Communications - County-wide Telephone System Capital Project (Public Works)": Supervisors Thomas and DiMezza made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #14 (formerly item #13, "Discussion Regarding Agricultural District #3 Review"): The Committee recognized Marilyn Smith, Executive Director of CUCEPMC and Elma Phillips, from the MCAFP Board, who clarified the proposal and also stated that the Ag District is actually #1, not #3.

Supervisors Quackenbush and McMahon made a motion and seconded, respectively, that a draft Resolution be written by EOD Director Mike Yevoli and will be moved to the full Board with a positive recommendation.

Item #15 (formerly item #14, "Discussion Regarding Building/Maintenance Department (Montgomery Meadows)": The Committee recognized David Rust, Building Maintenance Supervisor, who reiterated the need for hiring two full-time Maintenance Workers for 2nd and 3rd shift work, who will be hired from within, eliminating two existing part-time positions.

Supervisors DiMezza and Thomas made a motion and seconded, respectively, to draft a Resolution stating the intent to hire two full-time Maintenance Workers, and to eliminate the two part-time Maintenance Workers positions. The Resolution will then be moved to the full Board with a positive recommendation.

Item #16 (formerly item #15, "Discussion Regarding Exemption of Real Property Tax Exemption of 10% with No Cap at the County Level for Volunteer Fire Fighters and Ambulance Corps Member who Serve and Reside in Montgomery County"): The Committee recognized Director Florence Stanton, Real Property Tax Service Agency, who gave an example of the typical tax savings a volunteer could expect.

Supervisor Thomas stated that he will support a cap at the local level only, because of the potential loss of the County tax.

Supervisor Walters stated that he doesn't support this Resolution because of the potential for a double exemption and loss of County tax money.

The Committee unanimously decided that more discussion is needed at a later date.

Item #17 (formerly item #16, "Resolution Authorizing Request for Proposals - Montgomery County Census"): Supervisor DiMezza stated that a population census is needed in relation to the sales tax issue.

Supervisor Schumann stated her lack of support for this Resolution. She made a motion to Table, which was not seconded.

Supervisors Thomas and Quackenbush made a motion and seconded, respectively, to move the Resolution to the full Board with no recommendation. Committee vote recorded Supervisor Schumann voting Nay, Supervisors Thomas and Quackenbush voting Yeah, and Supervisors DiMezza, Dybas and McMahon abstaining. This Resolution does not move to the full Board.

Item #18 (formerly item #17, "Other"): Add-on Discussion regarding YEAR ROUND TAX EXEMPTION ON CERTAIN CLOTHING ITEMS. Supervisor Schumann stated that this would be an incentive for shoppers to shop in Montgomery County.

Supervisors Schumann and DiMezza made a motion and seconded, respectively, to draft a Resolution to opt-in for year 'round tax exemption, and to move the Resolution to the full Board with no recommendation. Supervisor Thomas abstained.

The motion was made and seconded by Supervisor DiMezza and McMahon, respectively, to adjourn the Finance Committee. Chairman Quackenbush adjourned the Finance Committee meeting at 8:33 PM.

Respectfully submitted,

Kimberly Sanborn
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 22, 2005

CALL TO ORDER

Chairman Strevy called the Regular Meeting of the Montgomery County Board of Supervisors for Nov. 22, 2005 to order at 7:00PM.

SALUTE TO THE FLAG

Supervisor Schumann led the Salute to the Flag.

ROLL CALL

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

PRIVILEGE OF THE FLOOR

PRESENTATION

Presentation - Montgomery County Office of Aging "Caregiver of the Year". Supervisor Jonker presented a proclamation naming Louise Morell as 2005 Caregiver of the Year. Liz Smitka, Office of Aging, accepted the award in her stead.

PUBLIC COMMENT

Tom McGuire, a Charleston resident on Rte. 30A, spoke heatedly about his concerns on the potential hazards related to the junkyard located next door to his home. He also questioned why Supervisor Walters is receiving the STAR program.

Supervisor DiMezza objected to the personal attack on Supervisor Walters. Chairman Strevy asked that all speakers refrain from personal attacks against Supervisors.

Loren Bibben, a Charleston resident on Rte. 30A, also spoke heatedly about her concerns about the local junkyard and her frustration with local, county and state representatives in handling the issue. She also spoke about the loss of her property value, and general increases of taxes.

Supervisor Strevy stated that Ms. Bibben's comments about the junkyard are a Town issue, not a County issue.

Chairman Strevy adjourned the Privilege of the Floor at 7:10 PM.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (Oct. 25 and Nov. 15, 2005) by Supervisor Dybas, seconded by Supervisor Quackenbush, passed with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor DiMezza, seconded by Supervisor McMahon, passed with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent.

OTHER

Supervisor McMahon requested a Republican Caucus. The Republican Caucus was called to order at 7:12 PM. Caucus was adjourned at 7:23 PM.

OTHER2

MOTION TO AMEND AGENDA by Supervisor DiMezza, seconded by Supervisor Dybas, to provide for inclusion of Resolutions #340 and #341, passed with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent.

UNFINISHED BUSINESS

Resolution #280 was not removed from the table.

RESOLUTION NO. 280 of 2005**DATED:** October 25, 2005

RESOLUTION REQUESTING HOME RULE LEGISLATION WHICH WOULD EXCLUDE MONTGOMERY COUNTY FROM LEGISLATION A04853/S918A WHICH ALLOWS HUNTERS TO USE A RIFLE DURING OPEN SEASON FOR DEER AND BEAR IN MONTGOMERY COUNTY

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Jonker

WHEREAS, On August 30, 2005 the Governor of the State of New York signed into legislation A04853/S918a, which amended NYS Environmental Conservation Law Section 11-907 to allow hunters to use a rifle during open season for deer and bear in the counties of Allegany, Cattaraugus, Chenango, Herkimer, Montgomery, Oneida, Oswego, Otsego, Schoharie and Tioga, as well as certain rural towns in Broome County in those areas east of the Susquehanna River, and

WHEREAS, there is immediate concern that such legislation would prove to be more harmful than good,

RESOLVED, that the Montgomery County Board of Supervisors hereby requests that our Legislative Representatives introduce Home Rule Legislation which would exclude Montgomery County from A04853/S918a.

MOTION TO TABLE by Supervisor Paton, seconded by Supervisor Quackenbush, passed with Aye(1212). Supervisors Schumann, Strevy, Jonker, Cechnicki and Stagliano voted Nay. Supervisor Sinicropi, Jr. was absent. (10/25/2005)

THERE WAS NO MOTION TO REMOVE FROM TABLE, THEREFORE, THE RESOLUTION DIED. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Quackenbush stated that he would like the centerline mile rate higher in Resolution #288, but will support \$3,000.

RESOLUTION NO. 288 of 2005**DATED:** October 25, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SNOW AND ICE CONTROL (PUBLIC WORKS)

Resolution by Supervisor: Walters

Seconded by Supervisor: McMahon

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 \$_____ per centerline mile, during the winter of 2005-2006.

MOTION TO TABLE by Supervisor Stagliano, seconded by Supervisor Jonker, passed with Aye(971). Supervisors DiMezza, Walters, Strevy, Thomas, Quackenbush and Paton voted Nay. Supervisor Sinicropi, Jr. was absent. (10/25/2005)

MOTION TO REMOVE FROM TABLE by Supervisor Quackenbush, passed with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (11/22/2005)

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Schumann, to remove the blank line in the FURTHER RESOLVED clause and add the figure "\$3,000", passed with Aye(1300). Supervisors Walters and Paton voted Nay. Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (11/22/2005)

RESOLUTION ADOPTED with Aye(997). Supervisors DiMezza, Walters, Thomas and Paton voted Nay. Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

NEW BUSINESS

RESOLUTION NO. 294 of 2005**DATED:** November 22, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - GAT SUBSIDIZATION (MOSA)**

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Paton

WHEREAS, the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA) has established Montgomery County's 2006 Guaranteed Annual Tonnage (GAT) at 43,388 tons, and

WHEREAS, MOSA has established its 2006 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 \$19.00 per ton, for said one-year period, pursuant to an appropriation in the 2006 Operating Budget to provide for payment of said subsidy.

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 295 of 2005**DATED:** November 22, 2005**RESOLUTION TRANSFERRING FUNDS - 2005 GAT SUBSIDY (BOARD OF SUPERVISORS)**

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Paton

WHEREAS, the 2005 Operating Budget has provided for \$873,936 to subsidize the tip fee at the Montgomery-Otsego-Schoharie Solid Waste Authority, and

WHEREAS, the amount of waste delivered to MOSA is expected to exceed the estimated GAT deliveries, which will cause a shortfall in the budget,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

TRANSFER FROM:

A-01-4-8160-00-4431	Refuse & Garbage Professional Svcs	\$20,000
A-01-4-8160-00-4491	Refuse & Garbage Legal Notice Advertising	\$10,000
A-01-4-1010-00-1110 (699)	BOS Confidential Aide	\$27,650
A-01-4-1990-00-4400	Contingent Account	\$10,000

TRANSFER TO:

A-01-4-8160-00-4438	Refuse & Garbage Misc. Support Svcs	\$67,650
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MOTION TO AMEND by Supervisor Strevy, seconded by Supervisor Schumann, to strike in the TRANSFER FROM clause the entire line item "A-01-4-1990-00-4400 Contingent Account \$10,000" and to change the figure from "\$67,650" to "\$57,650" in the TRANSFER TO clause, passed with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (11/22/2005)

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (11/22/2005)

Douglas Landon

Kimberly Sanborn

County Attorney

Clerk, Board of Supervisors

RESOLUTION NO. 296 of 2005**DATED:** November 22, 2005**RESOLUTION AMENDING 2005 OPERATING BUDGET - LIGHT AND POWER, NATURAL GAS (DPW)**

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

WHEREAS, the volatility of the utility industry has created a shortfall in the Light and Power and Natural Gas Lines in the General Fund,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005 Operating Budget, as follows:

TRANSFER FROM:

A 01 4 1990 00 4400 Contingency Account	\$136,400
---	-----------

TRANSFER TO:

A 12 1620 00 4412 Light & Power	\$110,000
A 12 1620 00 4414 Natural Gas	\$ 26,400

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Siniropi, Jr. and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 297 of 2005**DATED:** November 22, 2005**RESOLUTION AMENDING 2005 OPERATING BUDGET - FUEL, GAS, DIESEL (PUBLIC WORKS)**

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

WHEREAS, the volatility of the petroleum industry has created a shortfall in the Fuel line of the Road Machinery Fund, and

WHEREAS, it is necessary to adjust the County Road Machinery Fund to reflect increased revenue and appropriations,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005 Operating Budget, as follows:

INCREASE REVENUES:

DM 12 3 2665 (Sale of Equipment)	\$6,200.00
DM 12 3 2773 (County Garage)	\$10,000.00
DM 12 3 2801 (Interfund Revenue)	\$51,800.00

INCREASE APPROPRIATION:

DM 12 4 5130 00 4411 (Fuel: gas, diesel)	\$68,000.00
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RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Siniropi, Jr. and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Walters stated that he would like to see if the money could come from the five departments involved, instead of coming from the Bond. Based on his concern, Resolution #298 is tabled.

RESOLUTION NO. 298 of 2005**DATED:** November 22, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER #1 - GAFFNEY COMMUNICATIONS - COUNTY WIDE TELEPHONE SYSTEM CAPITAL PROJECT (PUBLIC WORKS)**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Di Mezza

WHEREAS, Resolution 263 of 2004 authorized the signing of a contract with Gaffney Communications, 310 Main Street, Utica, NY for the provision of a County-wide Telephone System in an amount not to exceed \$212,740, and

WHEREAS, as most of the capital project is complete, certain departments have requested additional equipment within their department related to the new system, and

WHEREAS, said additional equipment will have an additional cost of \$4,275,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign Change Order #1 with Gaffney Communications, 310 Main Street, Utica, NY as follows:

Change Order No. 1	To provide for additional equipment for departments to complete the capital project	\$ 4,275
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Original Contract Amount:	\$212,740.00
Proposed Change Order #1	(+) 4,275.00

	\$217,015.00

MOTION TO TABLE by Supervisor Walters, seconded by Supervisor Paton, passed with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 299 of 2005

DATED: November 22, 2005

RESOLUTION APPOINTING MEMBERS - FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD

Resolution by Supervisor: Schumann

Seconded by Supervisor: Dybas

WHEREAS, Resolution 241 of 2005 authorizes Montgomery County to enter into a formal Chief Local Elected Officials Agreement with Fulton County and Schoharie County for the creation of the Fulton-Montgomery-Schoharie Workforce Development Board, and

WHEREAS, said agreement requires that each County maintain five public sector appointments and six private sector appointments as listed under the Workforce Investment Act, Section 117, and

WHEREAS, Montgomery County's public sector appointments include the Department of Labor, Organized Labor, Vocational Rehabilitation, and two Community-Based Organizations, and

WHEREAS, there is currently vacancies for the two Community-Based Organizations and two private sector appointments and other appointments that have expired,

RESOLVED, that the Montgomery County Board of Supervisors hereby appointments the following individuals to the Fulton-Montgomery-Schoharie Workforce Development Board:

Appointment	Representing	Term
Pat Baia	Private Sector Appointment	11/22/05 - 11/22/08
Tom Pasquarelli	Private Sector Appointment	11/22/05 - 11/22/08
Terry Suits	Private Sector Appointment	11/22/05 - 11/22/08
Loretto Thum	Private Sector Appointment	11/22/05 - 11/22/08
_____	Private Sector Appointment	11/22/05 - 11/22/08
_____	Private Sector Appointment	11/22/05 - 11/22/08
Bob Hoefs	Public Sector Appointment	11/22/05 - 11/22/08
Phil Hubbard	Public Sector Appointment	11/22/05 - 11/22/08
Robert Palmatier	Public Sector Appointment	11/22/05 - 11/22/08
Ramon Rodriguez	Public Sector Appointment	11/22/05 - 11/22/08
Jason Cintron	Public Sector Appointment	11/22/05 - 11/22/08

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were

absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

On Resolution #299, there were no suggestions for private sector appointments. Said positions will remain vacant until appointments are made.

RESOLUTION NO. 300 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT- AG DISTRICT REVIEW - CORNELL COOPERATIVE EXTENSION (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: McMahon

WHEREAS, the eight-year, 300-day review period for Agricultural District I has commenced, and

WHEREAS, the process of completing the eight-year review provides the County and the State with valuable information regarding the use of agricultural land and the viability of farm operations within and adjacent to the district, and

WHEREAS, it would be beneficial to complete the eight-year review in a timely manner,

RESOLVED, that the Chairman is hereby authorized, upon review and approval of the County Attorney, to sign an agreement with Cornell Cooperative Extension of Fulton and Montgomery Counties to complete the review process for Agricultural District 1, and

FURTHER RESOLVED, that the fee for said agreement shall not exceed \$21,581, and

FURTHER RESOLVED, that the 2006 Tentative Budget is hereby amended as follows:

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

The Budget Officer was not prepared to make an amendment. Resolution #300 will come forth in the Economic Development/Ag and Planning Committee meeting on Dec. 6, 2005.

Supervisor Dybas stated that Resolution #301 should make mention that Fulton County has/will sign a similar Resolution.

RESOLUTION NO. 301 of 2005

DATED: November 22, 2005

RESOLUTION APPROVING OF SALE OF MUNICIPAL WATER SERVICE TO FULTON-MONTGOMERY COMMUNITY COLLEGE (BOARD OF SUPERVISORS)

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Quackenbush

WHEREAS, Fulton-Montgomery Community College campus is located on lands jointly owned by Fulton and Montgomery Counties, and

WHEREAS, Fulton-Montgomery Community College (FMCC) currently utilizes groundwater wells to provide potable water at the Campus, and

WHEREAS, FMCC has had recent problems with their groundwater wells going dry resulting in an inadequate supply of potable water being available for FMCC, and

WHEREAS, the Fulton County Board of Supervisors has undertaken a project to extend municipal water service from the City of Johnstown, in Fulton County, to FMCC to allow FMCC to receive municipal water service and no longer have to rely on and utilize its groundwater wells, and

WHEREAS, on August 29, 2005, the Office of the New York State Comptroller approved establishment of Fulton County Water District No. 1 to shall implement said project, and

WHEREAS, by resolution and order adopted September 12, 2005 Fulton County duly established Fulton County Water District No. 1, and

WHEREAS, Fulton County has applied to the New York State Department of Environmental Conservation

(NYSDEC) for a Water Supply Permit and NYSDEC has requested that the Montgomery County Board of Supervisors, as co-owners of FMCC, pass a resolution acknowledging their support of Fulton County's efforts to provide municipal water service to FMCC from the City of Johnstown,

RESOLVED, that the Montgomery County Board of Supervisors agrees to the provision and sale of municipal water to FMCC through Fulton County Water District #1, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors agrees to FMCC entering into an Agreement with Fulton County for the provision and sale of municipal water to FMCC through Fulton County Water District #1.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor DiMezza, to add another FURTHER RESOLVED clause, stating "FURTHER RESOLVED, that this Resolution is contingent upon passage of a similar Resolution by the Fulton County Board of Supervisors", passed with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (11/22/2005)

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution #302, Supervisor Quackenbush stated that he would like the December 2005 meeting to commence at 7:30PM.

RESOLUTION NO. 302 of 2005

DATED: November 22, 2005

RESOLUTION RESCHEDULING THE BOARD OF SUPERVISORS DECEMBER 2005 MEETING

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Dybas

RESOLVED, that the Regular Meeting of the Montgomery County Board of Supervisors, originally scheduled for 7:00 pm, Tuesday, December 27, 2005 is hereby rescheduled to 7:00 pm, Tuesday, December 13, 2005.

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Dybas, to change in the RESOLVED clause "7:00" to "7:30", passed with Aye(1353). Supervisor McMahon voted Nay. Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (11/22/2005)

RESOLUTION ADOPTED with Aye(1353). Supervisor McMahon voted Nay. Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 303 of 2005

DATED: November 22, 2005

RESOLUTION ESTABLISHING A PUBLIC HEARING ON THE MONTGOMERY COUNTY 2006 TENTATIVE OPERATING BUDGET

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

RESOLVED, that pursuant to Section 359 of County Law, the Montgomery County Board of Supervisors shall hold a Public Hearing on the 2006 Tentative Operating Budget at Chamber of the Board of Supervisors, County Office Building, 64 Broadway, Fonda, New York, at 6:30 PM on December 13, 2005, 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 2006 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.

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were

absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Kim Conboy, Director of Public Health, stated that \$56,343 will be used to cover salaries.

Treasurer Shawn Bowerman stated that he will be seeking to amend the 2006 budget at a later date to reflect this Resolution #304.

RESOLUTION NO. 304 of 2005

DATED: November 22, 2005

RESOLUTION ACCEPTING EARLY INTERVENTION/CHILDREN WITH SPECIAL HEALTH CARE NEEDS GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Quackenbush

WHEREAS, the Public Health Department has been awarded grant funding for the Early Intervention/Children with Special Health Care Needs programs, and

WHEREAS, the NYS Department of Health has approved the Public Health Department's grant operating budget for the contract period October 1, 2005 through September 30, 2006,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the 2005-06 EI/CSHCN grant funds, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign said grant agreement for the period October 1, 2005 through September 30, 2006.

RESOLUTION ADOPTED with Aye(1360). Supervisor Dybas abstained. Supervisors Brodie, Siniropi, Jr. and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 305 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - EARLY INTERVENTION/3-5 PROGRAM MANAGER AND EARLY INTERVENTION OFFICIAL - BARBARA FIEDLER (PUBLIC HEALTH)

Resolution by Supervisor: Stagliano

Seconded by Supervisor: Schumann

WHEREAS, the County is mandated to provide Early Intervention/3-5 Program services to identified county residents in need.

WHEREAS, the Public Health Director has determined the need to renew the contract with consultant Barbara Fiedler to manage the responsibilities of the Early Intervention/3-5 Program and act as the Early Intervention Official.

WHEREAS, the cost of such consultant shall be funded utilizing unspent salary from the vacant PHC Coordinator and additionally will save the county the cost of providing benefits,

RESOLVED, that Barbara Fiedler be rehired as a consultant for the contract year January 1, 2006 to December 31, 2006 at an hourly rate not to exceed \$40.00/hour and not exceeding a maximum total cost of \$33,000.00, 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.

RESOLUTION ADOPTED with Aye(1294). Supervisors Dybas and Cechnicki abstained. Supervisors Brodie, Siniropi, Jr. and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 306 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TUBERCULOSIS MEDICAL SERVICES - AMSTERDAM MEMORIAL HEALTHCARE SYSTEM (PUBLIC HEALTH)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Paton

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

WHEREAS, the Public Health Director has recommended renewal of the 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 renewal agreement for tuberculosis services with Amsterdam Memorial Healthcare System for the provision of Tuberculosis Medical Services, and

FURTHER RESOLVED, that said contract is in effect for the period commencing on January 1, 2006 and ending on December 31, 2006

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 307 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - STD SERVICES - AMSTERDAM MEMORIAL HEALTHCARE SYSTEMS (PUBLIC HEALTH)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

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

WHEREAS, Amsterdam Memorial has agreed to provide said services,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an Agreement with Amsterdam Memorial for provision of Sexually Transmitted disease Diagnosis and Treatment, for the period commencing on January 1, 2006 and ending on December 31, 2006.

RESOLUTION ADOPTED with Aye(1338). Supervisor Quackenbush voted Nay. Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisors Schumann and Cechnicki left the Chamber at 7:53 PM.

RESOLUTION NO. 308 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - RABIES POST EXPOSURE TREATMENT SERVICES - ST. MARY'S HOSPITAL (PUBLIC HEALTH)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

WHEREAS, the County is mandated to pay for post-exposure rabies treatment, and

WHEREAS, the Public Health Director has recommended renewal of a contract for Post-Exposure Services,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an Agreement with St Mary's Hospital for Rabies Post-Exposure treatment for the period commencing on January 1, 2006 and ending on December 31, 2006.

RESOLUTION ADOPTED with Aye(1291). Supervisors Brodie, Sinicropi, Jr., Schumann, Cechnicki and Stagliano were absent. (11/22/2005)

Douglas Landon

Kimberly Sanborn

County Attorney

Clerk, Board of Supervisors

RESOLUTION NO. 309 of 2005**DATED:** November 22, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PERSONAL EMERGENCY RESPONSE SERVICES (SOCIAL SERVICES)**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

WHEREAS, the Social Service District, pursuant to Section 367-g of Social Service Law and Section 505.33 Title 18 NYCRR, may authorize personal emergency response services (PERS) to be provided to Medical Assistance recipients whom the Social Service District has determined eligible to receive these services, and

WHEREAS, the Social Service District is authorized under Section 365.1(d) of Social Service Law and subdivision (d) of Section 505.33 of Title 18 NYCRR, to enter into written agreements for the provisions of ERS for which reimbursement is available pursuant to Title XIX of the Federal Social Security Act, and

WHEREAS, the Commissioner of Social Services has made recommendations to enter into such agreements,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized and directed to sign agreements for Personal Emergency Response Services.

RESOLUTION ADOPTED with Aye(1291). Supervisors Brodie, Siniropi, Jr., Schumann, Cechnicki and Stagliano were absent. (11/22/2005)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 310 of 2005****DATED:** November 22, 2005**RESOLUTION AMENDING 2005 OPERATING BUDGET - TARGET DONATION (SHERIFF)**

Resolution by Supervisor: Siniropi, Jr.

Seconded by Supervisor: McMahon

WHEREAS, the Sheriff has been notified by Target Corporation that a donation has been approved in the amount of \$1,000 for support of a digital camera and equipment for the Sheriff's Office,

RESOLVED, that the Montgomery County Board of Supervisors hereby accepts a donation from Target Corporation in the amount of \$1,000 to be used for a digital camera and equipment in the Sheriff's Office, and

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

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

INCREASE REVENUE:

A-15-3-2705	Gifts and Donations	\$1,000
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INCREASE APPROPRIATIONS:

A-15-4-3110-00-2250	Technical Equipment	\$1,000
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RESOLUTION ADOPTED with Aye(1291). Supervisors Brodie, Siniropi, Jr., Schumann, Cechnicki and Stagliano were absent. (11/22/2005)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 311 of 2005****DATED:** November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TRAFFIC SAFETY OFFICER'S GRANT - TRAFFIC SAFETY OFFICER AND AMENDING 2006 TENTATIVE BUDGET (SHERIFF)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Sini cropi , Jr.

WHEREAS, the Sheriff has been notified by the Governor's Traffic Safety Committee of the Grant funds allotted for the Traffic Safety Officer and related equipment in 2006, and

WHEREAS, the Sheriff has requested acceptance of said grant funds and also an amendment to the 2006 Tentative Operating Budget to provide for the correct figures related to the Traffic Safety Officers' Grant which were estimated to be \$31,432, a difference of \$1,547,

RESOLVED, that the Montgomery County Board of Supervisors hereby accepts a Grant in the amount of \$32,979 from the Governor's Traffic Safety Committee to provide for the Traffic Safety Deputy and related equipment, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign said Grant Agreement, and

FURTHER RESOLVED, that the 2006 Tentative Operating Budget is hereby amended as follows:

INCREASE REVENUE:

A-15-3-3389	Other Public Safety	\$1,547
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INCREASE APPROPRIATIONS:

A-15-4-3110-00-2250	Technical Equipment	\$1,047
A-15-4-3110-00-4470	Travel Related Costs	\$ 500

RESOLUTION ADOPTED with Aye(1291). Supervisors Brodie, Sini cropi , Jr., Schumann, Cechnicki and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Cechnicki entered the Chamber at 7:55 PM.

RESOLUTION NO. 312 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GOVERNOR'S TRAFFIC SAFETY COMMITTEE - BUNY GRANT AND AMENDING THE 2005 OPERATING BUDGET AND THE 2006 TENTATIVE OPERATING BUDGET (SHERIFF)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Sini cropi , Jr.

WHEREAS, the Sheriff has been notified of the award of a \$2,000 grant from the Governor's Traffic Safety Committee for the Buckle Up New York (BUNY) Program, and

WHEREAS, it is necessary to amend the 2005 Operating Budget and the 2006 Tentative Operating Budget to provide for said funding,

RESOLVED, the Chairman of the Board of Supervisors, upon review and approval of the County Attorney is hereby authorized and directed to sign a grant agreement with the NYS Governor's Traffic Safety Committee for the 2005-2006 Buckle Up New York Program, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

INCREASE REVENUE:		
A-15-3-3389	Other Public Safety	\$ 750

INCREASE APPROPRIATIONS:		
A-15-4-3110-1111-1212	Overtime	\$ 750

, and

FURTHER RESOLVED, that the 2006 Tentative Operating Budget is hereby amended as follows:

INCREASE REVENUE:		
A-15-3-3389	Other Public Safety	\$1,250

INCREASE APPROPRIATIONS:

A-15-4-3110-1111-1212 Overtime \$1,250

RESOLUTION ADOPTED with Aye(1357). Supervisors Brodie, Siniropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 313 of 2005

DATED: November 22, 2005

RESOLUTION AWARDDING BID#10-05 - PUBLIC SAFETY COMMUNICATIONS EQUIPMENT MAINTENANCE CONTRACT (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Thomas

WHEREAS, the Purchasing Agent has solicited bids for a Maintenance Contract for the Public Safety Communications Equipment, and

WHEREAS, said bids were opened on November 4, 2005,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 10-05 to Leonard Communications, LLC for the provision of a Maintenance Contract for the Public Safety Communications Equipment, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign and agreement with Leonard Communications LLC for the provision of said services for the period of three years, beginning January 1, 2006 and ending December 31, 2008 at a cost not to exceed \$44,091.12 yearly.

RESOLUTION ADOPTED with Aye(1357). Supervisors Brodie, Siniropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 314 of 2005

DATED: November 22, 2005

RESOLUTION PROVIDING SALARY SCHEDULE FOR NON-BARGAINING PERSONNEL AND UPDATING NON-BARGAINING POLICY REGARDING LONGEVITY AND BENEFITS

Resolution by Supervisor: Siniropi, Jr.

Seconded by Supervisor: Jonker

WHEREAS, by Resolution 265 of 2005, the Montgomery County Board of Supervisors approved an agreement with CSEA, Inc. Local 829 from January 1, 2004 - December 31, 2008, and

WHEREAS, it has been the intention of the Negotiations/Labor Management Committee and discussed and approved by the Personnel Committee to initiate benefit changes and pay raises for non-bargaining personnel in concert with the changes that were negotiated with the bargaining units,

RESOLVED, that the Montgomery County Board of Supervisors hereby updates the non-bargaining policy regarding longevity and benefits as follow:

LONGEVITY SCHEDULE - RETROACTIVE TO JANUARY 1, 2004:

Year 3	\$500
Year 5	\$750
Year 7	\$1,000
Year 10	\$1,350
Year 12	\$1,600
Year 15	\$2,000
Year 17	\$2,250
Year 20	\$2,500
Year 25	\$2,750
Year 30	\$3,000

HOSPITAL MEDICAL INSURANCE

Effective January 1, 2006, the County shall provide for its non-bargaining employees the

Montgomery County Self-Insurance Plan - Co-Pay 20 and an HMO Plan - Co-pay 20. The prescription drug card for both plans shall be \$10/\$20/\$40

Domestic mail order: 2 co-pays for three-months supply

Effective January 1, 2006 dental and vision benefits shall be provided by the CSEA EBF

Effective January 1, 2006 the employees shall contribute 10% towards the health insurance premium

Effective January 1, 2007 the employees shall contribute 12.5% towards the health insurance premium

Effective January 1, 2008 the employees shall contribute 15% towards the health insurance premium

Modification of maximum accumulation of sick days from 165 to 255

, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors authorizes the payment of the following compensation schedule for all non-bargaining employees as follows:

Effective January 1, 2004 0%

Effective January 1, 2005 \$1,250 bonus (not added to salary schedule) payable to those employees active on the date of passage of this resolution and on payroll January 1, 2005

Effective January 1, 2006 The base salary shall be increased by 4%

Effective January 1, 2007 The base salary shall be increased by 4.5%

Effective January 1, 2008 The base salary shall be increased by 4.5%

, and

FURTHER RESOLVED, that Bonus and Longevity checks shall be payable to those employees on the payroll as of the date of passage of this resolution, said payment of longevity and bonus to be paid in one total check, which does not increase the employee's base salary.

RESOLUTION ADOPTED with Aye(1357). Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 315 of 2005

DATED: November 22, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET - NON-BARGAINING EMPLOYEES - BONUS/LONGEVITY PAYOUT (PERSONNEL)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Jonker

WHEREAS, Pursuant to Resolution #_____ dated November 22, 2005 the Board of Supervisors approved a new Non-Bargaining agreement, and

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating budget to fund said agreement as follows:

INCREASE:		
A 599	Appropriated Fund Balance	\$111,650

INCREASE REVENUES:		
EH 34 3 5031	Interfund Transfers	\$ 3,950

INCREASE APPROPRIATIONS:		
Title	Account	Amount
County Treasurer	A 06 4 1325 00 1110 (82)	\$ 2,200
Election Commissioner - Rep.	A 11 4 1450 00 1110 (680)	\$ 2,250

Election Commissioner - Dem.	A 11 4 1450 00 1110 (681)	\$ 2,250
Personnel/Self Ins. Director	A 10 4 1430 00 1110 (858)	\$ 2,350
County Clerk	A 08 4 1410 00 1110 (79)	\$ 2,350
County Historian	A 22 4 7510 00 1110 (1177)	\$ 2,100
Purchasing Agent	A 31 4 1345 00 1110 (701)	\$ 2,250
Sheriff	A 15 4 3110 00 1110 (509)	\$ 2,500
Public Works Commissioner	A 12 4 1490 00 1110 (50)	\$ 2,250
Director of Real Property Tax	A 07 4 1355 00 1110 (616)	\$ 2,750
Economic Opp. & Dvlp. Director	A 24 4 6430 00 1110 (472)	\$ 2,450
Social Services Commissioner	A 18 4 6010 00 1110 (52)	\$ 3,250
County Auditor - P/T	A 30 4 1320 00 1120 (703)	\$ 1,625
County Attorney - P/T	A 09 4 1420 00 1120 (78)	\$ 1,625
Coroner - P/T	A 29 4 1185 00 1120 (567)	\$ 625
Head Coroner - P/T	A 29 4 1185 00 1120 (410)	\$ 625
Deputy County Treasurer	A 06 4 1325 00 1110 (98)	\$ 2,250
Deputy Election Commissioner - Rep.	A 11 4 1450 00 1110 (1134)	\$ 1,250
Personnel Associate	A 10 4 1430 00 1110 (1274)	\$ 2,250
Prin. Account Clerk/Typist - Pers.	A 10 4 1430 00 1110 (1391)	\$ 2,750
Human Resources Clerk	A 10 4 1430 00 1110 (709)	\$ 1,750
Deputy County Clerk	A 08 4 1410 00 1110 (97)	\$ 2,350
Emergency Management Director	A 02 4 3640 00 1110 (202)	\$ 2,200
Secretary to District Attorney	A 25 4 1165 00 1110 (987)	\$ 2,100
Economic Opp. & Dvlp. Specialist	A 24 4 6430 00 1110 (473)	\$ 2,100
Psychiatrist	A 17 4 4310 00 1110 (296)	\$ 1,250
Director of Community Services	A 17 4 4310 00 1110 (302)	\$ 2,250
Corrections Administrator	A 15 4 3150 00 1110 (470)	\$ 1,750
Asst. Director of Public Health	A 16 4 4010 00 1110 (281)	\$ 1,250
Undersheriff	A 15 4 3110 00 1110 (419)	\$ 2,500
Confidential Secretary - Sheriff	A 15 4 3110 00 1110 (510)	\$ 2,100
Clerk Typist - Board of Supervisors	A 01 4 1010 00 1110 (139)	\$ 2,100
Administrative Aide	A 01 4 1010 00 1110 (122)	\$ 1,750
Confidential Secretary - Pub. Defender	A 28 4 1170 00 1110 (835)	\$ 2,100
Director of Veterans Services	A 19 4 6510 00 1110 (912)	\$ 2,100
Director of Weights & Measures	A 20 4 6610 00 1110 (81)	\$ 2,100
Director of Data Processing	A 14 4 1680 00 1110 (444)	\$ 3,250
Youth Bureau/ACSD Director	A 21 4 7310 00 1110 (161)	\$ 1,750
Probation Director	A 27 4 3140 00 1110 (1252)	\$ 3,250
Director of Eligibility	A 18 4 6010 00 1110 (108)	\$ 2,250
Director of Social Services	A 18 4 6010 00 1110 (441)	\$ 1,750

Director of Financial Mgmt.	A 18 4 6010 00 1110 (908)	\$ 2,750
Assistant County Attorney - P/T	A 09 4 1420 00 1120 (866)	\$ 2,125
Assistant District Attorney - P/T	A 25 4 1165 00 1120 (20)	\$ 1,825
Assistant District Attorney - P/T	A 25 4 1165 00 1120 (1292)	\$ 1,475
Assistant District Attorney - P/T	A 25 4 1165 00 1120 (22)	\$ 1,625
Criminal Investigator - P/T	A 25 4 1165 00 1120 (71)	\$ 1,125
Social Services Attorney - 1st - P/T	A 18 4 6010 00 1120 (276)	\$ 1,825
Social Services Attorney - 2nd - P/T	A 18 4 6010 00 1120 (512)	\$ 1,375
Social Services Attorney - 3rd - P/T	A 18 4 6010 00 1120 (513)	\$ 1,625
Public Defender - P/T	A 28 4 1170 00 1120 (1238)	\$ 1,625
1st Assist. Public Defender - P/T	A 28 4 1170 00 1120 (1239)	\$ 1,375
Assistant Public Defender - P/T	A 28 4 1170 00 1120 (1361)	\$ 1,125
Assistant Public Defender - P/T	A 28 4 1170 00 1120 (1240)	\$ 625
Transfer to Mont. Meadows	A 06 4 9900 00 9961	\$ 3,950
Director of Nursing Services	EH 34 4 6020 00 1110 (107)	\$ 1,750
Asst. Director of Nursing	EH 34 4 6020 00 1110 (341)	\$ 2,200
Personnel Assistant	A 10 4 1430 00 1120 (706)	\$ 625
Public Health Physician - P/T	A 16 4 4010 00 1120 (315)	\$ 625

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Jonker, on the recommendations of Personnel Officer Richard Bai a, to:

In the WHEREAS clause, insert the number "314" in the blank space, and

In the RESOLVED clause, change the Appropriated Fund Balance amount from "\$111,650" to "\$111,025", and

In the Increase Appropriates clause, delete the line "Personnel Assistant A 10 4 1430 00 1120 (706) \$625",

passed with Aye(1357). Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

RESOLUTION ADOPTED with Aye(1199). Supervisor Quackenbush voted Nay. Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 316 of 2005

DATED: November 22, 2005

RESOLUTION ESTABLISHING PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 4 - A LOCAL LAW WHICH AUTHORIZES ADDITIONAL COMPENSATION FOR VARIOUS MONTGOMERY COUNTY OFFICIALS

Resolution by Supervisor: Thomas

Seconded by Supervisor: Di Mezza

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 4 of 2005, "A Local Law Which Authorizes Additional Compensation for Various Montgomery County Officials".

RESOLVED, that Introductory Local Law No. 4 of 2005 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing as follows:

"A Local Law Which Authorizes Additional Compensation for Various Montgomery County Officials"

Be it enacted by the Board of Supervisors of the County of Montgomery as follows:

SECTION 1. The annual salaries, including longevity along with the additional compensation in the form a revised longevity schedule and one time bonus, sums opposite the office and designation of such County Official to wit:

Title	Salary	Add'l Compensation	Total Compensation
County Treasurer	\$52,250	\$2,200	\$54,450
Election Commissioner - Rep.	\$33,000	\$2,250	\$35,250
Election Commissioner - Dem.	\$31,500	\$2,250	\$33,750
Personnel/Self Ins. Director	\$54,784	\$2,350	\$57,134
County Clerk	\$52,750	\$2,350	\$55,100
County Historian	\$31,750	\$2,100	\$33,850
Purchasing Agent	\$35,000	\$2,250	\$37,250
Sheriff	\$58,524	\$2,500	\$61,024
Public Works Commissioner	\$52,225	\$2,250	\$54,475
Director of Real Property Tax	\$44,409	\$2,750	\$47,159
Social Services Commissioner	\$53,250	\$3,250	\$56,500
County Auditor - P/T	\$21,013	\$1,625	\$22,638
County Attorney - P/T	\$46,374	\$1,625	\$47,999
Coroner - P/T	\$5,969	\$ 625	\$ 6,594
Head Coroner - P/T	\$6,647	\$ 625	\$ 7,272

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

FURTHER RESOLVED, that said public hearing shall be held December 13, 2005 at 6:45 PM, 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(1357). Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 317 of 2005

DATED: November 22, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - 2006 NON-BARGAINING PAY RAISES

Resolution by Supervisor: McMahon

Seconded by Supervisor: Thomas

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

		FROM	TO	INC/(DEC.)
A 10 4 1430 00 1125 (337)	Other Comp/Raises	\$820,000	\$698,693	(\$121,307)
A 06 4 1325 00 1110 (82)	County Treasurer	\$52,250	\$54,900	\$2,650
A 11 4 1450 00 1110 (680)	Election Commissioner - Rep.	\$33,000	\$34,740	\$1,740
A 11 4 1450 00 1110 (681)	Election Commissioner - Dem.	\$31,500	\$33,240	\$1,740

A 10 4 1430 00 1110 (858)	Personnel /Sel f Ins. Di rector	\$45,014	\$47,645	\$2,631
A 08 4 1410 00 1110 (79)	County Clerk	\$52,750	\$55,300	\$2,550
A 22 4 7510 00 1110 (1177)	County Hi stori an	\$31,750	\$33,330	\$1,580
A 31 4 1345 00 1110 (701)	Purchasing Agent	\$35,500	\$37,150	\$1,650
A 15 4 3110 00 1110 (509)	Sheri ff	\$58,524	\$61,535	\$3,011
A 12 4 1490 00 1110 (50)	Publ ic Works Commi ssi oner	\$52,225	\$54,734	\$2,509
A 24 4 6430 00 1110 (472)	Economi c Opp. & Dvl p. Di r.	\$54,300	\$57,032	\$2,732
A 07 4 1355 00 1110 (616)	Di rector of Real Property Tax	\$44,409	\$46,855	\$2,446
A 18 4 6010 00 1110 (52)	Soci al Servi ces Commi ssi oner	\$53,250	\$56,300	\$3,050
A 01 4 1040 00 1120 (393)	Clerk/Board of Super - P/T	\$ 7,000	\$ 7,280	\$ 280
A 30 4 1320 00 1120 (703)	County Audi tor - P/T	\$21,513	\$22,604	\$1,091
A 09 4 1420 00 1120 (78)	County Attorney - P/T	\$46,374	\$48,709	\$2,335
A 29 4 1185 00 1120 (567)	Coroner - P/T	\$ 5,969	\$ 6,208	\$ 239
A 29 4 1185 00 1120 (410)	Head Coroner - P/T	\$ 6,647	\$ 6,913	\$ 266
A 06 4 1325 00 1110 (98)	Deputy County Treasurer	\$34,838	\$36,462	\$1,624
A 11 4 1450 00 1110 (568)	Deputy El ecti on Commi ss-Rep.	\$25,650	\$27,176	\$1,526
A 11 4 1450 00 1110 (1134)	Deputy El ecti on Commi ss-Dem.	\$25,650	\$26,676	\$1,026
A 10 4 1430 00 1110 (1274)	Personnel Associ ate	\$25,172	\$27,087	\$1,915
A 10 4 1430 00 1110 (1392)	Pri n. Acc. Clerk Typi st-Pers	\$29,175	\$31,032	\$1,857
A 10 4 1430 00 1110 (709)	Human Resources Clerk	\$19,542	\$21,137	\$1,595
A 08 4 1410 00 1110 (97)	Deputy County Clerk	\$32,274	\$34,005	\$1,731
A 02 4 3640 00 1110 (202)	Emergency Management Di rector	\$33,130	\$35,015	\$1,885
A 25 4 1165 00 1110 (987)	Secretary-Di strict Attorney	\$30,928	\$32,475	\$1,547
A 24 4 6430 00 1110 (473)	EOD Special ist	\$37,798	\$39,620	\$1,822
A 17 4 4310 00 1110 (296)	Psychi atri st	\$120,000	\$125,300	\$5,300
A 17 4 4310 00 1110 (302)	Di rector of Communi ty Svs.	\$48,360	\$50,604	\$2,244
A 15 4 3150 00 1110 (470)	Corrections Admi ni strator	\$41,159	\$43,305	\$2,146
A 16 4 4010 00 1110 (281)	Asst. Di rector-Publ ic Heal th	\$39,582	\$40,662	\$1,080
A 16 4 4010 00 1110 (32)	Publ ic Heal th Di rector	\$54,000	\$56,160	\$2,160
A 15 4 3110 00 1110 (419)	Undersheri ff	\$47,172	\$49,749	\$2,577
A 15 4 3110 00 1110 (510)	Confi denti al Sec-Sheri ff	\$30,905	\$32,451	\$1,546
A 01 4 1010 00 1110 (139)	Clerk Typi st-BOS	\$24,037	\$25,308	\$1,271
A 01 4 1010 00 1110 (122)	Admi ni strati ve Ai de	\$45,088	\$47,372	\$2,284
A 28 4 1170 00 1110 (835)	Conf. Secretary-Pub. Defender	\$29,698	\$31,196	\$1,498
A 19 4 6510 00 1110 (912)	Di rector of Veterans Servi ces	\$30,627	\$32,162	\$1,535
A 20 4 6610 00 1110 (81)	Di rector of Wei ghts/Measures	\$33,782	\$35,443	\$1,661
A 14 4 1680 00 1110 (444)	Di rector of Data Processi ng	\$47,100	\$49,904	\$2,804
A 21 4 7310 00 1110 (161)	Youth Bureau/ACSD Di rector	\$40,288	\$42,380	\$2,092

A 27 4 3140 00 1110 (1252)	Probation Director	\$52,104	\$55,108	\$3,004
A 18 4 6010 00 1110 (108)	Director of Eligibility	\$36,338	\$38,462	\$2,124
A 18 4 6010 00 1110 (441)	Director of Social Services	\$37,400	\$39,376	\$1,976
A 18 4 6010 00 1110 (908)	Director of Financial Mgmt.	\$43,751	\$46,171	\$2,420
A 09 4 1420 00 1120 (866)	Assistant County Attorney-P/T	\$31,222	\$33,161	\$1,939
A 25 4 1165 00 1120 (20)	Assistant DA-P/T	\$39,806	\$41,838	\$2,032
A 25 4 1165 00 1120 (1292)	Assistant DA - P/T	\$36,539	\$38,311	\$1,772
A 25 4 1165 00 1120 (22)	Assistant DA - P/T	\$36,039	\$37,961	\$1,922
A 25 4 1165 00 1120 (71)	Criminal Investigator - P/T	\$25,113	\$26,618	\$1,505
A 18 4 6010 00 1120 (276)	Social Svcs Attorney-1st-P/T	\$45,482	\$47,861	\$2,379
A 18 4 6010 00 1120 (512)	Social Svcs Attorney-2nd-P/T	\$24,500	\$25,710	\$1,210
A 18 4 6010 00 1120 (513)	Social Svcs Attorney-3rd-P/T	\$34,838	\$36,462	\$1,624
A 28 4 1170 00 1120 (1238)	Public Defender - P/T	\$60,482	\$63,381	\$2,899
A 28 4 1170 00 1120 (1239)	1st Assist. Public Def-P/T	\$49,115	\$51,310	\$2,195
A 28 4 1170 00 1120 (1361)	Assistant Public Def - P/T	\$36,975	\$37,394	\$ 419
A 28 4 1170 00 1120 (1240)	Assistant Public Def - P/T	\$35,475	\$37,394	\$1,919
A 06 4 9900 00 9961	Transfer to Mont. Meadows	\$1,626,130	\$1,636,170	\$10,040
EH 34 3 5031	Interfund Transfers	\$1,626,130	\$1,636,170	\$10,040
EH 34 4 6020 00 1110 (261)	Meadows Administrator	\$75,000	\$78,000	\$3,000
EH 34 4 6020 00 1110 (401)	Business Manager	\$28,000	\$29,120	\$1,120
EH 34 4 6020 00 1110 (107)	Director of Nursing Services	\$50,000	\$52,500	\$2,500
EH 34 4 6020 00 1110 (341)	Asst. Director of Nursing	\$45,500	\$48,920	\$3,420
1-1340-00-1120-676	Budget Officer	\$5,000	\$5,200	\$ 200
1-1340-00-1120-455	Deputy Budget Officer	\$2,000	\$2,080	\$ 80
3-3410-00-1120-117	County Fire Coordinator P/T	\$6,550	\$6,812	\$ 262
A-16-4010-00-1120 (315)	Physician P/T	\$4,000	\$4,160	\$ 160

RESOLUTION ADOPTED with Aye(1199). Supervisor Quackenbush voted Nay. Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 318 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN SIGN MEMORANDUM OF AGREEMENT - CSEA INC., LOCAL 829 - ON-CALL PAY FOR CERTIFIED NURSING ASSISTANTS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, the Administrator at the Montgomery Meadows has recommended entering into an agreement with CSEA Inc., Local 829 to provide for the establishment of an On-Call Certified Nursing Assistant (CNA) to help meet the needs of scheduling to cover certain shifts which are short staffed, and

WHEREAS, said On-Call CNA will receive \$50.00 per week for on-call pay and when required to work, must work a minimum of four hours when called in,

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 CSEA, Inc. Local 829 pertaining to the establishment of an On-Call Certified Nursing Assistant at the Montgomery Meadows Residential Health Care Facility.

RESOLUTION ADOPTED with Aye(1357). Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 319 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - CSEA, INC. LOCAL 829 - HOURLY PAY RATE INCREASE FOR PART-TIME CERTIFIED NURSING ASSISTANTS AND PART-TIME LPNS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

WHEREAS, the part-time Certified Nursing Assistants (CNAs) and the part-time LPNs at the Montgomery Meadows currently are paid less per hour than the full-time CNAs and LPNs, and

WHEREAS, the Nursing Home Administrator has recommended increasing said pay for the part-time CNAs and LPNs equal to the full time rate to assist with recruitment and retention,

WHEREAS, said increase would require a Memorandum of Agreement with CSEA, Inc. Local 829,

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, Inc. Local 829 to increase the pay rate for the part-time Certified Nursing Assistants at the Montgomery Meadows from \$9.37 per hour to \$10.682 per hour and to increase the pay rate for the part-time LPNs at the Montgomery Meadows from \$12.62 per hour to \$13.957 per hour, the same as full-time Certified Nursing Assistants and LPNs.

RESOLUTION ADOPTED with Aye(1357). Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 320 of 2005

DATED: November 22, 2005

RESOLUTION ESTABLISHING POSITIONS - MAINTENANCE DEPARTMENT (MONTGOMERY MEADOWS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thomas

WHEREAS, the Nursing Home Administrator has recommended the addition of two full-time Building Maintenance Workers at the Montgomery Meadows Residential Health Care facility,

RESOLVED, that the Board of Supervisors hereby approves the establishment of two Full-Time Building Maintenance Workers at the Montgomery Meadows Residential Health Care Facility, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

TRANSFER FROM		
EH-34-4-6020-00-1120(115)	Part Time Employees	\$5,000

TRANSFER TO:

ADD AND INCREASE:		
EH-34-4-6020-00-1110(343)	Building Maintenance Worker	\$2,500

INCREASE:		
EH-34-4-6020-00-1110(30)	Building Maintenance Worker	\$2,500

RESOLUTION ADOPTED with Aye(1107). Supervisors Strevy and Paton voted Nay. Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 321 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - EMPLOYEE PHYSICAL EXAMINATIONS (PERSONNEL)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Thomas

WHEREAS, the Personnel Officer has recommended renewal of an agreement for provision of employee physical examinations,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a renewal agreement with Amsterdam Memorial Health Care System for provision of employee physical examinations, and

FURTHER RESOLVED, that said examinations shall be performed at a cost not to exceed \$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, 2006 and ending on December 31, 2006.

RESOLUTION ADOPTED with Aye(1357). Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 322 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - THIRD PARTY DRUG AND ALCOHOL TESTING ADMINISTRATOR (PERSONNEL)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Sinicropi, Jr.

WHEREAS, the Personnel Officer has recommended renewal of an agreement with Energetix of Albany, NY, 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, 2006 and ending December 31, 2006, 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(1357). Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Personnel Officer Rich Baia stated that the 1st Assistant Public Defender hours was increased from 3.50 to 4.75. He also recommended adding the dates "Jan. 1, 2005 - Dec. 31, 2005" to this Resolution #323.

RESOLUTION NO. 323 of 2005

DATED: November 22, 2005

RESOLUTION APPROVING THE STANDARDS FOR RETIREMENT DAYS CREDIT FOR PART-TIME ELECTED AND APPOINTED OFFICIALS OF THE COUNTY OF MONTGOMERY

Resolution by Supervisor: Dybas

Seconded by Supervisor: Thomas

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,

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

County Attorney	5.00 Days per pay period
1st Assistant District Attorney/DWI Prosecutor	7.60 Days per pay period
Assistant District Attorney	5.70 Days per pay period
Coroner - Administrator	1.78 Days per pay period
Coroner	1.50 Days per pay period
Public Defender	5.00 Days per pay period
1st Assistant Public Defender	4.75 Days per pay period
Assistant Public Defender	3.85 Days per pay period
Social Services Attorney (2)	3.85 Days per pay period
Meadows Medical Director	3.00 Days per pay period
Jail Physician	2.31 Days per pay period
Chairman of the Board of Supervisors	2.50 Days per pay period
All Supervisors	2.00 Days per pay period
County Auditor	5.00 Days per pay period
Assistant County Attorney	4.00 Days per pay period
Budget Officer part-time	5.00 Days per pay period
Criminal Investigator	5.00 Days per pay period
Physician (Public Health)	1.00 Days per pay period
Board of Directors - Sanitary Sewer District	.50 Days per meeting

FURTHER RESOLVED, that the standard workday for the above part-time positions hereby is established at 6 hours per day.

MOTION TO AMEND by Supervisor Thomas, seconded by Supervisor Jonker, the RESOLVED clause by inserting, after the word "credit", the following: ", from January 1, 2005 through December 31, 2005.", passed with Aye(1357). Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

RESOLUTION ADOPTED with Aye(1357). Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 324 of 2005

DATED: November 22, 2005

RESOLUTION APPROVING TRANSFER OF FUNDS - VARIOUS LINE ITEMS (PERSONNEL)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Paton

WHEREAS, three budget line items will be short funds to pay expected bills for the rest of 2005, and

WHEREAS, the budget lines need to be funded to continue services with vendors,

RESOLVED, County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

TRANSFER FROM:

A-01-1990-00-4400	Contingency	\$18,000.00
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TRANSFER TO:

A-10-4-1430-00-4431	Professional Services	\$10,000.00
A-10-4-1430-00-4438	Misc. Supporting Services	\$ 4,000.00
A-10-4-1430-00-4491	Legal Notice & Advertising	\$ 4,000.00

RESOLUTION ADOPTED with Aye(1357). Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 325 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - SELF INSURED SHORT TERM DISABILITY - BENETECH, INC. (PERSONNEL)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Quackenbush

WHEREAS, the County has entered into an agreement with Benetech, Inc. to administer the County's Short Term Disability Program through December 31, 2007, and

WHEREAS, said agreement, is required to be signed yearly, once the administration fees have been established by Benetech, Inc., and

WHEREAS, Benetech, Inc. has notified the Personnel Officer that there will be no increase in its administration fee for 2006,

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 Benetech, Inc., to administer the Self Insured Short Term Disability program for a one-year period commencing on January 1, 2006 and ending on December 31, 2006 at a cost not to exceed \$14,700.

RESOLUTION ADOPTED with Aye(1291). Supervisor Cechnicki voted Nay. Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 326 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NMHC - RETIREE MEDICARE PART-D REPORTING SERVICE (PERSONNEL)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Dybas

WHEREAS, the Medicare Part-D Federal Drug Subsidy goes into effect on 1/1/06, and

WHEREAS, the Personnel Officer has recommended that our Rx administrator, NMHC, provide ongoing support to receive the Retiree Drug Subsidy, including compilation, maintenance and support of the Retiree list and all required payment reporting and reconciliation,

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 NMHC for the provision of Retiree Medicare Part D Reporting Services effective on 1/1/06 thru 12/31/06, at cost not to exceed \$2,500.00.

RESOLUTION ADOPTED with Aye(1357). Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 327 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - SELF INSURED WORKERS COMPENSATION PROGRAM (PERSONNEL)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Quackenbush

WHEREAS, the County has entered into an agreement with Benetech, Inc. to administer the County's Worker's Compensation Administrative Services through December 31, 2007, and

WHEREAS, said agreement, is required to be signed yearly, once the administration fees have been established by Benetech, Inc., and

WHEREAS, Benetech, Inc. has notified the Personnel Officer that there will be no increase in its administration fee for 2006,

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 Benetech, Inc., for the provision of Worker's Compensation Administrative Services for a one-year period commencing on January 1, 2006 and ending on December 31, 2006 at a cost not to exceed \$51,970.

RESOLUTION ADOPTED with Aye(1291). Supervisor Cechnicki voted Nay. Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 328 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - MM HAYES - TIME CLOCK MAINTENANCE (PERSONNEL)

Resolution by Supervisor: Sinicropi, Jr.

Seconded by Supervisor: Thomas

WHEREAS, the Personnel Officer has recommended renewal of the Time Clock System Maintenance Agreement,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a one-year renewal of the Kronos Time System Maintenance Agreement with M.M. Hayes, at a cost not to exceed \$15,000 for the period commencing on February 1, 2006 and ending on January 31, 2007.

RESOLUTION ADOPTED with Aye(1138). Supervisor DiMezza voted Nay. Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 329 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - (EAP) EMPLOYEE ASSISTANCE PROGRAM - ST. MARY'S HOSPITAL (PERSONNEL)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

WHEREAS, it has been recommended by the Personnel Officer that Montgomery County continue to participate in the Employee Assistance Program that is currently 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 1/1/06 thru 12/31/06.

RESOLUTION ADOPTED with Aye(1357). Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Cechnicki stated that he missed the last Committee meeting regarding Resolution #330, and is concerned about the wording "Administrative Employee". He made a motion to change the wording to "Administrator". Supervisor Jonker seconded the motion. He rescinded his motion after being advised that the term "Administrator" would not be appropriate.

RESOLUTION NO. 330 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING THE PERSONNEL OFFICER AND THE PERSONNEL COMMITTEE TO FORMULATE A JOB DESCRIPTION FOR A COUNTY ADMINISTRATIVE EMPLOYEE

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

WHEREAS, it has been recommended by the Finance Committee that there is a need for a County Administrative Employee in Montgomery County Government to run the day-to-day operations of the County, and

RESOLVED, that the Personnel Officer and the Personnel Committee formulate a Job Description for a Montgomery County Administrative Employee outlining duties and responsibilities of said position.

RESOLUTION ADOPTED with Aye(1357). Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution #331, Supervisor Quackenbush made a motion to sign agreement with Marvin & Co. instead of Bollam, Sheedy and Torani, based on the County's familiarity of the excellent work Marvin & Co. does for the County. Supervisor Dybas seconded the motion.

Supervisors McMahon, Walters and DiMezza stated their support of the \$47,720 in savings the County will see by signing a contract with Bollam, Sheedy and Torani.

Supervisor Quackenbush withdrew his motion. It wasn't picked up by any Supervisor.

RESOLUTION NO. 331 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CERTIFIED PUBLIC ACCOUNTING SERVICES (TREASURER)

Resolution by Supervisor: Thomas

Seconded by Supervisor: McMahon

WHEREAS, the Purchasing agent, in cooperation with the County Treasurer, has solicited proposals for the provision of Certified Public Accounting services to the County of Montgomery,

WHEREAS, that said proposals included the provision of audit, accounting and management advisory services for the years ending on December 2005, 2006 and 2007.

WHEREAS, four proposals were received and reviewed by the County Treasurer,

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

FURTHER RESOLVED, that said agreement shall be for a three-year period, with annual fees, as follows:

2005 \$58,550

2006 \$59,950

2007 \$61,350

RESOLUTION ADOPTED with Aye(1221). Supervisor Dybas voted Nay. Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 332 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY

Resolution by Supervisor: Thomas

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, 2005 through September 30, 2005, 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(1357). Supervisors Brodie, Siniropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 333 of 2005

DATED: November 22, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET - UTILITIES (SEWER DISTRICT)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Jonker

WHEREAS, unanticipated increases in utility costs has caused a shortage in the budget for the sewer district,

RESOLVED, that the Board of Supervisor hereby authorizes and directs the County Treasurer to amend the 2005 Operating Budget as follows:

TRANSFER FROM:

G-26-4-1990-00-4400 Contingent Account \$8,000

TRANSFER TO:

G-26-4-8120-00-4410 Utilities \$8,000

RESOLUTION ADOPTED with Aye(1357). Supervisors Brodie, Siniropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 334 of 2005

DATED: November 22, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - SEWER DISTRICT

Resolution by Supervisor: McMahon

Seconded by Supervisor: Jonker

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT APPROPRIATIONS	FROM	TO	INC / (DEC)
G-26-4-1990-00-4400 Contingent Account	\$12,000	\$37,000	\$25,000
G-26-4-8120-00-4438 Misc. Supporting Services	\$70,286	\$45,286	(\$25,000)

RESOLUTION ADOPTED with Aye(1357). Supervisors Brodie, Siniropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 335 of 2005

DATED: November 22, 2005

RESOLUTION APPROVING RELEVY OF DELINQUENT SCHOOL TAXES, VILLAGE TAXES, WATER RENTS AND SEWER TAXES

Resolution by Supervisor: Schumann

Seconded by Supervisor: Dybas

RESOLVED, that the Board of Supervisors hereby approves the relevy, effective December 2, 2005, of delinquent School Taxes, Village Taxes, Water Rents, including the Harrower Water District, and Sewer Taxes, including the Town of Amsterdam Sewer Services Area and Montgomery County Sanitary Sewer District No. 1, in equal installments on the January 2006 Town Tax Rolls.

RESOLUTION ADOPTED with Aye(1357). Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 336 of 2005

DATED: November 22, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET (COMMUNITY COLLEGE TUITION)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Dybas

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 2005 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingency Account \$75,000

TRANSFER TO:

A-06-4-2490-00-4400 Community College Tuition \$75,000

RESOLUTION ADOPTED with Aye(1357). Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 337 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - AUCTIONEERING SERVICES - REAL PROPERTY SALE - HAROFF AUCTION AND REALTY, INC. (TREASURER)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Thomas

WHEREAS, the County Treasurer has recommended extension of the agreement with Haroff Auction and Realty, Inc. for the provision of auctioneering services,

RESOLVED, that the Board of Supervisors hereby authorizes the extension, until October 31, 2008, of an agreement with Haroff Auction and Realty, Inc., for provision of auctioneering services for the sale of County-owned real property, and

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

RESOLUTION ADOPTED with Aye(1357). Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisors Walters and Jonker stated that the County would lose a considerable amount of money with the passage of Resolution #338.

Supervisor Cechnicki stated that he supports the Resolution, as it would encourage shoppers to remain in Montgomery County.

Attorney Doug Landon stated that he's unclear whether the effective date would be April 1st or March 1st, 2006.

RESOLUTION NO. 338 of 2005

DATED: November 22, 2005

RESOLUTION ELECTING THE YEAR-ROUND CLOTHING AND FOOTWEAR EXEMPTION FROM MONTGOMERY COUNTY'S SALES AND COMPENSATING USE TAXES, EFFECTIVE APRIL 1, 2006

Resolution by Supervisor: Schumann

Seconded by Supervisor: Di Mezza

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, PROVIDING AND EXEMPTION FROM SALES AND COMPENSATING USE TAXES FOR RECEIPTS FROM RETAIL SALES OF, AND CONSIDERATION GIVEN OR CONTRACTED TO BE GIVEN FOR CERTAIN CLOTHING AND FOOTWEAR, PURSUANT TO THE AUTHORITY OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK.

Be it enacted by the Board of Supervisors of the County of Montgomery, as follows:

SECTION 1. Section six of Resolution No. 311 of 1967, as amended, is amended by adding a new subdivision (j) to read as follows:

(j). Receipts from sales of and consideration given or contracted to be given for purchases of clothing and footwear exempt from state sales and compensating use taxes pursuant to paragraph (30) of subdivision (a) of Section 1115 of the New York Tax Law shall also be exempt from sales and compensating use taxes imposed by this resolution.

SECTION 2. This resolution shall take effect April 1, 2006 and shall apply in accordance with applicable transitional provisions of the New York Tax Law.

RESOLUTION DEFEATED with Aye(558). Supervisors Dybas, Mancini, Di Mezza and Cechnicki voted Aye. Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 339 of 2005

DATED: November 22, 2005

RESOLUTION FIXING DATE AND TIME FOR 2006 ORGANIZATIONAL MEETING OF THE BOARD OF SUPERVISORS

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Dybas

RESOLVED, that pursuant to Article 4, Section 151, Subdivision 1 of the County Law, the Organizational Meeting of the Montgomery County Board of Supervisors shall be held at 7:00pm on the 3rd day of January 2006.

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Walters, to change the word "3rd" to "2nd", passed with Aye(1018). Supervisors Dybas, Mancini and Cechnicki voted Nay. Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

RESOLUTION ADOPTED with Aye(1291). Supervisor Cechnicki voted Nay. Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 340 of 2005

DATED: November 22, 2005

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

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - CITY OF AMSTERDAM - EXTENSION OF CURRENT SALES TAX DISTRIBUTION FORMULA AND RESCINDING RESOLUTION 194 OF 2005 - A RESOLUTION WHICH TERMINATES SALES TAX DISTRIBUTION

Resolution by Supervisor: Strevy

Seconded by Supervisor: Dybas

WHEREAS, Resolution 194 of 2005 approved the termination of sales tax distribution to municipalities in Montgomery County effective July 1, 2006, and

WHEREAS, the current sales tax distribution contract as follows:

On the first 3% -
50% retained by the County
15% to the City of Amsterdam
35% to the Towns and Villages by assessed valuation

On the additional 1% -
90% retained by the County
10% to the City of Amsterdam

is set to expire on November 30, 2005, and

WHEREAS, Section 1262(c) of the NYS Tax Law allows for distribution of Sales Tax in a manner that is agreed upon by each City located within a County, and

WHEREAS, the City of Amsterdam Common Council, by Resolution 104 of 2005 has unanimously agreed to extend the current arrangement for a one-year period, and

WHEREAS, it is the desire of the Board of Supervisors to also extend the current arrangement for a one-year period,

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 City of Amsterdam which provides for Sales Tax Distribution as follows:

On the first 3% -
50% retained by the County
15% to the City of Amsterdam
35% to the Towns and Villages by assessed valuation

On the additional 1% -
90% retained by the County
10% to the City of Amsterdam

, and

FURTHER RESOLVED, that said agreement shall be effective from December 1, 2005 through November 30, 2006, and

FURTHER RESOLVED, that Resolution 194 of 2005 which terminates Sales Tax Distribution to municipalities within Montgomery County is hereby rescinded.

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Chairman Strevy expressed his appreciation to the City of Amsterdam for their patience regarding Resolution #340. Mayor Joseph Emanuele III expressed his gratitude to the Board of Supervisors for their work.

RESOLUTION NO. 341 of 2005

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

DATED: November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN SETTLEMENT AGREEMENT FOR AN OUTSTANDING CLAIM FOR A FORMER COUNTY EMPLOYEE

Resolution by Supervisor: Thomas

Seconded by Supervisor: Quackenbush

WHEREAS, there is currently pending a New York State Supreme Court action in the County of Montgomery brought by former Planning Director Michael Kayes against the County of Montgomery and the Board of Supervisors; and

WHEREAS, the parties desire to resolve the pending litigation and all outstanding claims Mr. Kayes may have ever had against the County; and

WHEREAS, the parties have negotiated an agreement of settlement; and

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign the "Settlement Agreement with General Release" in the litigation pending in the New York State

Supreme Court for the County of Montgomery, entitled Michael J. Kayes v. the County of Montgomery and the Board of Supervisors for the County of Montgomery, with Index No. 2004-0594, the particulars of said settlement are set forth in the agreement which is attached hereto; and

FURTHER RESOLVED, that the settlement agreement will be for an amount of \$60,000 dollars; and

FURTHER RESOLVED, that the County Treasurer is hereby directed to transfer funds:

From: Account A-_____ \$_____

To: Account A-_____ \$_____

and issue a check to finalize said attached agreement.

MOTION TO AMEND by Supervisor Thomas, seconded by Supervisor Quackenbush, to delete in the FURTHER RESOLVED clause the entire "From" and "To" lines and insert in their place "Increase Account A-599 Appropriated Fund Balance \$60,000", and "Increase Appropriations A-01-4-1930-00-4433 \$60,000", passed with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (11/22/2005)

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (11/22/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor DiMezza, seconded by Supervisor Jonker, passed with Aye(1357). Supervisors Brodie, Sinicropi, Jr., Schumann and Stagliano were absent.

Respectfully submitted,

Kimberly Sanborn
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, December 6, 2005

COMMITTEE MEETING DISCUSSION

Chairman Jonker presided over the meeting commencing at 6:09 PM.

Roll call indicated Committee members present included Supervisors DiMezza, Sinicropi, and Paton. Supervisors Dybas, Stagliano and Brodie were absent. Chairman Strevy's presence allowed for quorum.

Additional Supervisors present were Mancini, Strevy, Quackenbush, McMahon, Walters, and Thomas. Absent were Supervisors Schumann and Cechnicki.

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

1. Resolution Amending 2005 Operating Budget - 3-5 Preschool Program (Public Health)
2. Resolution Authorizing Chairman to Sign Agreement - Services Approved by 2006 Operating Budget (Social Services)
3. Resolution Establishing Semi-Private Room Rate at the Montgomery Meadows Residential Health Care Facility
4. Resolution Authorizing Chairman to Sign Agreement - Therapy Services - Sunny Rehabilitation Hospital (Montgomery Meadows)
5. Discussion Regarding the establishment of a Full Time Food Service Helper in the 2006 Operating Budget
6. Other

Item #1: Supervisors DiMezza and Quackenbush made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: Supervisors DiMezza and Strevy made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #3: Supervisors DiMezza and Strevy made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #4: Supervisors Paton and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #5: Chairman Jonker clarified the need for a full time food service helper at the Meadows. He stated that the position has been out of the budget since June, 2004.

Supervisor DiMezza made a motion to table the discussion until next year. Supervisor Paton seconded.

The motion was made and seconded by Supervisors DiMezza and Sinicropi, respectively, to adjourn the Committee meeting.

Chairman Jonker adjourned the Health & Human Services/Social Services Committee meeting at 6:14 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PUBLIC SAFETY
6:10 PM, December 6, 2005

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 6:15 PM.

Roll call indicated Committee members present included Supervisors Jonker, Cechnicki and Walters. Supervisors Brodie, Schumann and Stagliano were absent. Chairman Strevy's presence allowed for quorum.

Additional Supervisors present were DiMezza, Sinicropi, Strevy, McMahon, Quackenbush, Mancini, and Paton. Supervisor Dybas was absent.

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

1. Resolution Authorizing Chairman to Sign Agreement - Pre-Trial Release Coordinator - Leslie Nicholas (Youth Bureau/ACSD)
2. Resolution Authorizing Chairman to Sign Agreement - Satellite Office Lease - Centro Civico of Amsterdam, Inc. (Probation)
3. Resolution Recommending the State Legislature Provide for Modification to NYS Public Officers Law, Article 2, Section 3, to Allow Assistant District Attorneys to Reside in Montgomery County or any Adjoining County
4. Other

Item #1: Supervisors Walters and DiMezza made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: Supervisors Jonker and DiMezza made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #3: Supervisor DiMezza spoke in support of this Resolution and the Asst. D.A. Supervisors DiMezza and Mancini made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Motion was made and seconded by Supervisors Walters and Jonker, respectively, to adjourn the Committee meeting.

Chairman Thomas adjourned the Public Safety Committee meeting at 6:19 PM, with no objections.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY 12068
COMMITTEE MEETING - GENERAL SERVICES/PUBLIC WORKS/SOLID WASTE
6:20 PM, December 6, 2005

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 6:19 p.m.

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

Additional Supervisors present were Supervisors McMahon, DiMezza, Siniropi, Jonker, Quackenbush and Strevy. Supervisors Stagliano and Dybas were absent.

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

1. Resolution Authorizing Chairman to Sign Agreement - Fulton-Montgomery Community College (Data Processing)
2. Discussion Regarding the Realignment of Log City Road and Maple Avenue Extension - Town of Amsterdam
3. Other

Item #1: Supervisors DiMezza and Paton made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: Supervisor DiMezza stated that a positive indication is needed that the County is moving forward with the Log City Rd/Maple Ave. project. D.O.T. has met with Commissioner Paul Clayburn, DPW, to discuss this project, and the recommendation is to pursue the funding as a Federal Pass-Through Project, where the County would be only responsible for 5% of the cost of the project. He also stated that D.O.T. would be paying for the related intersection traffic light.

The Committee recognized Commissioner Clayburn. He stated that there are three funding options for the \$1.3M project;

Option 1) To include the project with NYS D.O.T.'s project already in line for that section of Rte. 30 (a cost of \$1.3M out-of-pocket).

Option 2) Do the project locally and use our Federally aided program funds to assist with cost, which would bring the local share down to 5% (a cost of \$1.3M out-of-pocket, and a 95% funding return).

Option 3) Do the project with County resources (least costly, but no reimbursement from Federal funds).

The Committee supported option #2. Based on that support, Supervisor DiMezza made a motion to sponsor a Resolution which would give Commissioner Clayburn the authorization to write a letter, thereby applying for funding through Federal Pass-Through project funds for the realignment of Log City Rd. and Maple Ave. Extension. Supervisor Thomas seconded the motion.

Item #3 (Other) ADD ON RESOLUTION: "RESOLUTION APPROVING CAPITAL PROJECT - EMERGENCY WATERSHED PROTECTION PROJECT - TOWN OF AMSTERDAM (PUBLIC WORKS)"

The Committee recognized Corey Nellis, District Manager of MCSWCD, who spoke in support of the Resolution and the bid by Eric Pereen on the Cranesville project. He stated that the NRCS Engineer is at the site, and will offer a sign-off on the project.

Supervisors DiMezza and Thomas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Supervisors Thomas and Paton made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Walters adjourned the General Services/Public Works/Solid Waste Committee meeting at 6:33 PM

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE
6:40 PM , December 6, 2005

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 6:40 PM.

Roll call indicated Committee members present included Supervisors DiMezza, McMahon, and Thomas. Absent was Supervisor Stagliano, Schumann and Dybas.

Additional Supervisors present were Strevy, Paton, Cechnicki, Mancini, Jonker, Sinicropi and Walters. Supervisor Brodie was absent.

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

1. Resolution Delegating Authority to Amend the 2005 Operating Budget
2. Resolution Authorizing Accounts Payable Year-End Adjustments - 2005 Operating Budget
3. Resolution Adopting Introductory Local Law No. 4 of 2005 - A Local Law which Authorizes Additional Compensation for Various Montgomery County Officials
4. Resolution Adopting Montgomery County 2006 Operating Budget
5. Other

Chairman Quackenbush stated that there are two add-on Resolutions at the end of the Agenda.

Item #1: Supervisors DiMezza and Thomas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: Supervisors Thomas and McMahon made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #3: Supervisors Thomas and DiMezza made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. Supervisor Quackenbush voted NAY.

Item #4: Supervisors DiMezza and Thomas made a motion and seconded, respectively, to move the Resolution to the full Board with a no recommendation.

Item #5 (Other) ADD ON RESOLUTION: "RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED LOAN AGREEMENT - SUN CENTER 3001 (ECONOMIC DEVELOPMENT)". Supervisors Thomas and Walters made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #5 (Other) ADD ON RESOLUTION: "RESOLUTION TRANSFERRING FUNDS - VARIOUS LINE ITEMS (MONTGOMERY MEADOWS)". Treasurer Shawn Bowerman summarized the Resolution.

Supervisors Jonker and Quackenbush made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. Supervisor DiMezza voted NAY, based on the current status of the Meadows.

The motion was made and seconded by Supervisor Thomas and DiMezza, respectively, to adjourn the Finance Committee. Chairman Quackenbush adjourned the Finance Committee meeting at 6:46 PM.

Respectfully submitted,

Kimberly Sanborn
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, December 6, 2005

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for June 07, 2005 was called to order at 7:00 p.m. by Chairman Strevy.

SALUTE TO THE FLAG

Supervisor DiMezza led the Salute to the Flag.

ROLL CALL

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

STATEMENT OF PURPOSE OF MEETING

RESOLUTIONS AMENDING THE 2006 TENTATIVE OPERATING BUDGET

Supervisor Strevy stated that, on the recommendations of the Board, the order in which the Resolutions will be presented for voting may be altered for clarity and consistency.

Treasurer Shawn Bowerman clarified the purpose of this Special meeting. He stated that these proposed Resolutions are necessary to clean up the tentative budget, so an analysis can be made of where the budget stands in relation to the tax cap. He also stated that, based on his figures, the County will be \$207,563 over the tax cap if all the Resolutions pass.

Supervisor McMahon made a motion to table all Resolutions containing new positions until next week's regular Full Board Meeting. There was no second.

RESOLUTION NO. 342 of 2005

DATED: December 6, 2005

RESOLUTION AMENDING 2006 TENTATIVE BUDGET - CSEA SALARY ADJUSTMENTS

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Thomas

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

		From	To	Inc/(Dec)
D-12-3-5031	Interfund Transfer	\$3,255,751	\$3,290,114	\$ 34,363
DM-12-3-5031	Interfund Transfer	\$ 267,046	\$ 285,296	\$ 18,250
EH-34-3-5031	Interfund Transfer	\$1,636,170	\$1,783,871	\$147,701
A-6-4-9900-00-9901	Trans. to Co Rd Fund	\$3,255,751	\$3,290,114	\$ 34,363
A-6-4-9900-00-9903	Trans. to Rd Mach. Fd	\$ 267,046	\$ 285,296	\$ 8,250
A-6-4-9900-00-9961	Trans. to Meadows	\$1,636,170	\$1,783,871	\$147,701
A-10-4-1430-00-1125(337)	Other Comp./Rai ses	\$ 698,693	\$ 253,782	(\$444,911)
A-6-4-1325-00-1110(113)	ACCOUNTANT	\$ 26,498	\$ 27,558	\$ 1,060
A-6-4-1325-00-1110(545)	ACCOUNTANT	\$ 27,148	\$ 28,458	\$ 1,310
A-6-4-1325-00-1110(1331)	ACCOUNT CLERK TYPIST	\$ 22,304	\$ 23,420	\$ 1,116
A-6-4-1325-00-1110(1406)	PRINCIPAL ACCOUNT CLERK	\$ 26,659	\$ 28,123	\$ 1,464
A-2-4-3640-00-1110(1407)	ACCT CLERK TYPIST	\$ 23,254	\$ 24,520	\$ 1,266
A-10-4-1430-00-1110(661)	PAYROLL ASSISTANT	\$ 24,934	\$ 26,391	\$ 1,457
A-10-4-1430-00-1110(1391)	PAYROLL/BENEFITS COORD	\$ 28,493	\$ 29,933	\$ 1,440
A-8-4-1410-00-1110(62)	INDEX/RECORDING CLERK	\$ 26,675	\$ 28,578	\$ 1,903
A-8-4-1410-00-1110(197)	MOTOR VEHICLE CLERK	\$ 21,654	\$ 22,820	\$ 1,166
A-8-4-1410-00-1110(199)	MOTOR VEHICLE CLERK	\$ 21,654	\$ 22,820	\$ 1,166

A-8-4-1410-00-1110(200)	MOTOR VEHICLE CLERK	\$ 21,654	\$ 22,520	\$ 866
A-8-4-1410-00-1110(254)	MOTOR VEHICLE CLERK	\$ 22,304	\$ 23,420	\$ 1,116
A-8-4-1410-00-1110(258)	MOTOR VEHICLE CLERK	\$ 21,654	\$ 22,820	\$ 1,166
A-8-4-1410-00-1110(287)	MOTOR VEH SUPERVISOR	\$ 26,959	\$ 28,373	\$ 1,414
A-8-4-1410-00-1110(381)	IND CLERK/RECRDNG CLRK	\$ 23,934	\$ 24,891	\$ 957
A-8-4-1410-00-1110(417)	SR. MOTOR VEHICLE CLERK	\$ 25,234	\$ 26,641	\$ 1,407
A-8-4-1410-00-1110(418)	DATA ENTRY MACH. OPER.	\$ 22,654	\$ 24,020	\$ 1,366
A-8-4-1410-00-1110(420)	INDEX RECORDING CLERK	\$ 24,584	\$ 25,791	\$ 1,207
A-22-4-7510-00-1110-(24)	HIST. ARCHIVES ASST.	\$ 22,654	\$ 24,020	\$ 1,366
A-25-4-1165-00-1110(1283)	CLERK TYPIST	\$ 21,622	\$ 22,711	\$ 1,089
A-30-4-1320-00-1110(26)	SENIOR ACCT CLERK TYP.	\$ 24,934	\$ 26,141	\$ 1,207
A-24-4-6430-00-1110(367)	ECON. DEV. PROG. ASSIST.	\$ 29,632	\$ 30,817	\$ 1,185
A-24-4-6430-00-1110(1381)	PRINCIPAL STENOGRAPHER	\$ 26,009	\$ 27,273	\$ 1,264
A-14-4-1670-00-1110(1389)	SR PRINTER/COMPOSER	\$ 26,009	\$ 27,273	\$ 1,264
A-15-4-3150-00-1110(29)	HEAD COOK	\$ 30,663	\$ 33,226	\$ 2,563
A-15-4-3150-00-1110(63)	COOK	\$ 23,934	\$ 25,191	\$ 1,257
A-15-4-3150-00-1110(130)	CORRECTION FACILITY RN	\$ 38,749	\$ 40,599	\$ 1,850
A-15-4-3150-00-1110(262)	CORRECTION FACILITY RN	\$ 39,399	\$ 41,199	\$ 1,800
A-15-4-3150-00-1110(1417)	COOK	\$ 24,584	\$ 25,791	\$ 1,207
A-15-4-3020-14-1110(110)	DISPATCHER	\$ 24,934	\$ 26,141	\$ 1,207
A-15-4-3020-14-1110(399)	DISPATCHER	\$ 24,934	\$ 26,141	\$ 1,207
A-15-4-3020-14-1110(406)	DISPATCHER	\$ 24,584	\$ 24,891	\$ 307
A-15-4-3020-14-1110(498)	DISPATCHER	\$ 24,584	\$ 25,791	\$ 1,207
A-15-4-3020-14-1110(682)	DISPATCHER	\$ 24,584	\$ 25,791	\$ 1,207
A-15-4-3020-14-1110(707)	DISPATCHER	\$ 23,934	\$ 24,891	\$ 957
A-15-4-3020-14-1110(930)	DISPATCHER	\$ 25,234	\$ 26,641	\$ 1,407
A-15-4-3020-14-1110(931)	DISPATCHER	\$ 23,934	\$ 24,891	\$ 957
A-15-4-3020-14-1110(1412)	DISPATCHER	\$ 24,334	\$ 25,491	\$ 1,157
A-15-4-3020-14-1110(1413)	DISPATCHER	\$ 23,934	\$ 24,891	\$ 957
A-7-4-1355-00-1110(55)	GIS SYS. SPEC.	\$ 27,148	\$ 28,458	\$ 1,310
A-7-4-1355-00-1110(1029)	REAL PROP. INFO. SPEC.	\$ 27,498	\$ 28,808	\$ 1,310
A-7-4-1355-00-1110(1053)	RPT TECH	\$ 22,054	\$ 23,120	\$ 1,066
A-14-4-1680-00-1110(17)	MICRO COMP. TECHNICIAN	\$ 29,143	\$ 30,533	\$ 1,390
A-14-4-1680-00-1110(93)	SR. COMP. PROG ANALYST	\$ 36,331	\$ 38,244	\$ 1,913
A-14-4-1680-00-1110(280)	MICRO COMP. TECHNICIAN	\$ 29,143	\$ 30,533	\$ 1,390
A-14-4-1680-00-1110(285)	SENIOR COMP. OPERATOR	\$ 26,959	\$ 28,373	\$ 1,414
A-14-4-1680-00-1110(286)	SR ACCOUNT CLK/DEMO	\$ 26,959	\$ 28,373	\$ 1,414
A-14-4-1680-00-1110(291)	COMPUTER PROGRAMMER	\$ 26,498	\$ 27,858	\$ 1,360
A-14-4-1680-00-1110(292)	COMPUTER PROGRAMMER	\$ 26,498	\$ 27,858	\$ 1,360
A-14-4-1680-00-1110(705)	DATA ENTRY/COMP. OPER	\$ 22,795	\$ 23,707	\$ 912
A-14-4-1680-00-1110(1368)	SR COMP. SERVICES COOR	\$ 32,355	\$ 34,047	\$ 1,692
A-14-4-1680-00-1110(1370)	NETWORK COORDINATOR	\$ 39,399	\$ 41,199	\$ 1,800
A-21-4-3155-00-1110(153)	COMM. SVCS PROG COORD	\$ 25,359	\$ 26,673	\$ 1,314
A-21-4-7310-00-1110(1356)	SR ACCT CLK TYPIST/19	\$ 12,617	\$ 13,446	\$ 829
A-19-4-6510-00-1110(1355)	SR ACCT CLK TYPIST/21	\$ 12,617	\$ 13,446	\$ 829
A-27-4-3140-00-1110(102)	ACCT CLK TYPIST	\$ 21,654	\$ 22,520	\$ 866
A-27-4-3140-00-1110(112)	WORK PROJ. SUPERVISOR	\$ 22,654	\$ 23,770	\$ 1,116
A-27-4-3140-00-1110(136)	PROBATION SUPERVISOR	\$ 44,643	\$ 47,765	\$ 3,122
A-27-4-3140-00-1110(137)	SR PROBATION OFFICER	\$ 36,631	\$ 38,494	\$ 1,863
A-27-4-3140-00-1110(150)	PROBATION OFFICER	\$ 33,051	\$ 34,373	\$ 1,322
A-27-4-3140-00-1110(394)	PROBATION OFFICER	\$ 33,701	\$ 35,273	\$ 1,572
A-27-4-3140-00-1110(724)	PRIN ACCT CLERK TYPIST	\$ 25,359	\$ 26,373	\$ 1,014
A-27-4-3140-00-1110(1254)	PROBATION OFFICER	\$ 34,351	\$ 36,123	\$ 1,772
A-27-4-3140-00-1110(1256)	PROBATION OFFICER	\$ 34,351	\$ 36,123	\$ 1,772
A-27-4-3140-00-1110(1257)	PROBATION OFFICER	\$ 34,051	\$ 35,623	\$ 1,572
A-27-4-3140-00-1110(1258)	PROBATION OFFICER	\$ 34,051	\$ 35,873	\$ 1,822
A-27-4-3140-00-1110(1259)	PROBATION OFFICER	\$ 34,651	\$ 36,373	\$ 1,722
A-27-4-3140-00-1110(1278)	SR ACCT CLERK TYPIST	\$ 24,934	\$ 26,141	\$ 1,207
A-18-4-6010-00-1110(18)	RPN	\$ 31,055	\$ 32,297	\$ 1,242
A-18-4-6010-00-1110(34)	SOCIAL WLFARE EXAM.	\$ 24,395	\$ 25,707	\$ 1,312
A-18-4-6010-00-1110(80)	SOCIAL WELFARE EXAM.	\$ 23,795	\$ 24,957	\$ 1,162
A-18-4-6010-00-1110(87)	CASEWORKER	\$ 25,359	\$ 26,673	\$ 1,314
A-18-4-6010-00-1110(91)	COMP. CONSOLE OPERATOR	\$ 23,254	\$ 24,520	\$ 1,266
A-18-4-6010-00-1110(92)	COMP. CONSOLE OPERATOR	\$ 23,254	\$ 24,520	\$ 1,266
A-18-4-6010-00-1110(94)	SOCIAL WELFARE EXAM.	\$ 23,795	\$ 24,957	\$ 1,162
A-18-4-6010-00-1110(96)	SOCIAL WELFARE EXAM.	\$ 23,795	\$ 24,957	\$ 1,162
A-18-4-6010-00-1110(104)	SENIOR ACCT CLK TYPIST	\$ 24,934	\$ 26,391	\$ 1,457
A-18-4-6010-00-1110(111)	RESOURCE/REC. COORD.	\$ 23,934	\$ 25,191	\$ 1,257
A-18-4-6010-00-1110(213)	CASEWORKER	\$ 26,009	\$ 27,273	\$ 1,264
A-18-4-6010-00-1110(273)	STAFF DEV COORDINATOR	\$ 29,493	\$ 30,883	\$ 1,390
A-18-4-6010-00-1110(282)	PRIN. SOCIAL WEL EXAM.	\$ 29,808	\$ 31,836	\$ 2,028
A-18-4-6010-00-1110(293)	WMS SUPERVISOR	\$ 26,659	\$ 28,123	\$ 1,464
A-18-4-6010-00-1110(321)	SOCIAL WELFARE EXAM.	\$ 23,795	\$ 25,207	\$ 1,412
A-18-4-6010-00-1110(322)	SOCIAL WELFARE EXAM.	\$ 22,795	\$ 23,707	\$ 912
A-18-4-6010-00-1110(328)	SR SOCIAL WELFARE EXAM	\$ 24,934	\$ 26,391	\$ 1,457
A-18-4-6010-00-1110(345)	SUPPORT INVESTIGATOR	\$ 26,359	\$ 27,873	\$ 1,514
A-18-4-6010-00-1110(346)	SOCIAL WELFARE EXAM.	\$ 22,795	\$ 24,007	\$ 1,212

A-18-4-6010-00-1110(349)	COMMUNITY SVCS AIDE	\$	20,629	\$	21,754	\$	1,125
A-18-4-6010-00-1110(354)	ACCOUNT CLERK TYPIST	\$	22,304	\$	23,420	\$	1,116
A-18-4-6010-00-1110(357)	ACCOUNT CLERK TYPIST	\$	22,304	\$	23,420	\$	1,116
A-18-4-6010-00-1110(358)	ACCOUNT CLERK TYPIST	\$	22,054	\$	23,120	\$	1,066
A-18-4-6010-00-1110(359)	SOCIAL WELFARE EXAM.	\$	23,445	\$	24,607	\$	1,162
A-18-4-6010-00-1110(361)	ACCOUNT CLERK TYPIST	\$	21,654	\$	22,820	\$	1,166
A-18-4-6010-00-1110(363)	ACCOUNT CLERK TYPIST	\$	21,654	\$	22,520	\$	866
A-18-4-6010-00-1110(364)	SOCIAL WELFARE EXAM.	\$	23,795	\$	25,207	\$	1,412
A-18-4-6010-00-1110(365)	ACCOUNT CLERK TYPIST	\$	22,954	\$	24,270	\$	1,316
A-18-4-6010-00-1110(371)	CASE SUPERVISOR (B)	\$	34,651	\$	36,373	\$	1,722
A-18-4-6010-00-1110(372)	CASE SUPERVISOR (B)	\$	38,071	\$	39,930	\$	1,859
A-18-4-6010-00-1110(373)	CASEWORKER	\$	25,759	\$	26,973	\$	1,214
A-18-4-6010-00-1110(374)	CASEWORKER	\$	25,359	\$	26,373	\$	1,014
A-18-4-6010-00-1110(375)	CASEWORKER	\$	25,359	\$	26,373	\$	1,014
A-18-4-6010-00-1110(376)	CASEWORKER	\$	26,009	\$	27,273	\$	1,264
A-18-4-6010-00-1110(377)	CASEWORKER	\$	25,359	\$	26,673	\$	1,314
A-18-4-6010-00-1110(378)	SR SOCIAL WELFARE EXAM	\$	25,234	\$	26,641	\$	1,407
A-18-4-6010-00-1110(379)	CASEWORKER	\$	26,659	\$	28,123	\$	1,464
A-18-4-6010-00-1110(382)	CASEWORKER	\$	25,359	\$	26,373	\$	1,014
A-18-4-6010-00-1110(383)	CASEWORKER	\$	25,359	\$	26,673	\$	1,314
A-18-4-6010-00-1110(384)	CASEWORKER	\$	25,359	\$	26,673	\$	1,314
A-18-4-6010-00-1110(402)	CLERK TYPIST	\$	20,972	\$	22,111	\$	1,139
A-18-4-6010-00-1110(403)	COMMUNITY SVC AIDE	\$	20,629	\$	21,754	\$	1,125
A-18-4-6010-00-1110(405)	COMMUNITY SVC WORKER	\$	22,954	\$	24,270	\$	1,316
A-18-4-6010-00-1110(409)	COORD. -CHILD SUPPORT	\$	36,931	\$	39,744	\$	2,813
A-18-4-6010-00-1110(443)	CLERK TYPIST	\$	21,622	\$	23,061	\$	1,439
A-18-4-6010-00-1110(448)	EXECUTIVE SECRETARY	\$	26,359	\$	27,873	\$	1,514
A-18-4-6010-00-1110(459)	HOMEMAKER	\$	22,304	\$	23,420	\$	1,116
A-18-4-6010-00-1110(461)	HOMEMAKER	\$	22,054	\$	23,120	\$	1,066
A-18-4-6010-00-1110(471)	MEDICAL AUDIT CLERK	\$	22,054	\$	23,120	\$	1,066
A-18-4-6010-00-1110(480)	SOC. WEL. EXMNR. SPAN.	\$	24,095	\$	25,457	\$	1,362
A-18-4-6010-00-1110(487)	ACCOUNTANT	\$	30,663	\$	33,226	\$	2,563
A-18-4-6010-00-1110(488)	PRINCIPAL ACCOUNT CLERK	\$	26,359	\$	27,873	\$	1,514
A-18-4-6010-00-1110(514)	SOCIAL WELFARE EXAM.	\$	24,395	\$	25,707	\$	1,312
A-18-4-6010-00-1110(515)	SOCIAL WELFARE EXAM.	\$	24,395	\$	25,707	\$	1,312
A-18-4-6010-00-1110(516)	SOCIAL WELFARE EXAM.	\$	25,534	\$	27,891	\$	2,357
A-18-4-6010-00-1110(518)	SOCIAL WELFARE EXAM.	\$	23,795	\$	25,207	\$	1,412
A-18-4-6010-00-1110(520)	SOCIAL WELFARE EXAM.	\$	24,095	\$	25,457	\$	1,362
A-18-4-6010-00-1110(521)	SOCIAL WELFARE EXAM.	\$	24,095	\$	25,457	\$	1,362
A-18-4-6010-00-1110(525)	SR ACCT CLERK TYPIST	\$	24,934	\$	26,141	\$	1,207
A-18-4-6010-00-1110(527)	SR CASEWORKER	\$	27,148	\$	28,458	\$	1,310
A-18-4-6010-00-1110(528)	SR CASEWORKER	\$	27,498	\$	29,058	\$	1,560
A-18-4-6010-00-1110(530)	CLERK TYPIST	\$	21,972	\$	23,311	\$	1,339
A-18-4-6010-00-1110(532)	CLERK TYPIST	\$	20,972	\$	22,111	\$	1,139
A-18-4-6010-00-1110(538)	SR SOCIAL WELFARE EXAM	\$	25,234	\$	26,641	\$	1,407
A-18-4-6010-00-1110(539)	SR SOCIAL WELFARE EXAM	\$	24,934	\$	26,141	\$	1,207
A-18-4-6010-00-1110(542)	SR CASEWORKER	\$	30,663	\$	33,226	\$	2,563
A-18-4-6010-00-1110(543)	SR SOCIAL WELFARE EXAM	\$	24,934	\$	26,141	\$	1,207
A-18-4-6010-00-1110(556)	RECEPTIONIST	\$	22,304	\$	23,420	\$	1,116
A-18-4-6010-00-1110(583)	SR SUPPORT INVEST.	\$	27,798	\$	29,308	\$	1,510
A-18-4-6010-00-1110(595)	SOCIAL WELFARE EXAM.	\$	24,095	\$	25,457	\$	1,362
A-18-4-6010-00-1110(596)	SOCIAL WELFARE EXAM.	\$	23,795	\$	24,957	\$	1,162
A-18-4-6010-00-1110(687)	ACCOUNT CLERK TYPIST	\$	21,654	\$	23,120	\$	1,466
A-18-4-6010-00-1110(688)	SR ACC. CLERK TYPIST	\$	25,234	\$	26,641	\$	1,407
A-18-4-6010-00-1110(853)	SOCIAL WELFARE EXAM.	\$	24,095	\$	25,457	\$	1,362
A-18-4-6010-00-1110(889)	SOCIAL WELFARE EXAM.	\$	24,095	\$	25,457	\$	1,362
A-18-4-6010-00-1110(938)	HOMEMAKER	\$	21,654	\$	22,820	\$	1,166
A-18-4-6010-00-1110(940)	SOCIAL WELFARE EXAM.	\$	22,795	\$	24,007	\$	1,212
A-18-4-6010-00-1110(941)	CASEWORKER	\$	26,009	\$	27,273	\$	1,264
A-18-4-6010-00-1110(942)	CLERK TYPIST	\$	20,972	\$	22,111	\$	1,139
A-18-4-6010-00-1110(1036)	LONG TERM CARE COORD.	\$	38,071	\$	40,430	\$	2,359
A-18-4-6010-00-1110(1120)	JOB TRNG DEVELOPER	\$	32,372	\$	34,503	\$	2,131
A-18-4-6010-00-1110(1132)	CLERK TYPIST	\$	21,622	\$	22,711	\$	1,089
A-18-4-6010-00-1110(1154)	CASEWORKER	\$	25,359	\$	26,373	\$	1,014
A-18-4-6010-00-1110(1155)	CASEWORKER	\$	26,009	\$	27,273	\$	1,264
A-18-4-6010-00-1110(1156)	ACCOUNT CLERK TYPIST	\$	22,654	\$	23,770	\$	1,116
A-18-4-6010-00-1110(1347)	CASEWORKER	\$	25,359	\$	26,673	\$	1,314
A-18-4-6010-00-1110(1380)	CASEWORKER	\$	25,359	\$	26,673	\$	1,314
EH-34-4-6020-00-1110(25)	BUILDING MAINT WORKER	\$	25,359	\$	26,673	\$	1,314
EH-34-4-6020-00-1110(28)	BUILDING MAINT WORKER	\$	25,359	\$	26,673	\$	1,314
EH-34-4-6020-00-1110(35)	CLEANER	\$	21,654	\$	22,520	\$	866
EH-34-4-6020-00-1110(36)	CLEANER	\$	22,654	\$	24,020	\$	1,366
EH-34-4-6020-00-1110(43)	CUSTODIAL WORKER	\$	21,654	\$	22,520	\$	866
EH-34-4-6020-00-1110(44)	CLEANER	\$	22,304	\$	23,420	\$	1,116
EH-34-4-6020-00-1110(45)	CLEANER	\$	22,304	\$	23,420	\$	1,116
EH-34-4-6020-00-1110(49)	SCHEDULING CLERK	\$	21,654	\$	22,520	\$	866
EH-34-4-6020-00-1110(59)	COOK	\$	24,584	\$	25,791	\$	1,207

EH-34-4-6020-00-1110(60)	COOK	\$	24,334	\$	25,491	\$	1,157
EH-34-4-6020-00-1110(61)	COOK	\$	24,934	\$	26,391	\$	1,457
EH-34-4-6020-00-1110(84)	CUSTODIAL WORKER	\$	22,054	\$	23,120	\$	1,066
EH-34-4-6020-00-1110(85)	CUSTODIAL WORKER	\$	21,654	\$	26,707	\$	5,053
EH-34-4-6020-00-1110(86)	CUSTODIAL WORKER	\$	22,654	\$	24,020	\$	1,366
EH-34-4-6020-00-1110(10)	DIETETIC TECHNICIAN	\$	26,359	\$	27,623	\$	1,264
EH-34-4-6020-00-1110(101)	OCC THERAPIST ASST	\$	26,009	\$	27,273	\$	1,264
EH-34-4-6020-00-1110(109)	WARD CLERK	\$	21,654	\$	22,520	\$	866
EH-34-4-6020-00-1110(120)	FOOD SERVICE HELPER	\$	22,272	\$	23,561	\$	1,289
EH-34-4-6020-00-1110(121)	FOOD SERVICE HELPER	\$	20,972	\$	22,111	\$	1,139
EH-34-4-6020-00-1110(123)	FOOD SERVICE HELPER	\$	21,622	\$	22,711	\$	1,089
EH-34-4-6020-00-1110(127)	FOOD SERVICE HELPER	\$	20,972	\$	22,111	\$	1,139
EH-34-4-6020-00-1110(128)	FOOD SERVICE HELPER	\$	21,622	\$	22,711	\$	1,089
EH-34-4-6020-00-1110(129)	FOOD SERVICE HELPER	\$	21,622	\$	22,711	\$	1,089
EH-34-4-6020-00-1110(131)	FOOD SERVICE HELPER	\$	23,825	\$	26,114	\$	2,289
EH-34-4-6020-00-1110(134)	HEAD NURSE	\$	38,749	\$	40,299	\$	1,550
EH-34-4-6020-00-1110(138)	HEAD NURSE	\$	38,749	\$	40,299	\$	1,550
EH-34-4-6020-00-1110(151)	HOUSEKEEPER	\$	30,663	\$	33,522	\$	2,859
EH-34-4-6020-00-1110(167)	LEIS. TIME ACT. AIDE	\$	21,372	\$	22,411	\$	1,039
EH-34-4-6020-00-1110(168)	RN ASSESS CARE COOD.	\$	41,000	\$	42,640	\$	1,640
EH-34-4-6020-00-1110(171)	LPN	\$	28,493	\$	29,933	\$	1,440
EH-34-4-6020-00-1110(172)	LEIS. TIME ACT DIR.	\$	29,237	\$	31,742	\$	2,505
EH-34-4-6020-00-1110(173)	LPN	\$	28,893	\$	30,233	\$	1,340
EH-34-4-6020-00-1110(175)	LPN	\$	29,493	\$	31,133	\$	1,640
EH-34-4-6020-00-1110(176)	LPN	\$	29,493	\$	31,133	\$	1,640
EH-34-4-6020-00-1110(177)	LPN	\$	28,493	\$	29,933	\$	1,440
EH-34-4-6020-00-1110(178)	LPN	\$	28,493	\$	29,933	\$	1,440
EH-34-4-6020-00-1110(179)	LPN	\$	28,493	\$	29,933	\$	1,440
EH-34-4-6020-00-1110(181)	LPN	\$	32,372	\$	35,003	\$	2,631
EH-34-4-6020-00-1110(184)	LPN	\$	28,493	\$	29,633	\$	1,140
EH-34-4-6020-00-1110(185)	LPN	\$	30,093	\$	31,633	\$	1,540
EH-34-4-6020-00-1110(186)	LPN	\$	28,493	\$	29,933	\$	1,440
EH-34-4-6020-00-1110(187)	LPN	\$	28,893	\$	30,233	\$	1,340
EH-34-4-6020-00-1110(189)	LPN	\$	32,943	\$	35,597	\$	2,654
EH-34-4-6020-00-1110(191)	LPN	\$	30,093	\$	31,633	\$	1,540
EH-34-4-6020-00-1110(192)	LPN	\$	31,232	\$	33,317	\$	2,085
EH-34-4-6020-00-1110(194)	LPN	\$	29,143	\$	30,533	\$	1,390
EH-34-4-6020-00-1110(195)	MED. RECORDS ASSI ST.	\$	27,244	\$	29,670	\$	2,426
EH-34-4-6020-00-1110(204)	CNA	\$	21,654	\$	22,520	\$	866
EH-34-4-6020-00-1110(205)	CNA	\$	22,654	\$	24,020	\$	1,366
EH-34-4-6020-00-1110(206)	CNA	\$	21,654	\$	22,820	\$	1,166
EH-34-4-6020-00-1110(207)	CNA	\$	21,654	\$	22,520	\$	866
EH-34-4-6020-00-1110(208)	CNA	\$	21,654	\$	22,520	\$	866
EH-34-4-6020-00-1110(209)	CNA	\$	22,304	\$	23,420	\$	1,116
EH-34-4-6020-00-1110(210)	CNA	\$	21,654	\$	22,520	\$	866
EH-34-4-6020-00-1110(211)	CNA	\$	22,654	\$	23,770	\$	1,116
EH-34-4-6020-00-1110(212)	CNA	\$	21,654	\$	22,820	\$	1,166
EH-34-4-6020-00-1110(214)	CNA	\$	21,654	\$	22,820	\$	1,166
EH-34-4-6020-00-1110(215)	CNA	\$	21,654	\$	22,820	\$	1,166
EH-34-4-6020-00-1110(216)	TEMP. EMPLOYEES	\$	30,319	\$	31,532	\$	1,213
EH-34-4-6020-00-1110(217)	CNA	\$	22,954	\$	24,270	\$	1,316
EH-34-4-6020-00-1110(218)	CNA	\$	21,654	\$	22,520	\$	866
EH-34-4-6020-00-1110(219)	CNA	\$	21,654	\$	22,820	\$	1,166
EH-34-4-6020-00-1110(220)	CNA	\$	23,254	\$	24,520	\$	1,266
EH-34-4-6020-00-1110(221)	CNA	\$	21,654	\$	22,820	\$	1,166
EH-34-4-6020-00-1110(222)	CNA	\$	22,954	\$	24,270	\$	1,316
EH-34-4-6020-00-1110(223)	CNA	\$	22,654	\$	24,020	\$	1,366
EH-34-4-6020-00-1110(227)	CNA	\$	22,304	\$	23,420	\$	1,116
EH-34-4-6020-00-1110(229)	CNA	\$	22,954	\$	24,270	\$	1,316
EH-34-4-6020-00-1110(230)	CNA	\$	22,654	\$	24,020	\$	1,366
EH-34-4-6020-00-1110(231)	CNA	\$	22,654	\$	24,020	\$	1,366
EH-34-4-6020-00-1110(232)	CNA	\$	21,654	\$	22,820	\$	1,166
EH-34-4-6020-00-1110(233)	CNA	\$	22,954	\$	24,270	\$	1,316
EH-34-4-6020-00-1110(234)	CNA	\$	21,654	\$	22,520	\$	866
EH-34-4-6020-00-1110(236)	CNA	\$	21,654	\$	22,520	\$	866
EH-34-4-6020-00-1110(237)	CNA	\$	22,304	\$	23,420	\$	1,116
EH-34-4-6020-00-1110(238)	CNA	\$	21,654	\$	22,520	\$	866
EH-34-4-6020-00-1110(239)	CNA	\$	22,054	\$	22,820	\$	766
EH-34-4-6020-00-1110(240)	CNA	\$	21,654	\$	22,520	\$	866
EH-34-4-6020-00-1110(241)	CNA	\$	21,654	\$	22,520	\$	866
EH-34-4-6020-00-1110(243)	CNA	\$	22,304	\$	23,420	\$	1,116
EH-34-4-6020-00-1110(244)	CNA	\$	21,654	\$	22,820	\$	1,166
EH-34-4-6020-00-1110(245)	CNA	\$	22,654	\$	24,020	\$	1,366
EH-34-4-6020-00-1110(246)	CNA	\$	21,654	\$	22,520	\$	866
EH-34-4-6020-00-1110(247)	CNA	\$	22,304	\$	22,520	\$	216
EH-34-4-6020-00-1110(248)	CNA	\$	22,054	\$	23,120	\$	1,066
EH-34-4-6020-00-1110(249)	CNA	\$	21,654	\$	22,520	\$	866

EH-34-4-6020-00-1110(250)	CNA	\$ 21,654	\$ 22,520	\$ 866
EH-34-4-6020-00-1110(251)	CNA	\$ 21,654	\$ 22,520	\$ 866
EH-34-4-6020-00-1110(252)	CNA	\$ 21,654	\$ 22,520	\$ 866
EH-34-4-6020-00-1110(253)	CNA	\$ 21,654	\$ 22,520	\$ 866
EH-34-4-6020-00-1110(263)	ORDERLY	\$ 24,395	\$ 26,707	\$ 2,312
EH-34-4-6020-00-1110(264)	ORDERLY	\$ 22,304	\$ 23,420	\$ 1,116
EH-34-4-6020-00-1110(265)	CNA	\$ 22,654	\$ 23,770	\$ 1,116
EH-34-4-6020-00-1110(266)	ORDERLY	\$ 24,395	\$ 22,520	\$ (1,875)
EH-34-4-6020-00-1110(267)	ORDERLY	\$ 21,654	\$ 22,520	\$ 866
EH-34-4-6020-00-1110(269)	LAUNDRY WORKER	\$ 21,972	\$ 23,061	\$ 1,089
EH-34-4-6020-00-1110(272)	ASSISTANT COOK	\$ 23,445	\$ 24,607	\$ 1,162
EH-34-4-6020-00-1110(306)	LPN	\$ 28,493	\$ 29,633	\$ 1,140
EH-34-4-6020-00-1110(329)	BLDG. MAINT. SVCS. SUP	\$ 31,232	\$ 30,817	\$ (415)
EH-34-4-6020-00-1110(339)	STORES CLERK	\$ 27,244	\$ 29,170	\$ 1,926
EH-34-4-6020-00-1110(242)	SUPERVISING NURSE	\$ 41,000	\$ 42,640	\$ 1,640
EH-34-4-6020-00-1110(344)	PRINCIPAL CLERK	\$ 22,795	\$ 23,707	\$ 912
EH-34-4-6020-00-1110(348)	RECEPTIONIST	\$ 21,654	\$ 22,520	\$ 866
EH-34-4-6020-00-1110(380)	CUSTODIAL WORKER	\$ 22,654	\$ 23,770	\$ 1,116
EH-34-4-6020-00-1110(446)	PHYSICAL THERAPY ASST	\$ 26,009	\$ 27,273	\$ 1,264
EH-34-4-6020-00-1110(457)	SUPERVISING NURSE	\$ 42,000	\$ 42,640	\$ 640
EH-34-4-6020-00-1110(541)	CNA	\$ 24,110	\$ 25,910	\$ 1,800
EH-34-4-6020-00-1110(562)	WARD CLERK	\$ 23,254	\$ 22,520	\$ (734)
EH-34-4-6020-00-1110(594)	WARD CLERK	\$ 22,654	\$ 24,520	\$ 1,866
EH-34-4-6020-00-1110(609)	LPN	\$ 29,143	\$ 30,533	\$ 1,390
EH-34-4-6020-00-1110(650)	ACCOUNT CLERK TYPIST	\$ 21,654	\$ 22,520	\$ 866
EH-34-4-6020-00-1110(727)	SR ACCOUNT CLERK TYP.	\$ 23,934	\$ 24,891	\$ 957
EH-34-4-6020-00-1110(907)	SR ACCOUNT CLERK TYP.	\$ 23,934	\$ 24,891	\$ 957
EH-34-4-6020-00-1110(1052)	SEN. FOOD SVC HELPR	\$ 22,304	\$ 23,420	\$ 1,116
EH-34-4-6020-00-1110(1057)	LPN	\$ 29,793	\$ 31,383	\$ 1,590
EH-34-4-6020-00-1110(1421)	ADMISSIONS COORDINATOR	\$ 23,934	\$ 25,191	\$ 1,257
EH-34-4-6020-00-1110(1422)	SUPERVISING NURSE	\$ 41,400	\$ 43,240	\$ 1,840
A-12-4-1490-00-1110(8)	ACCTNG SUPR P/W	\$ 34,081	\$ 36,280	\$ 2,199
A-12-4-1490-00-1110(501)	EXECUTIVE SECRETARY	\$ 26,359	\$ 27,873	\$ 1,514
A-12-4-1620-00-1110(149)	HOURLY EMPLOYEES	\$ 393,537	\$ 413,870	\$ 20,333
A-12-4-1620-00-1110(421)	CUSTODIAN	\$ 22,654	\$ 23,770	\$ 1,116
A-12-4-1620-00-1110(427)	STRUC MAINT SUPER II	\$ 31,232	\$ 32,817	\$ 1,585
A-12-4-1620-00-1110(621)	CLEANER	\$ 22,304	\$ 23,420	\$ 1,116
A-12-4-1671-00-1110(83)	MAIL CLERK	\$ 23,254	\$ 24,520	\$ 1,266
A-12-4-7180-00-1110(290)	REC FAC MAINT-BIKE PATH	\$ 20,000	\$ 22,000	\$ 2,000
A-12-4-7180-00-1110(830)	FT EMPLS-NATURE TRAILS	\$ 2,000	\$ 2,500	\$ 500
D-12-4-5010-00-1110(41)	SR. ACCT. CLERK TYPIST	\$ 24,934	\$ 26,391	\$ 1,457
D-12-4-3310-00-1110(277)	HOURLY EMPLOYEES	\$ 52,076	\$ 54,403	\$ 2,327
D-12-4-5010-00-1110(502)	PRINC ACCT CLK TYPIST	\$ 26,359	\$ 27,873	\$ 1,514
D-12-4-5020-00-1110(118)	SR. ENGINEERING TECH.	\$ 27,498	\$ 33,226	\$ 2,563
D-12-4-5110-00-1110(278)	HIGHWAY MAINT SUP.	\$ 30,632	\$ 32,317	\$ 1,685
D-12-4-5110-00-1110(144)	HIGHWAY LABOR	\$ 520,920	\$ 541,727	\$ 20,807
D-12-4-5142-00-1110(279)	HOURLY EMPLOYEES	\$ 31,300	\$ 32,800	\$ 1,500
D-12-4-5148-00-1110(901)	HOURLY EMPLOYEES	\$ 7,000	\$ 8,200	\$ 1,200
DM-12-4-5130-00-1110(148)	HOURLY EMPLOYEES	\$ 231,720	\$ 247,794	\$ 16,074
DM-12-4-5130-00-1110(1338)	SUPERVISING AUTO MECH	\$ 33,512	\$ 35,688	\$ 2,176

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Thomas, by adding in the RESOLVED clause the following line

"A-31-4-1345-00-1110 (856) ACCT CLERK TYPIST \$22,654 \$23,560 \$906", and

to change the OTHER COMP./RAISES TO figure from "\$253,782" to "\$252,876", and

to change from INC/(DEC) line from "(\$444,911)" to "(\$445,817)",

passed with Aye(1357). Supervisor Sinicropi, Jr. abstained. Supervisors Brodie, Schumann and Stagliano were absent. (12/6/2005)

RESOLUTION ADOPTED with Aye(1357). Supervisor Sinicropi, Jr. abstained. Supervisors Brodie, Schumann and Stagliano were absent. (12/6/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 343 of 2005

DATED: December 6, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - VARIOUS ITEMS

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Di Mezza

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT		FROM	TO	INC/(DEC)
REVENUES				
A-01-3-3889	Other Culture & Recreation	\$ 20,000	\$ 0	(\$ 20,000)
A-01-3-3589	Transportation	\$ 20,200	\$ 44,100	\$ 23,900
A-24-3-3889	Other Culture & Recreation	\$ 0	\$ 20,000	\$ 20,000
A-27-3-3310	Probation Services	\$148,679	\$153,779	\$ 5,100
APPROPRIATIONS				
A-01-4-5630-00-4403	Federal Section 18	\$ 20,200	\$ 44,100	\$ 23,900
A-01-4-8160-00-4438	Misc. Supporting Services	\$911,148	\$824,372	(\$ 86,776)
A-01-4-7180-00-4572	Recreation Trails	\$ 20,000	\$ 0	(\$ 20,000)
A-02-4-3020-00-4425	Maintenance Agreements	\$ 40,000	\$ 44,092	\$ 4,092
A-06-4-9700-00-7307	Bond Antic. Note Interest	\$ 16,625	\$ 19,247	\$ 2,622
A-06-4-9900-00-9950	Transfer to Capital Projects	\$179,600	\$153,250	(\$ 26,350)
A-10-4-1430-00-4425	Maintenance Agreements	\$ 12,000	\$ 17,500	\$ 5,500
A-24-4-7180-00-4572	Recreation Trails	\$ 0	\$ 20,000	\$ 20,000

RESOLUTION ADOPTED with Aye(1494). Supervisors Brodie, Schumann and Stagliano were absent. (12/6/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Quackenbush stated made a motion to move Resolution #345 toward the end of the meeting. The Board concurred and chose to entertain the Resolution as the next-to-last Resolution of the meeting.

RESOLUTION NO. 345 of 2005

DATED: December 6, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - PUBLIC WORKS

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Walters

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT		FROM	TO	INC/(DEC)
REVENUES				
DM-12-3-5031	Interfund Transfers	\$285,296	\$295,796	\$ 10,500
APPROPRIATIONS				
A-06-4-9900-00-9903	Transfer to Rd. Machinery Fund	\$285,296	\$295,796	\$ 10,500
A-12-4-1620-00-4412	Light & Power	\$415,500	\$517,000	\$101,500
A-12-4-1620-00-4414	Natural Gas	\$231,000	\$261,000	\$ 30,000
DM-12-4-5130-00-4412	Light & Power	\$ 19,500	\$ 21,000	\$ 1,500
DM-12-4-5130-00-4414	Natural Gas	\$ 46,500	\$ 55,500	\$ 9,000

RESOLUTION ADOPTED with Aye(1221). Supervisors Sinicropi, Jr. and Dybas voted Nay. Supervisors Brodie, Schumann and Stagliano were absent. (12/6/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor DiMezza spoke in support of Resolution #346. He stated that the Caseworker position is mostly funded through the State and Federal Government, and that the local share is going to be picked up by Amsterdam School District.

Supervisor Dybas stated that he doesn't support the Resolution as stated. He made a motion to amend the Resolution by striking the Caseworker position. There was no second to his motion.

RESOLUTION NO. 346 of 2005

DATED: December 6, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - SOCIAL SERVICES

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Mancini

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC / (DEC)
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APPROPRIATIONS

A-18-4-6010-00-1110(725)	Caseworker	\$	0	\$	26,374	\$	26,374
A-18-4-6011-00-6102	Med Assist. MMIS	\$	11,371,386	\$	0	(\$11,371,386)	
A-18-4-6011-00-6100	Medicaid	\$	0	\$	10,752,000	\$	10,752,000

RESOLUTION ADOPTED with Aye(1358). Supervisor Dybas voted Nay. Supervisors Brodie, Schumann and Stagliano were absent. (12/6/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

After discussion, the Board concurred that Resolution #347 should be the final Resolution entertained in the meeting, as changes would be necessary in the Contingent Account. Thus, the Resolution was moved to the end of the meeting.

Treasurer Shawn Bowerman clarified Resolution 348.

Supervisor DiMezza stated that the two Cleaner positions should be removed, as it is more cost effective for the boiler to be connected to a paging system of an on-call Maintenance Supervisor.

The Board as a whole concurred that the Cleaner, Leisure Time Activity Aide and Caseworker positions were extravagant at this point in time.

RESOLUTION NO. 348 of 2005

DATED: December 6, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - MONTGOMERY MEADOWS

Resolution by Supervisor: Jonker

Seconded by Supervisor: Di Mezza

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
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REVENUES

EH-34-3-5031	Interfund Transfer	\$	1,767,748	\$	1,860,973	\$	93,225
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APPROPRIATIONS

EH-34-4-6020-00-1110(30)	Bldg Maint. Wrkr	\$	0	\$	26,374	\$	26,374
EH-34-4-6020-00-1110(37)	Cleaner	\$	0	\$	22,520	\$	22,520

EH-34-4-6020-00-1110(39)	Cleaner	\$	0	\$	22,520	\$22,520
EH-34-4-6020-00-1110(166)	Leisure Time Act Aide	\$	0	\$	21,811	\$21,811
EH-34-4-6020-00-1110(343)	Bldg Maintenance Wrkr	\$	0	\$	26,374	\$26,374
EH-34-4-6020-00-1110(1129)	Caseworker	\$	0	\$	26,374	\$26,374
EH-34-4-6020-00-1120(115)	Part-Time Employees	\$	342,578	\$	289,830	(\$52,748)
A-06-4-9900-00-9961	Transfer to Meadows	\$1,767,748		\$1,860,973		\$93,225

MOTION TO AMEND by Supervisor Strevy, seconded by Supervisor Walters, by striking the following lines:

"EH-34-3-5031	Interfund Transfer	\$1,767,748	\$1,860,973	\$93,225"
"EH-34-4-6020-00-1110(37)	Cleaner	\$	0	\$ 22,520 \$22,520"
"EH-34-4-6020-00-1110(39)	Cleaner	\$	0	\$ 22,520 \$22,520"
"EH-34-4-6020-00-1110(166)	Leisure Time Act Aide	\$	0	\$ 21,811 \$21,811"
"EH-34-4-6020-00-1110(1129)	Caseworker	\$	0	\$ 26,374 \$26,374"
"A-06-4-9900-00-9961	Transfer to Meadows	\$1,767,748	\$1,860,973	\$93,225",

passed with Aye(1177). Supervisors Dybas, Jonker and Cechnicki voted Nay. Supervisors Brodie, Schumann and Stagliano were absent. (12/6/2005)

RESOLUTION ADOPTED with Aye(1428). Supervisor Cechnicki voted Nay. Supervisors Brodie, Schumann and Stagliano were absent. (12/6/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

The Board recognized Sheriff Mike Amato, who stated that Resolution #349 represents revenues from 911.

Chairman Strevy stated that this Resolution is budget neutral.

RESOLUTION NO. 349 of 2005

DATED: December 6, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - SHERIFF

Resolution by Supervisor: McMahon

Seconded by Supervisor: Thomas

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
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REVENUES

A-15-3-1140-14	Public Safety Com. Sys E911	\$134,163	\$142,313	\$ 8,150
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APPROPRIATIONS

A-15-4-3020-14-4411	Telephone	\$ 80,000	\$ 88,150	\$ 8,150
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RESOLUTION ADOPTED with Aye(1494). Supervisors Brodie, Schumann and Stagliano were absent. (12/6/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor DiMezza stated that he would like to see two patrol vehicles added to the Sheriff's fleet, based on the information that there will be five new officers coming from the Academy who will need transportation.

Sheriff Amato stated his support of Resolution #350 and the addition of the two patrol vehicles.

RESOLUTION NO. 350 of 2005

DATED: December 6, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - PERSONNEL (SHERIFF)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Sini cropi , Jr.

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
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APPROPRIATIONS

A-15-4-3110-00-1110(335)	Principal Acc. Clerk/Typ	\$ 0	\$26,673	\$26,673
A-15-4-3110-00-1110(922)	Deputy Sheriff	\$ 0	\$30,443	\$30,443
A-15-4-3110-00-1110(1416)	Account Clerk/Typist	\$ 21,654	\$ 0	(\$21,654)
A-15-4-3150-00-1110(338)	Account Clerk/Typist	\$ 0	\$22,521	\$22,521
A-15-4-3150-00-1120(854)	Account Clerk/Typist P/T	\$ 9,979	\$0	(\$ 9,979)

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Thomas, by adding the following line under the APPROPRIATIONS clause:

"A-15-4-3110-00-2230 MV Equip \$20,380 \$61,140 \$40,760",

passed with Aye(1391). Supervisor Strevey voted Nay. Supervisors Brodie, Schumann and Stagliano were absent. (12/6/2005)

RESOLUTION ADOPTED with Aye(1244). Supervisors Strevey and Paton voted Nay. Supervisors Brodie, Schumann and Stagliano were absent. (12/6/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 351 of 2005

DATED: December 6, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - AG DISTRICT REVIEW CONTRACT

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
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APPROPRIATIONS

A-24-4-8751-00-4431	Misc. Supporting Services	\$0	\$21,581	\$21,581
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RESOLUTION ADOPTED with Aye(1494). Supervisors Brodie, Schumann and Stagliano were absent. (12/6/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

The Board recognized William VanGorder, Agent for Mang Insurance Agency. Mr. VanGorder handed a folder of insurance renewal information to each Supervisor.

RESOLUTION NO. 352 of 2005

DATED: December 6, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - GENERAL LIABILITY INSURANCE

Resolution by Supervisor: Walters

Seconded by Supervisor: Jonker

RESOLVED, that the 2006 Tentative Operating Budget is hereby amended as follows:

Account	To	From	Inc/Dec
A-31-4-1910-00-4480 Insurance	\$540,000	\$581,000	\$41,000

RESOLUTION ADOPTED with Aye(1494). Supervisors Brodie, Schumann and Stagliano were absent. (12/6/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor DiMezza stated his support for Resolution #344 as a revenue generator for the County.

RESOLUTION NO. 344 of 2005

DATED: December 6, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - COUNTY CLERK

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Mancini

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
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APPROPRIATIONS

A-08-4-1410-00-1110(721) Sr. Account Clerk/Typist	\$ 0	\$24,892	\$24,892
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MOTION TO TABLE by Supervisor McMahon, seconded by Supervisor Jonker, was defeated with Aye(542). Supervisors Sinicropi, Jr., McMahon, Paton and Jonker voted Aye. Supervisors Brodie, Schumann and Stagliano were absent. (12/6/2005)

RESOLUTION ADOPTED with Aye(1244). Supervisors Strevy and Paton voted Nay. Supervisors Brodie, Schumann and Stagliano were absent. (12/6/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 347 of 2005

DATED: December 6, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - FUND BALANCE/CONTINGENT ACCOUNT

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Strevy

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
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Appropriated Fund Balance - General Fund	\$1,428,300	\$1,200,000	(\$228,300)
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APPROPRIATIONS

A-01-4-1990-00-4400 Contingent Account	\$ 500,000	\$ 800,000	\$300,000
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MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Mancini, by striking the entire "Appropriated Fund Balance - General Fund" line, was defeated with Aye(538). Supervisors Dybas, Mancini, Thomas, Jonker and Cechnicki voted Aye. Supervisors Brodie, Schumann and Stagliano were absent. (12/6/2005)

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Walters, by changing, in the APPROPRIATIONS clause, the TO figure from "\$800,000" to "\$600,000", and

the INC/(DEC) figure from "\$300,000" to "\$100,000",

passed with Aye(1358). Supervisor Dybas voted Nay. Supervisors Brodie, Schumann and Stagliano were absent. (12/6/2005)

RESOLUTION ADOPTED with Aye(1358). Supervisor Dybas voted Nay. Supervisors Brodie, Schumann and Stagliano were absent. (12/6/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor DiMezza, seconded by Supervisor Strevy, passed with Aye(1494). Supervisors Brodie, Schumann and Stagliano were absent. Chairman Strevy adjourned the meeting at 8:17 pm.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BOARDWAY, FONDA, NY
PUBLIC HEARING
6:30 PM, December 13, 2005

2006 Tentative Operating Budget

PUBLIC HEARING DISCUSSION

Chairman Strevy 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 Montgomery County Court House, 58 Broadway (Route 30A), Fonda, New York at 6:30 p.m. on Tuesday, December 13, 2005 for the purpose of holding a public hearing on the Tentative Budget for the fiscal year beginning January 1, 2006, as required by County Law of the State of New York.

FURTHER NOTICE is hereby given that copies of said 2006 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.

Kim Sanborn
Clerk of the Board

The Board recognized Tony Boldez, of 77 Lincoln Ave. in Amsterdam, who spoke on his concerns over the increased taxes in Amsterdam.

The Board recognized Mark Hoffman, a resident of the Town of Mohawk, who praised the Board for their positive handling of this year's budget process.

Chairman Strevy asked if there were any other speakers. With no further speakers, he adjourned the public hearing at 6:45 p.m.

Respectfully submitted,

Kimberly Sanborn
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, December 13, 2005

PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 4 OF 2005, A LOCAL LAW WHICH AUTHORIZES
ADDITIONAL COMPENSATION FOR VARIOUS MONTGOMERY COUNTY OFFICIALS

PUBLIC HEARING DISCUSSION

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

The following notice was read:

PUBLIC HEARING - INTRODUCTORY LOCAL LAW NO. 4 OF 2005, A LOCAL LAW WHICH AUTHORIZES ADDITIONAL
COMPENSATION FOR VARIOUS MONTGOMERY COUNTY OFFICIALS

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, December 13, 2005 for the purpose of holding a public hearing on
INTRODUCTORY LOCAL LAW NO. 4 OF 2005, A LOCAL LAW WHICH AUTHORIZES ADDITIONAL COMPENSATION FOR
VARIOUS MONTGOMERY COUNTY OFFICIALS

FURTHER NOTICE is hereby given that copies of said Introductory Local Law No. 4 of 2005 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.

Kim Sanborn, Clerk of the Board

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

There were no speakers.

Chairman Strevy adjourned the public hearing at 7:00 p.m.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:30 PM, December 13, 2005

CALL TO ORDER

Chairman Strevy called the Regular Meeting of the Montgomery County Board of Supervisors for Dec. 13, 2005 to order at 7:32 PM.

SALUTE TO THE FLAG

Supervisor DiMezza led the Salute to the Flag.

ROLL CALL

Present were Supervisors Quackenbush, Paton, McMahon, Strevy, Dybas, Cechnicki, Schumann, Walters, Thomas, Jonker, Mancini and DiMezza. Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent.

PRIVILEGE OF THE FLOOR

PRESENTATION

Presentation - "Amsterdam High School Football Team, NYS Class A Champions" Proclamation

Several members and coaches of the team were present as Supervisor Dybas read the Proclamation. There was a standing ovation. The Head Coach expressed his appreciation to the public for their support of the football team.

PUBLIC COMMENT

Chairman Strevy opened the floor for public comment at 7:38 PM.

There were no speakers.

Chairman Strevy adjourned the Privilege of the Floor at 7:39 PM.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (Nov. 22 - Dec. 6, 2005) by Supervisor Dybas, seconded by Supervisor Quackenbush, passed with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS, passed with Aye(1360). Supervisor Dybas abstained. Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent.

OTHER

MOTION TO AMEND AGENDA by Supervisor Walters, seconded by Supervisor McMahon, to include Resolutions 368, 369, 370 and 371, and to also change the order of the Resolutions by entertaining Resolution 371 before any other Resolutions, passed with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent.

UNFINISHED BUSINESS

Supervisor Walters stated that he supports the departments funding the headsets from within, as Social Services has.

Supervisor DiMezza withdrew his sponsorship of Resolution #298. Supervisor Thomas withdrew his sponsorship, also. No one picked up the sponsorship.

RESOLUTION NO. 298 of 2005

DATED: November 22, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER #1 - GAFFNEY COMMUNICATIONS - COUNTY WIDE TELEPHONE SYSTEM CAPITAL PROJECT (PUBLIC WORKS)

Resolution by Supervisor: Thomas
Seconded by Supervisor: Di Mezza

WHEREAS, Resolution 263 of 2004 authorized the signing of a contract with Gaffney Communications, 310 Main Street, Utica, NY for the provision of a County-wide Telephone System in an amount not to exceed \$212,740, and

WHEREAS, as most of the capital project is complete, certain departments have requested additional equipment within their department related to the new system, and

WHEREAS, said additional equipment will have an additional cost of \$4,275,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign Change Order #1 with Gaffney Communications, 310 Main Street, Utica, NY as follows:

Change Order No. 1	To provide for additional equipment for departments to complete the capital project	\$ 4,275
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Original Contract Amount:	\$212,740.00
Proposed Change Order #1	(+) 4,275.00

	\$217,015.00

MOTION TO TABLE by Supervisor Walters, seconded by Supervisor Paton, passed with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (11/22/2005)

MOTION TO REMOVE FROM TABLE by Supervisor Di Mezza, seconded by Supervisor Thomas, passed with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (12/13/2005)

RESOLUTION WITHDRAWN BY SPONSOR (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

NEW BUSINESS

Dan Mumpton from the Montgomery Meadows spoke in support of the Caseworker position, as stated in Resolution 371, due to the continued increase in workload.

RESOLUTION NO. 371 of 2005

DATED: December 13, 2005

RESOLUTION AMENDING 2006 TENTATIVE OPERATING BUDGET - MONTGOMERY MEADOWS

Resolution by Supervisor: Strevy
Seconded by Supervisor: Dybas

RESOLVED, that the 2006 Tentative Operating Budget is amended as follows:

ACCOUNT		FROM	TO	INC/(DEC)
EH-34-4-6020-00-1110 (185)	LPN	\$ 31,633	\$ 0	(\$31,633)
EH-34-4-6020-00-1110 (1129)	Caseworker	\$ 0	\$ 26,374	\$26,374
EH-34-4-6020-00-1120 (115)	Part-Time Employees	\$289,830	\$295,089	\$ 5,259

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 353 of 2005**DATED:** December 13, 2005**RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 4 OF 2005 - A LOCAL LAW WHICH AUTHORIZES ADDITIONAL COMPENSATION FOR VARIOUS MONTGOMERY COUNTY OFFICIALS**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Di Mezza

WHEREAS, on November 22, 2005 a proposed Local Law for the County of Montgomery County entitled "A Local Law which Authorizes Additional Compensation for Various Montgomery County Officials" was presented to the Board of Supervisors for consideration, and

WHEREAS, on November 22, 2005 Resolution 316 of 2005 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 13th day of December, 2005 at the time and place appointed, and

WHEREAS, said public hearing has been held,

RESOLVED, that Introductory Local Law No. 4 of 2005 entitled "A Local Law which Authorizes Additional Compensation for Various Montgomery County Officials" hereby is adopted and is incorporated as follows:

"A Local Law Which Authorizes Additional Compensation for Various Montgomery County Officials"

Be it enacted by the Board of Supervisors of the County of Montgomery as follows:

SECTION 1. The annual salaries, including longevity along with the additional compensation in the form a revised longevity schedule and one time bonus, sums opposite the office and designation of such County Official to wit:

Title	Salary	Add'l Compensation	Total Compensation
County Treasurer	\$52,250	\$2,200	\$54,450
Election Commissioner - Rep.	\$33,000	\$2,250	\$35,250
Election Commissioner - Dem.	\$31,500	\$2,250	\$33,750
Personnel/Self Ins. Director	\$54,784	\$2,350	\$57,134
County Clerk	\$52,750	\$2,350	\$55,100
County Historian	\$31,750	\$2,100	\$33,850
Purchasing Agent	\$35,000	\$2,250	\$37,250
Sheriff	\$58,524	\$2,500	\$61,024
Public Works Commissioner	\$52,225	\$2,250	\$54,475
Director of Real Property Tax	\$44,409	\$2,750	\$47,159
Social Services Commissioner	\$53,250	\$3,250	\$56,500
County Auditor - P/T	\$21,013	\$1,625	\$22,638
County Attorney - P/T	\$46,374	\$1,625	\$47,999
Coroner - P/T	\$5,969	\$ 625	\$ 6,594
Head Coroner - P/T	\$6,647	\$ 625	\$ 7,272

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

, 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(1338). Supervisor Quackenbush voted Nay. Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 354 of 2005

DATED: December 13, 2005

RESOLUTION ADOPTING MONTGOMERY COUNTY 2006 OPERATING BUDGET

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thomas

WHEREAS, the Montgomery County Board of Supervisors has met and considered the 2006 Tentative Operating Budget and has conducted a public hearing thereon, as required by County Law,

RESOLVED, that in accordance with County Law, the 2006 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 forth in the "adopted" column of said Budget, hereby are appropriated for the purposes specified, effective January 1, 2006.

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 355 of 2005

DATED: December 13, 2005

RESOLUTION AUTHORIZING ACCOUNT PAYABLE YEAR-END ADJUSTMENTS - 2005 OPERATING BUDGET

Resolution by Supervisor: Thomas

Seconded by Supervisor: McMahon

WHEREAS, provisions of the Federal Single Audit Act and regulations of the State Comptroller require Montgomery County to utilize modified accrual as the basis for governmental fund accounting, and

WHEREAS, modified accrual accounting principles require that the County accrue accounts payable so expenditures are generally reflected in the period for which the goods or services are received, and

WHEREAS, application of this principle may result in the over-expenditure of certain individual line item applications, particularly in areas where spending is mandated by State 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 2005, 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(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 356 of 2005

DATED: December 13, 2005

RESOLUTION DELEGATING AUTHORITY TO AMEND 2005 OPERATING BUDGET

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thomas

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 2005 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 14, 2005 and ending on December 31, 2005.

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Attorney Doug Landon stated that the terms of the agreement as stated in Resolution 357 will not change. However, a principal no longer in business is being removed as one of the responsible parties, he also stated.

RESOLUTION NO. 357 of 2005

DATED: December 13, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED LOAN AGREEMENT - SUN CENTER 3001 (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Walters

WHEREAS, Montgomery County, through its Economic Development Program, has a revolving loan with Sun Center 3001, Inc., a corporation, with principals consisting of Ray Gomulka and Jackie DiScenza, and

WHEREAS, one of the principals has agreed to transfer their interest to the other and leave the business, and

WHEREAS, the other principal wishes to continue under the current loan agreement,

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 amended loan agreement and related documents with Sun Center 3001, Inc., and

FURTHER RESOLVED, that there shall not be any changes to the terms of the original revolving loan agreement, including the County's security interest.

MOTION TO AMEND by Supervisor Jonker, seconded by Supervisor Dybas, by altering, in the FURTHER RESOLVED clause, the words "any changes" to read "any more changes", was defeated with Aye(722). Supervisors Dybas, Mancini, Strevy, Thomas, Paton and Jonker voted Aye. Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (12/13/2005)

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 358 of 2005

DATED: December 13, 2005

RESOLUTION TRANSFERRING FUNDS - VARIOUS LINE ITEMS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Quackenbush

WHEREAS, Montgomery Meadows is experiencing shortages in various expense lines,

RESOLVED, that the Board of Supervisor hereby authorizes and directs the County Treasurer to amend the 2005 Operating Budget as follows:

INCREASE:

A-599	Appropriated Fund Balance	\$ 80,000.00
A-06-4-9900-00-9961	Transfer to Mont. Meadows	\$ 80,000.00
EH-34-3-5031	Interfund Transfer	\$ 80,000.00

TRANSFER FROM:

EH-34-4-6020-00-1110	(25)	Building Maint. Worker	\$ 1,700.00
EH-34-4-6020-00-1110	(28)	Building Maint. Worker	\$ 2,300.00
EH-34-4-6020-00-1110	(31)	Caseworker	\$ 6,600.00
EH-34-4-6020-00-1110	(35)	Cleaner	\$ 3,600.00
EH-34-4-6020-00-1110	(39)	Cleaner	\$ 500.00
EH-34-4-6020-00-1110	(42)	Primary Health Care Nurse	\$ 2,291.00
EH-34-4-6020-00-1110	(43)	Custodial Worker	\$ 8,600.00
EH-34-4-6020-00-1110	(44)	Cleaner	\$ 3,100.00
EH-34-4-6020-00-1110	(49)	Scheduling Clerk	\$ 2,600.00
EH-34-4-6020-00-1110	(84)	Custodial Worker	\$ 4,500.00
EH-34-4-6020-00-1110	(109)	Ward Clerk	\$ 700.00
EH-34-4-6020-00-1110	(121)	Food Service Helper	\$ 1,000.00
EH-34-4-6020-00-1110	(127)	Food Service Helper	\$ 700.00
EH-34-4-6020-00-1110	(134)	Head Nurse	\$ 38,749.00
EH-34-4-6020-00-1110	(138)	Head Nurse	\$ 20,013.00
EH-34-4-6020-00-1110	(166)	Leisure Time Activity	\$ 18,900.00
EH-34-4-6020-00-1110	(168)	Nurse Asmt & Care Co.	\$ 26,939.00
EH-34-4-6020-00-1110	(171)	L. P. N	\$ 600.00
EH-34-4-6020-00-1110	(177)	L. P. N	\$ 3,700.00
EH-34-4-6020-00-1110	(178)	L. P. N	\$ 5,900.00
EH-34-4-6020-00-1110	(179)	L. P. N	\$ 2,500.00
EH-34-4-6020-00-1110	(184)	L. P. N	\$ 5,700.00
EH-34-4-6020-00-1110	(185)	L. P. N	\$ 4,100.00
EH-34-4-6020-00-1110	(186)	L. P. N	\$ 5,600.00
EH-34-4-6020-00-1110	(194)	L. P. N	\$ 3,400.00
EH-34-4-6020-00-1110	(206)	C. N. A	\$ 1,400.00
EH-34-4-6020-00-1110	(208)	C. N. A	\$ 3,400.00
EH-34-4-6020-00-1110	(210)	C. N. A	\$ 3,600.00
EH-34-4-6020-00-1110	(212)	C. N. A	\$ 1,600.00
EH-34-4-6020-00-1110	(214)	C. N. A	\$ 700.00
EH-34-4-6020-00-1110	(215)	C. N. A	\$ 3,500.00
EH-34-4-6020-00-1110	(218)	C. N. A	\$ 3,400.00
EH-34-4-6020-00-1110	(219)	C. N. A	\$ 2,600.00
EH-34-4-6020-00-1110	(220)	C. N. A	\$ 1,300.00
EH-34-4-6020-00-1110	(221)	C. N. A	\$ 4,400.00
EH-34-4-6020-00-1110	(227)	C. N. A	\$ 4,400.00
EH-34-4-6020-00-1110	(232)	C. N. A	\$ 1,400.00
EH-34-4-6020-00-1110	(234)	C. N. A	\$ 7,000.00
EH-34-4-6020-00-1110	(236)	C. N. A	\$ 7,500.00
EH-34-4-6020-00-1110	(237)	C. N. A	\$ 7,800.00
EH-34-4-6020-00-1110	(238)	C. N. A	\$ 11,100.00
EH-34-4-6020-00-1110	(239)	C. N. A	\$ 5,300.00
EH-34-4-6020-00-1110	(240)	C. N. A	\$ 7,200.00
EH-34-4-6020-00-1110	(241)	C. N. A	\$ 4,200.00
EH-34-4-6020-00-1110	(244)	C. N. A	\$ 1,000.00
EH-34-4-6020-00-1110	(246)	C. N. A	\$ 8,600.00
EH-34-4-6020-00-1110	(247)	C. N. A	\$ 3,300.00
EH-34-4-6020-00-1110	(248)	C. N. A	\$ 1,400.00
EH-34-4-6020-00-1110	(249)	C. N. A	\$ 10,400.00
EH-34-4-6020-00-1110	(250)	C. N. A	\$ 5,200.00
EH-34-4-6020-00-1110	(251)	C. N. A	\$ 5,100.00
EH-34-4-6020-00-1110	(252)	C. N. A	\$ 8,700.00
EH-34-4-6020-00-1110	(253)	C. N. A	\$ 5,100.00
EH-34-4-6020-00-1110	(265)	C. N. A	\$ 4,700.00
EH-34-4-6020-00-1110	(266)	Orderly	\$ 10,100.00
EH-34-4-6020-00-1110	(267)	Orderly	\$ 2,100.00
EH-34-4-6020-00-1110	(269)	Laundry Worker	\$ 3,600.00
EH-34-4-6020-00-1110	(306)	L. P. N	\$ 9,900.00
EH-34-4-6020-00-1110	(329)	Bldg Maint Svcs Supervisor	\$ 4,800.00
EH-34-4-6020-00-1110	(341)	Asst. Director of Nursing	\$ 26,800.00
EH-34-4-6020-00-1110	(342)	Supervising Nurse	\$ 6,500.00
EH-34-4-6020-00-1110	(348)	Receptionist	\$ 800.00
EH-34-4-6020-00-1110	(446)	Physical Therapy Asst.	\$ 6,100.00
EH-34-4-6020-00-1110	(457)	Supervising Nurse	\$ 11,900.00
EH-34-4-6020-00-1110	(475)	Nurse Svc Training Coord	\$ 1,985.00
EH-34-4-6020-00-1110	(562)	Ward Clerk	\$ 1,700.00
EH-34-4-6020-00-1110	(594)	Ward Clerk	\$ 500.00
EH-34-4-6020-00-1110	(609)	L. P. N	\$ 2,500.00

EH-34-4-6020-00-1110	(650)	Account Clerk Typist	\$ 4,500.00
EH-34-4-6020-00-1110	(907)	Sr. Account Clerk Typist	\$ 1,536.00
EH-34-4-6020-00-1110	(1038)	Accountant	\$ 1,048.00
EH-34-4-6020-00-1110	(1056)	Head Nurse	\$ 37,934.00
EH-34-4-6020-00-1110	(1129)	Caseworker	\$ 1,800.00
EH-34-4-6020-00-1110	(1421)	Admissions Coordinator	\$ 700.00
EH-34-4-6020-00-1110	(1422)	Supervising Nurse	\$ 1,900.00
EH-34-4-6020-00-1111	(926)	Overtime Pay	\$ 25,000.00
EH-34-4-6020-00-1113	(1211)	Shift Differential	\$ 5,000.00
EH-34-4-6020-00-1120	(289)	Physician/Medical Director	\$ 19,000.00
EH-34-4-6020-00-1120	(708)	Patients Account Worker	\$ 5,587.00
EH-34-4-6020-00-1125	(370)	Other Compensation/Raises	\$ 8,000.00
EH-34-4-6020-00-2255		Bldg & Grounds Equip.	\$ 10,000.00
EH-34-4-6020-00-2260		Other Equipment	\$ 20,000.00
EH-34-4-6020-00-4444		Custodial/Household Supp.	\$ 50,000.00
EH-34-4-6020-00-4455		Training	\$ 4,000.00
EH-34-4-6020-00-4473		Registration Fees, etc.	\$ 3,000.00
EH-34-4-6020-00-4476		Assoc/Membership Dues	\$ 2,000.00

TRANSFER TO:

EH-34-4-6020-00-1110	(23)	Bldg. Maintenance Supervisor	\$ 3,334.00
EH-34-4-6020-00-1110	(207)	C. N. A	\$ 5,340.00
EH-34-4-6020-00-4410		Utilities	\$ 33,510.00
EH-34-4-6020-00-4431		Professional Services	\$ 26,723.00
EH-34-4-6020-00-4436		Medical Fees	\$ 273,411.00
EH-34-4-6020-00-4438		Misc. Supporting Svcs	\$ 204,974.00
EH-34-4-6020-00-4441		Gasoline, Oil, Diesel Fuel	\$ 1,000.00
EH-34-4-6020-00-4445		Medical Supplies	\$ 131,000.00
EH-34-4-6020-00-4471		Mileage Allocations	\$ 500.00
EH-34-4-6020-00-4497		Fees & Permits	\$ 90.00

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 359 of 2005**DATED:** December 13, 2005**RESOLUTION ESTABLISHING SEMI-PRIVATE ROOM RATE AT THE MONTGOMERY MEADOWS RESIDENTIAL HEALTH CARE FACILITY**

Resolution by Supervisor: DiMezza

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 semi-private room, and

FURTHER RESOLVED, this new rate will be effective February 1, 2006.

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 360 of 2005**DATED:** December 13, 2005**RESOLUTION AUTHORIZING CHAIRMAN SIGN AGREEMENT - THERAPY SERVICES - SUNNYVIEW REHABILITATION HOSPITAL (MONTGOMERY MEADOWS)**

Resolution by Supervisor: Paton

Seconded by Supervisor: Jonker

WHEREAS, it has been recommended by the Nursing Home Administrator that the County enter into an agreement with Sunnyview Rehabilitation Hospital for the provision of therapy services,

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

County Attorney, is hereby authorized and directed to sign an agreement with Sunnyview Rehabilitation Hospital for the provision of therapy services at the Montgomery Meadows, and

FURTHER RESOLVED, said agreement shall be effective January 1, 2006 through December 31, 2006 at an hourly rate of \$50.00 per hour.

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Siniropi, Jr. and Stagliano were absent. (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 361 of 2005

DATED: December 13, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FULTON-MONTGOMERY COMMUNITY COLLEGE (DATA PROCESSING)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Paton

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement for the provision of data processing services to Fulton-Montgomery Community College, and

FURTHER RESOLVED, that said agreement, with estimated revenue of \$18,650, shall be for a period commencing January 1, 2006 and ending December 31, 2006.

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Siniropi, Jr. and Stagliano were absent. (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 362 of 2005

DATED: December 13, 2005

RESOLUTION APPROVING CAPITAL PROJECT - EMERGENCY WATERSHED PROTECTION PROJECT - TOWN OF AMSTERDAM (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thomas

WHEREAS, by Resolution 221 of 2005, the Montgomery County Board of Supervisors agreed to sponsor a project which would install emergency watershed protection measures to relieve hazards and damages created by severe storms and flooding in the Town of Amsterdam on July 1, 2005, and

WHEREAS, said project, estimated to cost \$30,000, will be reimbursed by \$15,000 by Natural Resources Conservation Services, with the remainder of projects costs to be split equally with the Town of Amsterdam, and

WHEREAS, it is necessary to establish a Capital Project within the County to provide for payment of costs associated with said project,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2005 Operating Budget as follows:

INCREASE:

A-599	Appropriated Fund Balance	\$30,000
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INCREASE:

A-06-4-9900-00-9950	Capital Project	\$30,000
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RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Siniropi, Jr. and Stagliano were absent. (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 363 of 2005**DATED:** December 13, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PRE-TRIAL RELEASE COORDINATOR - LESLIE NICHOLAS (YOUTH BUREAU/ACSD)**

Resolution by Supervisor: Walters

Seconded by Supervisor: Di Mezza

WHEREAS, the Director of the Youth Bureau/Alternative Community Services Department has requested the renewal of the contract for services with the Pre-Trial Release Coordinator for 2006,

RESOLVED, 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 Leslie Nicholas for the provision of Pre-Trial Release Coordinator Services for the period January 1, 2006 through December 31, 2006 at an amount not to exceed \$25,000 plus allowable reimbursable expenses.

RESOLUTION ADOPTED with Aye(1357). Supervisor Schumann abstained. Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 364 of 2005**DATED:** December 13, 2005**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SATELLITE OFFICE LEASE - CENTRO CIVICO OF AMSTERDAM, INC. (PROBATION)**

Resolution by Supervisor: Jonker

Seconded by Supervisor: Di Mezza

WHEREAS, it is necessary that the Probation Department maintain a satellite office in the City of Amsterdam, and

WHEREAS, Centro Civico of Amsterdam, Inc. has agreed to lease 131 East Main St. Amsterdam to the Probation Department for this purpose,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a lease agreement with Centro Civico of Amsterdam, Inc. to provide a satellite office for the Probation Department, and

FURTHER RESOLVED, that said agreement shall be for a period commencing on January 1, 2006 and ending on December 31, 2006, at a rental rate of \$400.00 per month.

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 365 of 2005**DATED:** December 13, 2005**RESOLUTION RECOMMENDING THE STATE LEGISLATURE PROVIDE FOR MODIFICATION TO NYS PUBLIC OFFICER LAW, ARTICLE 2, SECTION 3 TO ALLOW ASSISTANT DISTRICT ATTORNEYS TO RESIDE IN MONTGOMERY COUNTY OR ANY ADJOINING COUNTY**

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Mancini

WHEREAS, the District Attorney's Office would, in the future, like the opportunity to draw from as large a pool of potential applicants as possible when filling the position of Assistant District Attorney, and

WHEREAS, the District Attorney's Office has in the past hired Assistant District Attorneys who have worked in more than one County at the same time, and

WHEREAS, the offices of New York State Senator Hugh Farley and New York State Assemblyman Paul Tonko have agreed that such legislation is appropriate and have further agreed to sponsor a bill bringing about the appropriate change to New York State Public Officers Law to allow such hiring,

RESOLVED, that the Montgomery County Board of Supervisors hereby request that Senator Hugh Farley and Assemblyman Paul Tonko submit legislation to the New York State Legislature to modify any appropriate New York State Law to allow hiring of the Assistant District Attorneys from Montgomery County or any adjoining County.

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 366 of 2005

DATED: December 13, 2005

RESOLUTION AMENDING 2005 OPERATING BUDGET - 3-5 PRESCHOOL PROGRAM (PUBLIC HEALTH)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Quackenbush

WHEREAS, the Montgomery County Public Health Department is mandated to provide for services to children enrolled in the NYSED 4410 3-5 Preschool program, and

WHEREAS, it is anticipated that the current fiscal year's costs for these programs, due to increased enrollment, service authorizations and increased tuition and transportation costs, will be in excess of the current 2005 appropriated funds,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005 Operating Budget, as follows:

INCREASE:

Appropriations:

A-16-4-4046-00	3-5 Preschool Program	
	.4432 Tuition	\$50,000
	.4475 Transportation	\$82,000

Revenues:

A-16-3-3277-00	State Aid - Handicapped Children (3-5)	\$78,540
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Appropriations: A-599 Appropriated Fund Balance \$53,460

RESOLUTION ADOPTED with Aye(1294). Supervisors Dybas and Cechnicki abstained. Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 367 of 2005

DATED: December 13, 2005

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - SERVICES APPROVED BY 2006 OPERATING BUDGET (SOCIAL SERVICES)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Strevy

WHEREAS, the Commissioner of Social Services, upon the approval of budgeted items in the 2006 Operating Budget, desires to enter into agreements with various contractors to provide needed services, and

WHEREAS, the Commissioner of Social Services has made recommendations to enter into such agreements upon approval of funding by the Board of Supervisors,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized and directed to sign agreements for services funded in the 2006 Operating Budget with the following providers:

Amsterdam Memorial Health Care System

(Employability Physicals For Public Assistance Clients)

Berkshire Farm Center and Services For Youth
(Stepping Stones Program – Intensive Crisis Intervention and Support
Services to Avert Placement or Detention)

Catholic Charities of Montgomery County
(Court-Ordered Supervised Visitations)

Catholic Charities of Montgomery County
(Non-Residential Domestic Violence 24-Hour Hotline Service)

Catholic Charities of Montgomery County
(Juvenile Restorative Justice – PINS Diversion Juvenile Offenders)

Catholic Charities of Montgomery County
(In-School PINS Prevention (Fresh Start) Preventive PINS/Detention Program)

Catholic Charities of Montgomery County
(Domestic Violence Assessment and Counseling)

Catholic Charities of Montgomery County
(Non-Residential Special Needs Domestic Violence – For Cases With Acute
Mental Health Issues – Physical and Psychological Disabilities)

Catholic Charities of Montgomery County
(Intensive Case Management for Public Assistance Long-Term Recipients)

Centro Civico of Amsterdam, Inc.
(Court-Ordered Supervised Visitations–Nights and Weekends)

Cornell Cooperative Extension of Fulton & Montgomery Counties
(Food Stamp Nutrition Education Program)

Employment Resources
(Food Stamp Employees to Seek Employment)

Employment Resources
(Employment Case Management – Job Referrals, Job Development and Worksite
Development)

Employment Resources
(New York Works Block Grant – Work Orientation, Job Search, Job Placement
and Retention)

Fonda-Fultonville School District
(Preventive Services)

Fort Plain Central School District
(Preventive Services)

Fort Plain Central School District
(Psychological Social Worker – At Risk Children)

Fulton-Montgomery Community College
(Bridge Contract – Educational and Job Skills Training)

M. R. Ghazi-Moghadem, M.D., F.A.C.S.
(Disability Determinations)

Greater Amsterdam School District
(Preventive Services)

Hispanic Outreach Services
(Translation/Interpretation Services)

Lab Corp/Laboratory Corporation of America
(Paternity Testing)

Montgomery County Data Processing Department
(Systems Support Services)

Montgomery County Data Processing Department
(Payment to Data Processing For Payroll, Etc.)

Montgomery County Sheriff's Department
(Security Guard – To Provide Security at County Office Building)

St. Mary's Hospital at Amsterdam
(Drug and Alcohol Core Assessment and Training, Abuse Screening, Additional
Related Drug and Alcohol Counseling/Vocational Counseling)

St. Mary's Hospital at Amsterdam
(Two - 2 - Master Social Workers - Assessment and Treatment Plan For
Children)

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Siniropi, Jr. and Stagliano were
absent. (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Emergency Management Director Gary Nestle stated that the purpose of Resolution 368 is to cover
repairs on the generator at the Hub that was damaged from low voltage by Niagara Mohawk. He also
stated that the utility budget needs money to pay for power for the towers through the end of the
year.

Chairman Strevy stated that research is needed to determine whether costs for the generator
repair can be claimed on insurance.

RESOLUTION NO. 368 of 2005

DATED: December 13, 2005

RESOLUTION TRANSFERRING FUNDS - EMERGENCY MANAGEMENT

Resolution by Supervisor: Strevy

Seconded by Supervisor: Thomas

RESOLVED, that the Board of Supervisor hereby authorizes and directs the County Treasurer to
amend the 2005 Operating Budget as follows:

FROM:

A-02-4-3641-00-4449	EMS - Special Supplies	\$ 170.00
A-02-4-3641-00-4455	EMS - Training	\$1,500.00
A-02-4-3640-00-4470	Emerg. Mgmt. - Travel	\$2,867.00

TO:

A-02-4-3020-00-4410	Communications - Utilities	\$ 567.00
A-02-4-3020-00-4422	Communications - Repairs	\$3,970.00

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Siniropi, Jr. and Stagliano were
absent. (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

DPW Commissioner Paul Clayburn stated that the Counties share of the project as stated in
Resolution 369 will be 5%.

RESOLUTION NO. 369 of 2005

DATED: December 13, 2005

**RESOLUTION APPROVING OPTIONS FOR PURCHASES OF LANDS FOR RIGHTS-OF-WAY FOR LATIMER HILL
ROAD, COUNTY ROAD NO. 89 (PUBLIC WORKS)**

Resolution by Supervisor: Walters

Seconded by Supervisor: Cechnicki

WHEREAS, Paul H. Clayburn, Commissioner of the Montgomery County Department of Public Works has
negotiated for and obtained options from the following landowners for the purchase of lands in
the Town of Root, Montgomery County, New York, for the Latimer Hill Road projects, as follows:

Land Owner - Miron Mihuka
Map and Parcel No. of Land to be Purchased - Map No. 6, Parcel No. 7
Purchase Price as Set Forth in Option - \$3,950.00

Land Owner - Miron Mihuka
Map and Parcel No. of Land to be Purchased - Map No. 6, Parcel No. 7 Remnant
Purchase Price as Set Forth in Option - \$400.00

Land Owner - Surnoff Judy & Christine H. Edgecombe Judy
Map and Parcel No. of Land to be Purchased - Map No. 5, Parcel's No. 5 & 6
Purchase Price as Set Forth in Option - \$500.00

Land Owner - Wayne R. Gaige II
Map and Parcel No. of Land to be Purchased - Map No. 4, Parcel No. 4
Purchase Price as Set Forth in Option - \$750.00

; and

WHEREAS, the said options require the approval of this Board of Supervisors,

RESOLVED, that the Montgomery County Board of Supervisors hereby approves said options, as listed above, in all respects, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney is authorized and directed to enter into said options.

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 370 of 2005

DATED: December 13, 2005

RESOLUTION EXPRESSING APPRECIATION TO THE OUTGOING SUPERVISORS FOR THEIR SERVICE AND DEDICATION TO THE COUNTY

Resolution by Supervisor: Strevy

Seconded by Supervisor: Full Board

WHEREAS, John P. Brodie, representing the 1st ward in the City of Amsterdam, has served on the Montgomery County Board of Supervisors since 2000, and

WHEREAS, Supervisor Brodie, during his tenure also served as Public Safety Committee Chairman in 2001, and

WHEREAS, Carmen J. Sinicropi, Jr., representing the 2nd Ward in the City of Amsterdam, has served on the Montgomery County Board of Supervisors since 2002, and

WHEREAS, Supervisor Sinicropi, during his tenure also served as Infirmary Chairman in 2003, Health and Human Services Chairman in 2004 and Vice Chairman of the Board in 2004, and

WHEREAS, Dominick Stagliano, representing the Town of St. Johnsville, has served on the Montgomery County Board of Supervisors since 1998, and

WHEREAS, Supervisor Stagliano, during his tenure, also served as Government Chairman in 1999, Budget Committee Chairman in 2001, Finance Committee Chairman in 2002 and 2003 and Chairman of the Board in 2004,

WHEREAS, it is the desire of the Board to recognize these Supervisor for their many years of public service,

RESOLVED, that the Montgomery County Board of Supervisors hereby expresses its appreciation to Supervisors Brodie, Sinicropi and Stagliano for their outstanding dedication and commitment and personal leadership to the County of Montgomery.

RESOLUTION ADOPTED with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent. (12/13/2005)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor DiMezza, seconded by Supervisor Thomas, passed with Aye(1496). Supervisors Brodie, Sinicropi, Jr. and Stagliano were absent.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

**CERTIFICATION OF PUBLICATION
CLERK OF THE BOARD**

I, KIM SANBORN, 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 2005, and the same is hereby printed in the volume by authorization of the said Montgomery County Board of Supervisors.

KIM SANBORN, CLERK
Board of Supervisors

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Attachment for:

Resolution
6 of 2005

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
As Adopted and Amended by Resolution No. 6 – January 4, 2005

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

RULES OF PROCEDURE

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 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

Within the jurisdiction of this Committee shall fall all issues arising from all authorized agencies and the following departments (divisions):

County Auditor	County Treasurer
County Clerk	Real Property Tax Services
Tentative Budget Review	Tentative Capital Budget Review
Purchasing Department	

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):

District Attorney	Emergency Management
Enhanced 911	Fire Coordinator
Probation	Public Defender
Sheriff and Corrections	Weights and Measures

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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
Board of Elections	Clerk of the Board
County Attorney	

as well as the review and modification of the existing County Law form of Government and all other related matters referred to the Committee.

41.7 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	

as well as all other related matters referred to the Committee.

ARTICLE VI. - RULES OF ORDER

RULES OF PROCEDURE

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.

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
68 of 2005**

USE OF FIREARMS

I. **PURPOSE:** To assure the probation officer maximum personal safety in the performance of his/her special duties and to establish policy and procedures for the on-duty use of firearms by probation officers employed by the Montgomery County Probation Department.

II. **POLICY**

1. **Subject to the conditions stated below, a peace officer may carry and use an authorized firearm as a deadly weapon in accordance with Article 35 of the Penal Law.**

With the exception of authorized training and qualification sessions, the firearm is to be used only in defense of the officers' life, or the life of a third party, from imminent threat of deadly physical force pursuant to Article 35 of the New York State Penal Law.

The firearm shall be discharged only in the direction of the threat and only if other non-lethal measures have failed or are not feasible.

Any use or handling of a firearm in violation of this policy or in any careless or dangerous manner will result in disciplinary action, which may include termination.

2. **A peace officer may carry a firearm "on-duty" and in the performance of special duties under the following conditions:**

- a) Upon the officer's voluntary request; and
- b) Upon successful completion of a psychological evaluation as describe below; and
- c) Upon successful completion of prescribed training and firearms qualifications as described below; and
- d) With the written consent of the Director. Such consent may be suspended or revoked by the Director at any time;
- e) Upon assignment of a department-owned firearm or one approved for carrying and use in accordance with the procedure below.

3. **Psychological Evaluation**

- a) Psychological evaluations shall be obtained by each staff member requesting authorization to carry a weapon. Such evaluations will be conducted by individuals and/or facilities approved by the Probation Director.

- b) Results of such evaluations shall be forwarded directly to the Probation Director from the evaluating agency and will be maintained under strict rules of confidentiality.
- c) Any adverse decisions based upon the results of the psychological evaluations may be challenged by the probation staff member and will require a re-evaluation if the officer continues to request to carry a firearm. Such re-evaluation will be administered by an individual selected by the challenging employee from a list of qualified psychologists approved by the agency. The cost of such evaluation will be assumed by the challenging employee. The Probation Director shall retain final decision-making responsibility upon review of both evaluations.

Training

- a) Only probation officers who have successfully completed the “basic Course for Peace Officers”, as prescribed by the rules and regulations of the New York State Division of Probation and Correctional Alternatives, and successfully completed weapons orientation as prescribed by the Municipal Police Training Council, and have qualified/re-qualified in the use of authorized firearms and have received the prescribed training in the use of deadly physical force may be authorized to carry a firearm while on duty. Designated firearms instructors specifically certified as Firearms Instructors by the New York State Division of Criminal Justice Services – Municipal Police Training Council, shall act as firearms instructors for the Department. Re-qualifications shall be at least on an annual basis and at the discretion of the Probation Director – any additional requirements shall be satisfied.
- b) Any probation officer who fails to successfully complete the above requirements will not be authorized to carry and/or use a firearm at any time while on duty. Re-qualification may be permitted at the discretion of the Probation Director.
- c) The staff development officer will coordinate the scheduling of training sessions.

Types of Firearms, Ammunition and Holsters

Probation employees are authorized to carry, for on-duty use, only those firearms, ammunition and holsters with which they have trained and qualified with and which are authorized by the Probation Director in writing.

General Safety Rules in the Handling of Firearms

A probation officer shall always be extremely careful when handling any firearm, since accidents in their use are caused by carelessness. Regardless of how familiar one becomes with firearms, the probation officer shall comply with the following safety measures:

- a) A probation officer is responsible for the safe handling and maintenance of the probation –issued firearm and any personally owned firearm, which is authorized for use on duty.
 - i) If the probation officer suspects that the firearm is not working properly, he is required to have it inspected by an authorized armorer. Under no circumstances shall a probation officer go into the field with an inoperable or unloaded firearm.
 - ii) It is the probation officer's responsibility to routinely clean and otherwise maintain any authorized firearm he possesses for on-duty use. Care shall be taken to ensure that there are no obstructions in the barrel of the firearm. Firearms are to be cleaned only in safe or designated areas.
 - iii) Never presume a firearm is unloaded. Always personally inspect and verify that it is unloaded by removing the magazine, ejecting the round(s) in the chamber and visually inspecting the chamber.
 - iv) Never use the firearm as a tool.
 - v) An authorized firearm shall not be modified without prior written permission of the Probation Director.
- b) A probation officer is responsible for the security and safekeeping of the authorized firearm.
 - i) The probation officer shall ensure that any authorized firearm in his/her possession is secure so that it is not lost, stolen or used by unauthorized persons.
 - ii) When not worn, the firearm shall be kept unloaded in a secure place under lock, and with a locked trigger-guard in place--out of reach of children.
 - iii) The firearm shall not be left unattended in a vehicle, in luggage or in some other receptacle other than on the person of the officer.
- c) A probation officer shall have his/her shield displayed and identification on his/her person whenever carrying a firearm.
- d) A firearm shall not be used to intimidate anyone. When worn, a firearm shall be in a proper holster and concealed from view as much as possible.
- e) Care should be taken when handing an unholstered firearm to another. The firearm shall be unloaded with the magazine removed and slide back, or the cylinder open. The probation officer presenting the firearm must hold the weapon so that the barrel

is facing downward, and rotated so that the butt-end may be grasped by the recipient.

- f) Never remove the firearm from its holster for idle purposes.

7. Procedures for Carrying a Firearm

- a) A probation officer authorized to carry a firearm is required to carry it on duty at all times. While carrying this firearm, the probation officer shall have his/her shield and identification on his/her person. Officers carrying a firearm shall also carry a chemical agent and handcuffs at all times. Officers, when effecting an arrest, shall wear department-issued body armor.
- b) When a firearm is worn on duty, it shall be carried on the probation officer's person and in as concealed a manner as possible. At no time shall the firearm be kept, either loaded or unloaded, in a locked desk drawer, file cabinet, etc. Where the situation exists that a firearm should not be carried, it shall be secured in the designated area.
- c) When an officer is off duty and at home, the authorized firearm shall be stored unloaded in a secure box maintained in a manner inaccessible to children and unauthorized persons.
- d) The probation officer shall not loan the firearm to another person or permit another person to take possession of it except when authorized in writing by the Probation Director or his/her designee.
- e) When visiting a facility or institution, which has a policy against the carrying of a firearm on premises, the procedure of such facility or institution must be followed. Probation officers are required to ensure such weapon is safeguarded during the period when not in his/her possession.
- f) An officer who is authorized to carry a firearm may only carry the firearm while on duty. On duty is defined as normal working hours, generally between 8:00 a.m. – 6:00 p.m. and any other approved late night probation activity. An off duty officer may not carry their authorized firearm at any time.
- g) A probation officer authorized to carry a firearm by the Department shall not consume or be under the influence of alcoholic beverages, controlled substance and/or any type of medication having a significant physical or mental effect, which could have a negative influence upon the individual's functioning, while carrying the authorized firearm.
- h) A probation officer shall exercise the utmost care in the handling of the authorized firearm and shall also exercise extreme caution in the safeguarding of such firearm while on or off duty.

- i) A probation officer who has been certified and authorized in writing to carry a firearm is responsible for maintaining a professional attitude and proficiency in the use and handling of firearms at all times.

8. Procedures for Use

- a) A probation officer is authorized to use his/her firearm only in defense of his/her own life, or the life of a third party, from imminent threat of deadly physical force pursuant to Article 35 of the New York State Penal Law.
- b) Discharge of a firearm shall be a “last resort” action. Every reasonable alternative means shall be utilized when providing for the defense of oneself or another, before a probation officer uses his/her firearm. In all cases, only the minimum amount of force which is consistent with the accomplishment of a lawful purpose is to be used.
- c) A firearm shall not be fired if the lives of innocent persons may be endangered. Common sense dictates that this is especially essential in congested areas.
- d) The firing of warning shots is strictly prohibited. In urban areas, a ricocheted bullet or a poorly-aimed shot may result in death or serious injury to innocent persons.
- e) Discharging a firearm at or from a moving vehicle is prohibited, unless the occupants of the other vehicle are using deadly physical force against the officer or another by means other than the vehicle itself.
- f) Shoot at animals only as a last resort when they are deemed an immediate threat. The discharge of a firearm at dogs or other animals should be an action employed only when no other means bringing the animals under control exists. Requests to dispatch injured animals shall be referred to the appropriate law enforcement agency.

9. Procedures Upon Drawing/Discharge of a Weapon

- a) When any issued or authorized firearm is drawn or discharged, while on duty or off duty, by a probation officer authorized to carry a firearm, except in legitimate and sanctioned training situations and during range shooting, the probation officer shall immediately notify his/her immediate supervisor in a verbal manner. The Probation Supervisor shall immediately inform the Probation Director. This shall be followed, within twenty-four (24) hours, with a complete written report, which shall offer all details of the incident and/or the use of deadly physical force.
- b) Local law enforcement authorities shall be notified immediately in all discharge situations.

Upon request, a probation officer involved in a discharge incident shall immediately surrender his/her firearm, with expended and live rounds, to his/her immediate supervisor, the Probation Director or his/her designee or to a police officer upon his/her directive. All firearm-related incidents, whether on duty or off duty and related to an authorized firearm, shall be investigated by a Weapons Review Board.

Firearms Issuance and Disposition Procedures

Probation Officers

All probation officers who desire to carry a firearm and who receive authorization from the Director and comply with Department and State training requirements may provide their own personally owned firearm and holster in accordance with specifications designated by the director or may carry a Probation Department issued weapon. An officer may carry only a weapon on which he has qualified.

Ammunition

Firearms, when carried on-duty, shall be loaded only with ammunition issued by the Department.

Surrender of Firearms

All firearms are subject to the immediate surrender to the Director upon his/her order, whether owned by the Department or the officer. Supervision and revocation policies are discussed below.

Any officer who goes on extended leave, resigns, retires, is discharged or otherwise separates from the Department, or whose authorization to carry a firearm has been suspended or revoked, and who has been issued a department-owned firearm, shall surrender that firearm, holster and ammunition to the Director.

Where the firearm has been purchased by the officer, and where the officer separates from the Department for any reason, or where the authorization to carry a firearm is suspended or revoked, the officer must sell such firearm immediately, unless the officer has a valid New York State pistol permit under which the firearm is registered.

Loss or theft of a firearm shall be reported immediately to the supervisor who shall in turn notify the Probation Director. This shall be followed up in writing using an Incident Report form and meeting all incident report requirements. The loss or theft shall also be reported to the requisite law-enforcement agency in whose jurisdiction the loss or theft occurred and to the Superintendent of State Police per the provisions of the New York State Penal Law, Section 400.12©.

- e) If an assigned firearm is lost or stolen, and upon the review of the Weapons Review Board, the Director determines that such loss was caused by carelessness or negligence, the probation officer shall be financially responsible for its replacement if the firearm is department-owned.
- f) Damage to an assigned firearm shall be reported immediately to the Supervisor who shall in turn notify the Director.

1. **Loss of Firearm Privileges**

- a) The Probation Director may exercise his/her discretion to temporarily suspend the on-duty firearm carrying privileges of a probation officer when it is believed that such a suspension will be in the interest of public safety. Among the factors which may be considered in such a decision are:
 - i) If the probation officer suspects that the firearm is not working properly, he is required to have it inspected by an authorized armorer. Under no circumstances shall a probation officer go into the field with an inoperable or unloaded firearm.
 - ii) Placement in an alcohol, drug abuse or psychiatric treatment program;
 - iii) Carelessness or negligence in the handling of agency-owned or authorized firearms;
 - iv) Any misuse of agency-owned security equipment;
 - v) Any incident involving the drawing or discharge of an authorized firearm while on duty or off duty;
 - vi) Any physical impairment, which negatively impacts the officer's ability to maintain his weapon safely;
 - vii) Violation of departmental policy and procedures regarding firearms.
- b) In all cases involving a suspension of authorization to carry, the suspension shall be immediate, but the Probation Director shall provide written notice to the probation officer within 24 hours.
- c) The Director, within a reasonable amount of time, shall conduct a hearing relative to the suspension upon the written request of the officer, and shall consider all the facts and circumstances offered at said hearing. Upon any decision to revoke firearm privileges, the Director shall provide the officer with a written notice and explanation.

- d) The Director, either at the request of the officer or upon a determination as described above, may revoke the authorization to carry a firearm.

12. Weapons Review Board

The Director shall appoint a Weapons Review Board whenever a review of any instance involving the drawing, discharge, loss or theft of a firearm, or any other firearm-related incident is warranted.

The Board shall be comprised minimally of the Director and a Firearms Instructor.

The Board may review any related documents and take statements from involved parties. It shall offer a report and recommendation to the Director as soon as the review is complete. The Board's recommendations are not binding.

13. Voluntary Surrender of Firearms Authorization

An officer who has previously received authorization to carry a firearm may voluntarily surrender that authorization at any time. Such surrender shall be in writing to the Director, and any subsequent request for firearms authorization will be treated as a new application and may, at the discretion of the Director, require retraining and re-certification.



Attachment for:

Resolution
77 of 2005

MONTGOMERY COUNTY MUTUAL AID PLAN

(Adopted by Montgomery County Board of Supervisors 2005)

I – OBJECTIVE

A. A. DEFINITION

Mutual Aid is organized, supervised, coordinated, cooperative reciprocal assistance in which personnel, equipment, and physical facilities of all participating fire departments, regardless of type and size, are utilized for fire and other emergencies in which the services of firefighters would be used throughout the County of Montgomery and adjacent areas.

B. B. ADMENDMENTS

Amendments to this plan may be made periodically and will follow this procedure:

1. 1. Prepared by any participating member of the Plan
2. 2. Recommended by the Montgomery County Fire Advisory Board
3. 3. Submitted to the New York State Office of Fire Prevention and Control for review and comment
4. 4. Submitted by the Montgomery County Fire Coordinator
5. 5. Adopted by the Montgomery County Board of Supervisors
6. 6. Admitted in the State Fire Mobilization and Mutual Aid Plan by the Office of Fire Prevention and Control of the State of New York

C. C. ANNUAL REVIEW

Each year in the month of October this plan shall be reviewed by the Committee set forth by Montgomery County Fire Advisory Board in conjunction with the County Fire Coordinator and any corrections or changes processed.

II – PARTICIPATION

A. A. EXTENT AND LIMIT OF PARTICIPATION BY FIRE DEPARTMENTS

All cities, towns, villages, and fire districts in Montgomery County may fully participate in this plan. The following is a list of participating departments and code numbers:

Amsterdam	207/307	Fort Plain	215
Ames	206	Fultonville	216
Burtonsville	208	Glen	217
Canajoharie	209	Hagaman	218
Charleston	210	Rural Grove	219
Cranesville	211	St. Johnsville	220
Fonda	212	Town of Florida	221
Fort Hunter	213	Town of Mohawk	222
Fort Johnson	214	Tribes Hill	223
		South Minden	224

B. EXTENT AND LIMIT OF PARTICIPATION WITH COUNTIES OF FULTON, HERKIMER, OTSEGO, SCHOHARIE, SCHENECTADY, AND SARATOGA

There is no formal agreement with these counties. Local reciprocal assistance, if any, is in accordance with Section 209 of the General Municipal Law. All requests for assistance will be routed through Montgomery County Sheriff's Office Central Dispatch/E911 Center.

Mutual Aid is provided to and received from Fulton, Herkimer, Otsego, Schoharie, Schenectady, and Saratoga counties through their respective County Fire Control Centers under the direction of their County Fire Coordinators or legally-appointed deputies.

C. ENTERING AND PARTICIPATING IN THE PLAN

Any duly established Fire Company or Fire Department may participate in this plan by filing a copy of a resolution adopted by the Fire Company or Fire Department in the office of the Montgomery County Fire Coordinator. Such resolution shall state that such Fire Company or Fire Department elects to participate in the Montgomery County Fire Mutual Aid Plan and will comply with the provisions of such plan. The resolution shall state that the Fire Company or Fire Department shall recognize a call for assistance from another fire department through the Montgomery County Sheriff's Office Central Dispatch/E911 Center.

There shall also be filed with the Montgomery County Fire Coordinator a copy of a resolution adopted by the legislative body of each participating city and village, or Board of Fire Commissioners, or other governing board having jurisdiction over the Fire Board of each town in relation to participating Fire Companies serving territories outside of cities, villages, and fire districts or in relation to town fire departments. Such company or Fire Department of the municipality or district within the meaning of Section 209 of the General Municipal Law which would affect the power of such Fire Company or department to participate in the Montgomery County Fire Mutual Aid Plan.

III – WITHDRAWAL FROM THE PLAN

Any Fire Company or Fire Department may elect to withdraw from this plan by adopting a resolution to such effect. Such withdrawal shall become effective 30 days after filing of such notice with the Montgomery County Fire Coordinator.

If the outside service activities of the participating Fire Company or Fire Department are restricted pursuant to Section 209 of the General Municipal Law, notice of any restrictions shall be given promptly to the Montgomery County Fire Coordinator. Any such restriction imposed by the legislative body of a city, village, or town, or by the Board of Fire Commissioners, shall take effect in accordance with the resolution imposing the restriction.

Any Fire Company or Fire Department withdrawing from this plan, upon effective date, shall surrender and return to the County of Montgomery at Fonda, New York, all county owned equipment. Such withdrawal shall remain in effect until reinstated by resolution as defined by Section 209 of the General Municipal Law.

Withdrawal from this plan will result in the suspension of mutual aid pursuant to this plan to the Fire Company or Fire Department taking such action. All radio identifiers and call signs issued to such Fire Company or Fire Department are cancelled on effective date of withdrawal.

It is also understood that when a Fire Department or Fire Company withdraws from this plan, the County of Montgomery is no longer responsible for the repair of the radio equipment owned by that fire department or fire company.

IV – EXTENT AND LIMIT OF AUTHORITY OF COUNTY FIRE COORDINATOR AND STAFF

A. A. COUNTY FIRE COORDINATOR

As chief fire officer at the county level, he/she will have the following duties and responsibilities:

- 1. 1. Administers and supervises the State Fire Training Program, the State Graduate Fire Training Program, and any and all training programs developed by the State or by his/her office for the benefit of the Montgomery County Fire Service;**
- 2. 2. Selects and establishes locations for courses;**
- 3. 3. Supervises instructions by the County Fire Instructors and New York State Fire Instructors;**
- 4. 4. Determines need for existing courses and new courses;**
- 5. 5. Maintains records indicating manpower in the County including the type and extent of training in each department;**

6. 6. Administers Montgomery County Mutual Aid Plan and is responsible for the efficient operation of the Plan for intra- and inter-county purposes at fire or other emergencies where the services of firefighters are used;
7. 7. Acts as liaison between the Fire Departments and the Montgomery County and Sheriff's dispatchers concerning all matters relating to fire dispatching;
8. 8. Acts as liaison between the Fire Services of Montgomery County and the State Fire Prevention and Control, the Montgomery County Board of Supervisors, and the Montgomery County Fire and Arson Advisory Board;
9. 9. Makes recommendations to the Montgomery County Board of Supervisors, if and when necessary, for appointments or removal of Deputy County Fire Coordinators, in accordance with Section 401 of County Law;
10. 10. Plans and estimates the need for additional or unique equipment for the County and recommends the purchase of such equipment;
11. 11. Evaluates the needs of communications within the Montgomery County Fire Service. The distribution of county-owned radio equipment to Fire Departments or Fire Companies, and inventory of same are maintained by Montgomery County Emergency Management Office at all times.
12. 12. Acts as an aid to the Fire Chiefs or Officers-in-Charge in cases of mutual aid, alarms of fire, or other incidents requiring the services of firefighters. At the request of the Fire Chief or Officer-in-Charge, may order Montgomery Sheriff's Central Dispatch/E911 Center to dispatch mutual aid;
13. 13. Operates a system of county-wide fire reporting supplied monthly to the State Office of Fire Prevention and Control;
14. 14. Issues statements to news media;
15. 15. Arranges speaking engagements and programs to present the Fire Service in a positive and enlightening position; and
16. 16. Will carry out the duties and responsibilities as described in the Montgomery County Hazardous Material Response Plan, which has been attached to and made part of the Montgomery County Mutual Aid Plan.

B. B. DEPUTY COUNTY FIRE COORDINATORS

Directly responsible to the Montgomery County Fire Coordinator. The normal order of assignment is determined by the Montgomery County Fire Coordinator (Table of Organization).

C. C. ACTIVATION OF DEPUTY FIRE CO-ORDINATORS

When alerting Deputy Fire Coordinators, the same procedure as per dispatch protocol for Fire Departments. After the 3rd alert (approximately 9 minutes duration) wait for another 5 to 6 minutes then try to phone the Deputy Fire Coordinators using the list from the County Fire Coordinator. The Fire Coordinators are to radio or call upon responding.

D. D. FIRE INVESTIGATORS

When alerting Fire Investigators the same procedure as per dispatch protocol for fire departments. After the 3rd alert (approximately 9 minutes duration) wait for another 5 to 6 minutes then try to phone the Deputy Fire Investigators using the list from the County Fire Coordinator. The Fire Investigators are to radio or call upon responding.

E. E. HAZ MAT

When alerting Team, use the same procedures as per dispatch protocol for Fire Departments. After 3rd alert, (approximately 9 minutes duration), wait for another 5 to 6 minutes, then try to phone the members using the list provided. Members have been told to call by phone or radio when they are responding.

F. F. DISPATCHERS

Personnel assigned by the Montgomery County Sheriff shall serve as dispatchers.

V – LINE OF AUTHORITY

A. A. ABSENCE OT THE COUNTY FIRE COORDINATOR

In the absence of Montgomery County Fire Coordinator, the First Deputy Coordinator (see attachment) shall assume responsibilities of the Coordinator and shall be followed in succession, if necessary, by the next senior Deputy Fire Coordinator. The Deputy Fire Coordinator shall possess in the same powers and perform the same duties of the Montgomery County Coordinator during his/her absence or inability to act pursuant to Section 401 of County Law.

B. B. VACANCY IN POSITION OF COUNTY FIRE COORDINATOR

The Montgomery County Fire Coordinator shall designate the First Deputy County Fire Coordinator who shall possess the powers and perform the duties of the Montgomery County Fire Coordinator until a successor is appointed by the Montgomery County Board of Supervisors and has qualified, pursuant to Section 401 of the County Law.

VI – SATUS OF LOCAL FIRE DEPARTMENT

A. A. MAINTENANCE OF INDIVIDUALITY

Each Fire Department participating in this plan shall retain its internal command and individuality.

B. B. AUTHORITY OF “REQUESTING” FIRE CHIEF OR OFFICER – IN – CHARGE

1. 1. A “requesting “ Fire Chief or Officer-in-Charge is one who requests mutual aid for his/her department in accordance with this plan.
2. 2. The line of “Command” at a fire or other emergency in which the services of firefighters would be used for responders and officers entering the area under this mutual aid plan remains with the fire department requesting the mutual aid.
3. 3. The Fire Officer-in-Charge will work with Chiefs, Senior Officers, and Company Officers of departments providing mutual aid. The firefighters in assisting departments will be supervised by their own Officers who are in turn commanded by the Officers of the Department requesting mutual aid.
4. 4. Officer In Charge (OIC) of host Department shall remain on scene along with a crew.

PROCEDURES FOR FIRE INVESTIGATORS & HAZ MAT TEAM ASSISTANCE

Under the Montgomery County Mutual Aid Plan, the Fire Investigation and Haz Mat Teams will respond to a call for assistance from the individual Fire Departments of the County. The Fire Investigation Team or Haz Mat Team will respond intra-county upon request of a Fire Department within that County under the N.Y.S. Mobilization and Mutual Aid Plan. This request can come through that County Coordinator upon authorization by the Fire Department of that jurisdiction. The Incident Commander of the Fire Department will still be the ranking official of the incident.

Request for the Fire Investigation Team will be through M.C.S.O. A member (preferably an Officer), of the requesting Fire Department will become an ad-hock member of the team per the Arson Plan of Montgomery County. The scene must be secured and a piece of apparatus must be left on scene to retain jurisdiction. Coordinator may request O.F.P.C. assistance in large fires, unusual circumstances, and deaths. Coordinator must also call Alcohol, Tobacco, and Firearms, (A.T.F) for church fires, and postal fires.

Request for the Haz Mat Team will be through M.C.S.O. The Incident Commander will work with the Haz Mat Team Leader(s), providing any info collected by them as to identification of material, quantity, and location. Fire Department will set up security area around incident following guidelines in Emergency Response Guidebook. Fire Department will provide an engine tanker and an A.L.S. ambulance service solely dedicated to the team.

The Team will work under the guidance of its own officers until the situation is neutralized. Incident Commander will be kept abreast of what is going on by the Team Leader. The Fire Department is to remain on scene until the Haz Mat Team returns the scene to the local department.

C. C. FIREFIGHTER ASSIST & SEARCH TEAM (F.A.S.T.)

I. I. MISSION STATEMENT

- A. A. TO ASSIST AND/OR BACK-UP INTERIOR FIRE SUPPRESSION TEAMS.**
- B. B. TO PROVIDE FRONT LINE RESCUE FOR TRAPPED OR INJURED FIRE FIGHTERS.**
- C. C. TO BE IN COMPLIANCE WITH O.S.H.A. (2 IN 2 OUT RULE!) FOR INITIAL ATTACK FIRE FIGHTING.**
- D. D. TO RELIEVE THE BURDEN OF COMMITTING BACK-UP FIRE TEAMS FOR F.A.S.T. OPERATIONS**

II. F.A.S.T. (SCOPE OF OPERATIONS)

- A. A. AUTOMATIC MUTUAL OF F.A.S.T. ENGINE FROM NEAREST DEPARTMENT TO ALL STRUCTURE FIRES AND POSSIBLE STRUCTURE FIRES.**

B. B. F.A.S.T. ENGINE TO RESPOND ONLY!!! OTHER FIRE FIGHTERS AND EQUIPMENT IS TO STAND-BY AT STATION UNTIL DISPATCHED.

C. C. UPON ARRIVAL ON SCENE

1. 1. F.A.S.T. ENGINE SHALL IMMEDIATELY PROCURE WATER SUPPLY AND FEED ENGINE.

- A. A. HYDRANT**
- B. B. PORTABLE POND**
- C. C. FED FROM SCENE ENGINE**

2. 2. F.A.S.T. TEAMS SHALL IMMEDIATELY

- A. A. GEAR UP**
- B. B. LAY PRE-CONNECTS**
- C. C. CHARGE PRE-CONNECTS**
- D. D. LAYOUT ALL F.A.S.T. RESCUE EQUIPMENT**
- E. E. STAND-BY AT F.A.S.T. ENGINE AND MONITOR RADIO FOR ORDERS OF ACTION.**
- F. F. F.A.S.T. TEAMS SHALL BE COMMITTED TO F.A.S.T. OPERATIONS ONLY !!!!! (NO EXCEPTIONS).**
- G. G. COMMAND SHALL ADD F.A.S.T. TEAMS TO F.A.S.T. ENGINE AS INTERIOR TEAM NUMBERS INCREASE.**
- H. H. F.A.S.T. ENGINE SHALL BE COMMITTED TO F.A.S.T. OPERATIONS ONLY!!!! (NO EXCEPTIONS).**
- I. I. SURVEY BUILDING AND IF POSSIBLE, LADDER ALL SIDES.**

III. III. F.A.S.T ENGINE (ENGINE OR PUMPER/TANKER)

A. A. MINIMUM REQUIREMENTS FOR F.A.S.T. ENGINE

- 1. 1. 500-GALLON TANK.**
- 2. 2. 750 G.P.M. PUMP.**

3. 3. 2 – 1 ½" PRE-CONNECTS.
4. 4. 2 – S.C.B.A. (PREFERABLY WITH BUDDY-BREATHING CAPABILITIES).
5. 5. 2 – SPARE S.C.B.A. CYLINDERS.
6. 6. 2 – MARRIAGE KITS.
7. 7. HIGH-RISE KIT.
8. 8. 2 – RECHARGEABLE FLASHLIGHTS.
9. 9. 2 – PORTABLE RADIOS WITH 46.220 CAPABILITIES.
10. 10. 35' EXTENSION LADDER.
11. 11. 24' ROOF LADDER.
12. 12. 2 – 50' RESCUE ROPES.
13. 13. 2 – LADDER BELTS.
14. 14. 12' PIKE POLE.
15. 15. 4' PIKE POLE.

B. B. OPTIONAL EQUIPMENT.

1. 1. CHAIN SAW.
2. 2. P.P.V. GAS FAN.
3. 3. STOKES BASKET.

IV. IV. F.A.S.T. TEAM

A. A. SHALL CONSIST OF MINIMUM OF (2) FULLY GEARED FIRE FIGHTERS AND (1) PUMP OPERATOR. (PREFERABLY (1) BEING AN OFFICER).

B. B. MINIMUM TRAINING SHALL CONSIST OF

1. 1. ESSENTIALS OF FIRE FIREMANSHIP OR BASIC FIREFIGHTER.
2. 2. INITIAL FIRE ATTACK OR INTERMEDIATE FIREFIGHTER.
3. 3. ASSOCIATION F.A.S.T. TRAINING.

C. C. F.A.S.T. TEAMS MUST UNDERSTAND THAT BY NO CIRCUMSTANCES ARE THEY TO ENGAGE IN ANY OTHER FIRE FIGHTING ACTIVITY OF ANY KIND WHEN ASSIGNED TO THE F.A.S.T. ENGINE.

**D. D. F.A.S.T. TEAMS SHALL BE REQUIRED TO ATTEND
DEPARTMENTAL F.A.S.T. TRAINING AS WELL AS GROUP TRAINING.**

V. V. ASSOCIATION F.A.S.T. TRAINING

**A. A. WESTERN MONTGOMERY COUNTY CHIEFS ASSOCIATION SHALL
DESIGN AND ADOPT A TRAINING REGIMEN FOR F.A.S.T.
OPERATIONS.**

B. B. THIS TRAINING SHOULD CONSIST OF:

- 1. 1. RESCUE VENTILATION.**
- 2. 2. TRAPPED ACCESS.**
- 3. 3. RESCUE FIRE SUPPRESSION.**
- 4. 4. LADDER OPERATIONS FOR RESCUE.**
- 5. 5. REPELLING.**
- 6. 6. BUDDY-BREATHING.**
- 7. 7. HAZARDOUS ATMOSPHERE S.C.B.A. CHANGING.**
- 8. 8. HAZARDOUS ATMOSPHERE S.C.B.A. DITCH AND DON**
- 9. 9. CONFINED SPACE OPERATIONS.**
- 10. 10. INJURY ASSESSMENT.**
- 11. 11. VICTIM REMOVAL.**

D. HAZ-MAT TEAM ACTIVATION

**J. J. MAJOR SPILL OF ANY DISCRPTION – IMMEDIATELY
DISPATCH THE TEAM.**

**II. II. SMALL SPILL (50 GALLONS OR LESS) OF ANY HAZARDOUS
MATERIAL EXCEPT PETROLEUM DISTILLATES, e.g. FUEL OIL,
KEROSENE, and GASOLINE DEISEL FUEL – IMMEDIATELY
DISPATCH TEAM.**

**III.III. SMALL SPILLS OF PETROLEUM DISTILLATES – NOTIFY, BY
PHONE, ANYONE LISTED BELOW AND FOLLOW HIS
DIRECTION:**

FIRE COODINATOR GARY NESTLE (H) 673-3842

(W) 853-8143

HAZ-MAT TEAM LEADERS:

**MIKE MC CRARY (H) 843-4851
(W) 388-6178**

**DON KRUTZ (C) 526-2618
(H) 843-9972**

**IV. IV. FIRE DEPARTMENT REQUEST FOR DECONTAMINATION –
IMMEDIATELY DISPATCH TEAM**

**V. V. AN UPDATED LIST OF MEMBERS WITH REVISED
PHONE NUMBER, PAGER, OR CELL PHONE NUMBER WILL BE
PROVIDED ON A YEARLY BASIS.**

**E. LOCAL MUTUAL AID PLANS PRESENTLY OPERATING
EXCLUSIVE OF THE COUNTY MUTUAL AID PLAN**

- 1. 1. None**

**VII – OPERATIONS OF MONTGOMERY COUNTY SHERIFF’S
OFFICE CENTRAL DISPATCH/E911 CENTER**

A. A. LOCATION

Montgomery County Sheriff’s Office, Fultonville New York

B. B. SUPERVISION AND DISPATCHING SERVICE

1. 1. **DISPATCHING SERVICE** – At the authorization of the Montgomery County Fire

Coordinator such service is provided by the Montgomery County Sheriff's Office. The Montgomery County Sheriff oversees dispatching by the Montgomery County Sheriff's Office Central Dispatch/E911 Center with the assistance of Lieutenant of Communications.

2. 2. **ADDITIONAL DISPATCHING SERVICE** – The Montgomery County Fire Coordinator, all Deputy Fire Coordinators, EMO Director and all EMO Deputy Directors, are authorized to dispatch from the back-up stations.

3. **RESTRICTION** – No person may operate any radio equipment at the Montgomery County Sheriff's Office Central Dispatch/E911 Center who is not specifically authorized in Section B above, parts 1 and 2.

C. C. RADIO AND TELEPHONE COMMUNICATIONS REGULATIONS

1. 1. **PROCEDURE** – The radio and telephone procedure shall conform completely with that

Prescribed in "GUIDE TO FIRE MOBILIZATION AND MUTUAL AID PLANS in the STATE OF NEW YORK", see appendix APPENDIX 1, by the Bureau of Fire Mobilization and Control of the State Office of Fire Prevention and Control, except call signs. Any Company or Department calling will use the NUMBER of its company instead of the NAME of its department.

2. 2. **AUTHORIZATION TO OPERATE** - No Fire Officer or Firefighter may use the radio unless he/she completes the course presented by the firefighter's Department Training Officer, or Chief of the Fire Department presenting the course.
3. 3. **AUTHORIZATION TO USE NON-COUNTY-OWNED TRANSMITTER AND RECEIVERS**

No fire radio may operate on the fire frequency as part of the County fire network unless specifically authorized by the Montgomery County Fire Coordinator and in accordance with regulations of the Federal Communications Commission. Upon application to the Montgomery County Fire Coordinator and upon issuance of mobile station identifier, a Fire Chief and his/her Assistant Chief(s) may install and operate a mobile unit in his/her personal car. At the expiration of his/her term in office, the identifier may be transferred to the newly elected Chief/Assistant Chief(s).

4. Authorization of repair shall go through the Emergency Management Office.

OPERATION WITHOUT IDENTIFIER AUTHORIZED BY THE LICENSEE IS A VIOLATION OF RULES OF THE FEDERAL COMMUNICATIONS COMMISSION.

D. D. RADIO SYSTEM

The Fire Radio System of the County of Montgomery shall be depicted on a map available for immediate examination.

E. E. COMMUNICATIONS WITH COUNTY FIRE CONTROL CENTERS OF FULTON, SARATOGA, SCHENECTADY, SCHOHARIE, OTSEGO, AND HERKIMER COUNTIES AND ALL OTHER COUNTIES CAN BE ESTABLISHED USING 45.88 INTRA-STATE FIRE FREQUENCIES AVAILABLE AT ALL DISPATCH POINTS.

Telephone numbers for Fire Dispatch Centers of adjacent counties shall be listed, such listings to be posted in the Montgomery County Sheriff's Office Central Dispatch/E911 Center and all Montgomery County back-up stations.

F. F. METHOD OF DETERMINING STATUS OF EQUIPMENT, APPARATUS, AND MANPOWER

1. 1. The Montgomery County Fire Coordinator shall have prepared a map, status board, or similar visual device for rapidly determining the status of equipment, apparatus, and manpower, such device to be located at the Montgomery County Sheriff's Office Central Dispatch/E911 Center.
2. 2. Duplicate Materials will be at the EMERGENCY MANAGEMENT OFFICE / FIRE CO-ORDINATOR OFFICE.

G. G. RADIO LOG

The Montgomery County Sheriff's Department Fire Coordinator shall have prepared a suitable radio log meeting minimum standards of Federal Communications Commission and the State Office of Fire Prevention and Control as described in the "GUIDE TO FIRE MOBILIZATION and MUTUAL AID PLANS in the STATE of NEW YORK", see APPENDIX I. Such log is to be utilized at the Montgomery County Sheriff's Office Central Dispatch/E911 Center and all Montgomery County back-up stations.

H. H. THE COUNTY FIRE COORDINATOR SHALL PROVIDE FOR ADEQUATE EMERGENCY POWER OF THE BACK-UP STATION, KBI-975 LOCATED ON HANSON DRIVE, TRIBES HILL, NEW YORK.

1. 1. THE COUNTY COMMUNICATIONS CENTERS/BACK-UP STATIONS

The Montgomery County Sheriff's Office, EOC, and back-up station KBI-975 shall be the only stations that will transmit countywide unless otherwise granted by the Montgomery County Fire Advisory Board.

VII – STAFF OF THE MONTGOMERY COUNTY SHERIFF'S OFFICE CENTRAL DISPATCH/E911 CENTER

A. A. AUTHORITY AND RESPONSIBILITY OF PERSONS ASSIGNED TO THE MONTGOMERY COUNTY SHERIFF'S OFFICE CENTRAL DISPATCH/E911 CENTER

The Montgomery County Fire Coordinator and any or all Deputy County Fire Coordinators are not assigned to the Montgomery County Sheriff's Office Central Dispatch/E911 Center but may be stationed there at the request of the Montgomery County Sheriff's or his designee.

The Montgomery County Sheriff's Office Central Dispatch/E911 Center shall provide normal dispatching. Dispatching authority shall be delegated to the dispatcher on duty.

IX – INVENTORY

A. A. LOCATION OF LISTING OF COUNTY INVENTORY

There will be one set located at the office of the Montgomery County Fire Coordinator. There will be a duplicate set located at the Montgomery County Sheriff's Office Central Dispatch/E911 Center and each back-up station.

B. B. THE MONTGOMERY COUNTY FIRE COORDINATOR SHALL BE RESPONSIBLE FOR MAINTAINING THE COUNTY INVENTORY FOR THE FIRE SERVICE.

C. C. METHOD USED IN MAINTAINING INVENTORY LISTINGS

Whenever a change of equipment shall take place, the Fire Chief will report same to the Montgomery County Fire Coordinator or Deputy Fire Coordinator and he/she in turn will report such change(s) at once with distribution to the Montgomery County Sheriff's Office Central Dispatch/E911 Center and back-up stations.

D. D. REVIEW OF INVENTORY

The inventory shall be completely reviewed during the Annual Review by the Montgomery County Fire Coordinator.

E. E. SUBMISSION OF INVENTORY TO OFP&C

A copy of the Fire Department inventory and county inventory shall be submitted to the Office of Fire Prevention & Control on a bi-annual basis on forms supplied by the Office of Fire Prevention and Control.

X – STANDARD THREAD/APPARATUS TO ADOPT TO THE NATIONAL STANDARD THREAD.

All apparatus participating in this plan shall be equipped to adapt to 1 1/2" ns, 2 1/2"ns, and 4 1/2" ns threads as defined by the National Bureau of Standards.

It is recommended that all Fire Departments participating in this plan and utilizing large diameter hose either purchase with N.S.T. couplings or carry sufficient adapters to enable their units to mix hose with other departments on mutual aid responses.

XI – EMERGENCY OR BACK-UP STATIONS

The only control center manned 24 hours is in the Montgomery County Sheriff's Office Central Dispatch/E911 Center. In the event of a major emergency/disaster, the Emergency Operations Center will be activated and communications of that incident should be dispatched from its facilities. All routine communications of other nature will continue to be dispatched from the Central Dispatch/E911 Center. Intercom communications will be maintained between the two points via console intercom. EOC's console is an extension of Montgomery County Sheriff's Office Central Dispatch/E911 Center, not a back-up station.

In the event these two points become inoperable OR UPON THE DIRECTION OF THE MONTGOMERY COUNTY FIRE COORDINATOR, the back-up station KBI-975 will be activated. The location of KBI-975 will be placed at the decision of the Fire Advisory Board of Montgomery County and the Board of Supervisors of Montgomery County.

XII – TO CONTACT OTHR COUNTIES

1. Radio frequency 45.88 shall be used for radio communications with adjacent counties. The capability exists in primary, alternate, and back-up stations.

2. 2. When no other radio communication with adjacent counties is available, telephone shall be used for inter-county communications.

XIII – PARTICIPATION IN THE STATE FIRE MOBILIZATION AND MUTUAL AID PLAN

A. A. PROCEDURE TO OBTAIN ACTIVATION OF PLAN

The Montgomery County Fire Coordinator or Deputy Fire Coordinator in line of authority designated pursuant to Section 401 of the County Law, after utilizing all available assistance from Fulton, Herkimer, Otsego, Schoharie, Schenectady, and Saratoga Counties, may call the State Office of Fire Prevention and

Control to obtain activation of the State Fire Mobilization and Mutual Aid Plan.

The procedure shall conform with that specified in the “GUIDE to FIRE MOBILIZATION and MUTUAL AID PLANS in the STATE of NEW YORK”, see APPENDIX I, by the Bureau of Fire Mobilization and Control of the State of New York Office of Fire Prevention and Control.

B. B. AUTHORITY AND RESPONSIBILITY OF REGIONAL FIRE ADMINISTRATOR

The State Office of Fire Prevention and Control establish the authority and responsibility of the Regional Fire Administrator under the activated State Fire Mobilization and Mutual Aid Plan.

C. C. RETIREMENT PROVISION RELATING TO THE POSITION OF REGIONAL FIRE ADMINISTRATOR

Should the Montgomery County Fire Coordinator be separated from office for any reason, he/she is automatically retired as Regional Fire Administrator if he/she is also holding that position. The Administrator of the State Office of Fire Prevention and Control is authorized by law to appoint to this position.

D. D. COUNTY NUMBER ISSUED UNDER THE STATE FIRE MOBILIZATION AND MUTUAL AID PLAN

The Montgomery County Fire Coordinator shall utilize number (29) assigned to Montgomery County by the State Fire Mobilization and Control of Mutual Aid Plan.

XIV – COORDINATION WITH OTHER EMERGENCY SERVICES

A. A. EXTENT AND LIMIT OF INTER-SERVICE COORDINATION

1. 1. Sheriff – The primary communications center is the Montgomery County Sheriff's Office Central Dispatch/E911 Center. The radio call sign will be KED-486 on frequency 46.12 mc's.
2. 2. Emergency Management – Alternate communications center will be located on the EOC Radio console and use the call sign KED-486 on frequency 46.12 mc's.
3. 3. Truck-to-Truck Frequency (46.22) – This frequency shall be used by all Fire Departments when engaged in fire fighting operations. See Attachment for full description of use of 46.12 and 46.22 frequencies.
4. 4. Radio Procedures – See attachment for description of proper use of radio frequencies. See APPENDIX 2
5. 5. The Fire Chief of the jurisdiction in which the emergency exists is the "ON SITE COMMANDER" assisted by police officers or officials of other emergency services. Should the state of emergency be declared by the Chief Executive Officer of the jurisdiction, said Chief Executive Officer shall be in charge of overall operations with Fire Chiefs and On-Site Commanders. Exceptions are outlined in the Montgomery County Comprehensive Emergency Management Plan and the Montgomery County Hazardous Materials Response Plan.
6. 6. Other Services – When a specific fire department is requested to respond to an emergency by a person who is reporting such an emergency, the dispatcher will activate that Department. In the event the emergency is outside the Department's district, the Department may respond on a first-call basis. Dispatcher will notify the proper Department when that information is available.

XV – COUNTY-WIDE FIRE REPORTING

A. A. COLLECTING AND ANALYZING REPORTS ON FIRE

Each Fire Chief or designated Officer of a Fire Company or Fire Department participating in this plan shall regularly report fires (on State Forms) to the Montgomery County Fire Coordinator at the end of each month. This Fire Reporting System is in accordance with Section 204d of the General Municipal Law and the Office of Fire Prevention and Control provide the forms.

The Fire Chief shall submit a summary report to the Bureau of Fire Mobilization and Control of the State Division of Fire Prevention and Control monthly on State forms. If no calls are received during the month, a negative report is required.

XVI – TRAINING

A. A. TRAINING AND EXTENT OF TRAINING

The State Fire Training Program will be adopted as standard throughout the County of Montgomery. At the present date, this program consists of the courses listed on the attachment.

All new courses put out by the Office of Fire Prevention and Control will also be adopted as standard throughout the County of Montgomery.

The Fire Coordinator of the County of Montgomery can obtain these courses upon request. The State Fire Instructors of Montgomery County shall teach them.

All dispatchers are required to take a course of instruction which will be given by the Montgomery County Fire Service Instructors under the title of “Fire Dispatching: A certificate of completion will be given at the end of the course.

XVII – RADIO SUPERVISORY PANEL

A. A. PURPOSE – The Radio Supervisory Panel will supervise the fire radio frequency and dispatching over it. Although the Montgomery County Sheriff, or in his/her absence the Lieutenant of Communications, oversees dispatching at the Montgomery dispatching and will deal with all problems which may arise. They will act as liaison between the Fire Departments and the Sheriff’s Office concerning all matters relating to the fire frequency and dispatching.

B. B. PANEL MEMBERS – The panel will be the Montgomery County Fire Coordinator,
The Emergency Management Director, the Sheriff or his designee, and a member of the Montgomery County Fire Advisory Board Radio Committee.

APPENDIX

APPENDIX 1.

Fire Mobilization and Mutual Aid

Definition of mutual aid

Mutual aid is the organized, supervised, coordinated, cooperative, reciprocal provision of assistance in which personnel, equipment and physical facilities of fire departments, regardless of type or size, are utilized for a fire or other public emergency in which the services of fire personnel are required throughout the State of New York and contiguous areas.

Purpose

The New York State Fire Mobilization and Mutual Aid Plan is hereby established to provide for the mobilization of personnel and equipment of fire departments whenever:

- ➤ The Governor or State Fire Administrator determines that the public interest so requires;
- ➤ A municipality determines assistance is required; and
- ➤ A regional fire administrator determines that assistance, in addition to that provided for in his local fire mutual aid plan is required.

Composition of the plan

The plan is an aggregation of County Fire Mutual Aid Plans when submitted to the Office of Fire Prevention and Control and other procedures established by the State Fire Administrator for statewide fire mobilization and mutual aid purposes. Any signatory to a County Fire Mutual Aid Plan submitted to the Office of Fire Prevention and Control for inclusion in the state plan is automatically a signatory to the state plan.

Procedure for admitting of county fire mutual aid plans

Upon adoption by The County Board of Supervisors or legislators, a County Fire Mutual Aid Plan may be admitted into the State Fire Mobilization and Mutual Aid Plan provided it meets minimum standards as established and published by the Office of Fire Prevention and Control. (Prior to their adoption by the county, it is suggested that OFPC review county fire mutual aid plans for minimum standard content). Upon adoption certified copies of the plan are filed with the following agencies.

Office of Fire Prevention
County Legislative Body
County Fire Advisory Board
County Fire Control Center

OPERATIONS

Activation and operation

The Office of Fire Prevention and Control (OFPC) shall establish and publish a list of counties together with adjacent counties that are required to provide mutual aid consistent with their own fire protection before this plan shall be activated. This is included in the Directory of Fire Service Communications.

A request for activation of the State Fire Mobilization and Mutual Aid Plan shall be made as follows:

- ☐ ☐ Notification to OFPC at telephone 518-474-6746 (24-hour emergency number). After normal Business hours and on weekends this call will be answered by an Answering Service and contact will be made with the OFPC Duty Officer.
- ☐ ☐ Provide the following information relating to the request for activation:
 1. 1. Description of incident
 2. 2. Number of fire departments and personnel involved, and out of county fire departments and personnel.
 3. 3. Needs; equipment (by type), apparatus (by type), personnel, specialized units, etc.
 4. 4. Locations of Command Post/EOC, staging areas, etc.
 5. 5. Special Concerns either caused by the incident or directly related to the incident.
 6. 6. Other agencies involved or already contacted for assistance, i.e.; federal, state, local.
 7. 7. On-scene commander

When it is determined that the specified adjacent counties have provided the maximum mutual aid possible, consistent with maintaining an adequate level of protection and it is deemed inadequate, then this plan may be activated upon request by any one of the following state officers or employees:

State Fire Administrator

Deputy State Fire Administrator

Bureau Chiefs

Deputy Bureau Chiefs

When it is apparent that circumstances of a particular emergency, (flood, tornado, etc.) are widespread and involve wide areas and several counties, consideration will be given to activating this plan upon request prior to such time that all resources have been committed.

Authority of the Department of State Office of Fire Prevention and Control

Authorized representatives of the Department of State and its Office of Fire Prevention and Control have the powers, functions and duties to: direct the dispatch of personnel and equipment of fire departments consistent with maintaining local fire protection; and coordinate the response and assignment of personnel and equipment under direction of the fire chief in command.

***NOTE:* The duties described above will be carried out in cooperation with the regional fire Administrator of the affected counties.**

Identifying of a Fire Mobilization and Mutual Aid Zone

A “zone”, as used in those statutes, is a “county” as determined by the State Constitution. Those counties comprising the City of New York constitute a single zone.

Regional Fire Administrators – duties, authority and identification

A regional fire administrator (RFA) is appointed by the State Fire Administrator for each fire mobilization and mutual aid zone. In the event of absence, illness or the inability of and RFA to execute duties authorized in this plan, responsibility of such duties rests with such deputy or deputies as designated by the incumbent and set forth in the county fire mutual aid plan of the zone.

The regional fire administrator, upon activation of the State Fire Mobilization and Mutual Aid Plan, is empowered to: dispatch fire department personnel and equipment consistent with maintaining local fire protection; and coordinate the response and assignment of personnel and equipment. Such personnel and equipment will operate under the direction of the fire chief requesting assistance.

The authority and responsibility of the regional fire administrator is suspended until the State Fire Mobilization and Mutual Aid Plan is activated. Following activation, the authority and responsibility of the regional fire administrator is instituted. When deactivated, authority and responsibility is again suspended.

Regional fire administrators, appointed by the state fire administrator, shall take an oath of office, (General Municipal Law, Section 209-e, Subdivision 2), Following which an appointment certificate will be issued.

Standard thread for fire service use in the State of New York

Pursuant to the requirement of Subdivision 5, Section 209-e of the General Municipal Law, the national Standard Thread is hereby prescribed as the standard thread for the State.

American National Fire Hose Connection Screw Thread or NH or NST or NS is specified by the National Institute of Standards and Technology, US Department of Commerce, Washington, D.C. The standard is the same as prescribed by the National Fire Protection Association, the Insurance Service Office and the American National Standards Institute.

All fire service equipment should meet these standards or provide for appropriate adapters to adapt to standardized threaded couplings and connections.

Participation in the State Fire Mobilization and Mutual Aid Plan

The Regional Fire Administrator or his/her designated deputy in line of authority as specified, shall upon request, commit resources to counties throughout the state under the State Fire Mobilization and Mutual Aid Plan. The New York State Fire Mobilization and Mutual Aid Resource Tracking System shall be implemented to facilitate the efficient loan of resources and equipment during any activation of the State Plan. The prescribed procedures to follow may be found in the Resource Tracking Program Section of this manual. Those departments sending resources under the activation of the State Plan are responsible for their own equipment and personnel while in route. Upon assignment, the Fire Department/ Fire Company receiving the mutual aid resources is liable for any loss to apparatus or equipment or supplies used or operating and maintenance expense in accordance with Section 209-e of the General Municipal Law.

Extent and Limitation of Participants with Adjacent Counties in Neighboring States or Counties

Those fire departments willing to provide mutual aid services across state and national borders should assure proper insurance coverage for both personnel and equipment is in place and should indicate their availability in writing to the Regional Fire Administrator.

Incident Command System

All operations under the State Fire Mobilization and Mutual Aid Plan will be conducted utilizing the National Interagency Incident Management System, Incident Command System, pursuant to the Governor's Executive Order #26 issued March 5, 1996.

OFFICE OF FIRE PREVENTION AND CONTROL OPERATIONS PROCEDURES.

In the event the Office of Fire Prevention and Control is required to carry out the responsibilities assigned under the State Fire Mobilization and Mutual Aid Plan, the following procedures must be followed:

- ◆ ◆ **Notification of OFPC staff will be made by Pager, Voice mail, Telephone, etc.**
- ◆ ◆ **State Fire Administrator or Deputy State Fire Administrator will designate a Staff member to Command OFPC operations.**

- ◆ ◆ During normal work hours, the Office will notify employees of the activation of the State Plan or other emergency requiring service. After hours, notification will be made by those listed as state officers or employees who may activate the plan.
- ◆ ◆ Upon notification, a written activity log should be started immediately, noting the date, time orders given and actions taken. Call those parties you are asked to notify, make sure the message is clearly understood and log the time of contact. If unable to reach any party, call the next person in order. Once that call has been completed, re-call those who could not be contacted originally.
- ◆ ◆ Staff members, as assigned by OFPC Commander, will respond to the particular location. All other personnel will stand by for further orders and assignments.

Staff members dispatched to an emergency scene will carry out the following procedures upon arrival.

1. 1. Advise the regional fire administrator (RFA), the fire officer or municipal official in charge of your presence.
2. 2. Size up the situation to determine what has happened and what those in charge need.
3. 3. Report both your on-site presence and conditions found to the supervisor who ordered your dispatch to the scene or to OFPC staff designated to receive your reports.
4. 4. Determine the specific needs, resources, and assistance that you are responsible for and initiate necessary actions to address those needs. Assignments and actions be coordinated and authorized by OFPC Commander or designee.
5. 5. Maintain contact with officials requesting aid, assist however possible and maintain a written activities log.

6. 6. Make regular progress reports to the Office until the situation stabilizes and other procedures are established. At a minimum, staff should contact the main office on an hourly basis unless otherwise specified.
7. 7. All mobile communications equipment, including cellular phones, should be made operational and ready to use at all times.

The customary practice will be to dispatch a fire protection specialist (I) (FPS) to an incident. Depending on the nature of the emergency, other staff members may also be dispatched to the scene to assist or to provide relief for extended operations. If more than one FPS is assigned to an incident, one FPS assigned shall be designated lead FPS. If five – seven (FPS's) are assigned, a field supervisor, (Deputy Chief) may be designated and assigned.

As an aid in carrying out emergency duties and normal work routines, all personnel are assigned radio identifiers. Staff members will use their own radio “identifier” when transmitting. The Office’s Radio Standard Operating Procedures are found in the Radio Communication Section of this manual.

Staff assignments

The Office of Fire Prevention and Control staff will respond as directed according to the nature of the emergency. Staff most proximate to the scene will usually be directed to that area. Depending upon the nature of the emergency, full or partial coverage of the OFPC operations center (OC) and the SEMO district offices or State EOC may be required. At such time, the OFPC staffing pattern for the OFPC OC and State EOC, will be conducted utilizing the National Interagency Management System (NIMS), Incident Command System pursuant to the Governor’s Executive Order #26 issued March 5, 1996.

Staff Assigned Procedures

Whenever the OFPC staff is dispatched to an emergency incident a set of procedures should be followed to allow for the most efficient and expeditious response for mobilization of any needed resources.

- □ Staff must be prepared to assure implementation of an incident command system or to adapt to the system in place. This will allow for the management of not only the incident, but also the fire mobilization and mutual aid plan if enacted. (See ICS Guidelines and OFPC/fire Services Field Operations Guide)
- □ Whenever mutual aid equipment needs are requested, both the receiving as well as the sending county, need to be able to track all those resources being sent and received. The OFPC Resource Tracking Program shall be implemented at the onset of a request for mutual aid equipment/personnel. In keeping with the ICS structure, the proper

forms will be completed for documentation of all resources allocated.
(See Resource Tracking Program)

- ❑ ❑ As advisors, staff must depend upon background and experience when responding to emergency situations.
- ❑ ❑ Staff is encouraged to apply their personal expertise and common sense to situations that may arise.
- ❑ ❑ Staff is to remember that our primary duties and responsibilities are to direct the dispatch of personnel and equipment of fire departments responding to the assistance of a given affected area.
- ❑ ❑ The RFA must be made aware that other personnel needed for roles to provide local fire protection should come from within local jurisdictions. The full utilization of deputy fire coordinators and/or other county employees must be emphasized.
- ❑ ❑ If the need for additional personnel assistance to fill ICS positions is required, the OFPC will request other RFA's to provide that needed assistance.
- ❑ ❑ OFPC staff shall not exercise and freelancing.
- ❑ ❑ OFPC staff is not authorized to assume command of any incident.

Summary

This manual does not cover every possible situation that may arise. The Office of Fire Prevention and Control's responsibilities in major emergencies and disasters are broad. It is the obligation of every OFPC staff member to become familiar with this manual. Should the State Plan be activated for whatever emergency purpose the procedures and policies outlined in this manual should permit a more efficient operation to occur to and expedient and successful termination.

Hazardous Materials Response Plan

The Hazardous Materials Response Plan defines the responsibilities of Office of Fire Prevention and Control personnel who may be called upon to respond to incidents involving hazardous materials. It also discharges the responsibility of the state fire administrator under Section 156 of Executive Law and Section 209-e of the General Municipal Law.

Hazardous materials are defined as all materials listed in the Hazardous Materials Table of Code of Federal Regulations, Title 49, Section 172.101, as well as any material that poses a hazard to life, health, property or the environment if released.

A hazardous materials incident is any release of a hazardous material or substance that threatens the safety of citizens, property or the environment.

This Hazardous Material Response Plan may be activated whenever:

- ❖ ❖ The New York State Fire Mobilization and Mutual Aid Plan is activated;**
- ❖ ❖ A County Fire Coordinator determines that specialized assistance is required and requests activation of the plan;**
- ❖ ❖ The head of a municipality determines that specialized assistance is required and requests activation of the plan;**

- ❖ ❖ The Hazardous Materials Emergency Contingency Annex of the New York State Disaster Preparedness Plan is activated;
- ❖ ❖ Another state agency requests assistance from the Office.

Activation will follow the procedures listed on page 3 (Activation and Operation).

Personnel notification

A bureau chief or designated duty officer as detailed in the following operation procedures will notify staff.

Staff assignments

A fire protection specialist will be assigned and respond to the incident command post. If required, additional protection specialists may be dispatched.

Additional personnel designated for hazardous materials response will be alerted if necessary and remain on stand by for possible response to the incident.

Appropriated resources of the Office will be made available to the Incident Commander.

Office responsibilities

In those cases where the Hazardous Materials Contingency Annex of New York State Disaster Preparedness Plan is activated, the Office of Fire Prevention and Control will assume additional responsibilities. When fire or the threat of fire is the primary area of concern, the Office will assume the lead agency role. (See Hazardous Materials Plan)

Fire Investigation Assistance

The Office of Fire Prevention and Control provides assistance to Fire Departments, Fire Investigators and law enforcement agencies at the scene of fire investigations. This program is to assist local investigators with their investigations to include full fire investigation assistance, K-9 accelerant detection, property insurance loss registry (PILR) checks, or Burn Injury Reporting System Checks.

OFPC Arson Bureau staff are available to respond to requests for assistance for investigating fire where:

**There is a loss of life
or
Damage is in excess of \$200,000
or
There are unusual or unique circumstances
(e.g., series of fire, explosion)**

All requests for such assistance will be evaluated to determine the most appropriate response:

- ☐ ☐ **Full fire investigation response**
- ☐ ☐ **K-9 response**
- ☐ ☐ **PILR check**
- ☐ ☐ **Burn injury Reporting check**

The Office will respond to timely requests that meet response criteria from: Fire Departments, Fire Investigation Units, Fire Coordinators, law enforcement agencies and state agencies. Assistance is available 24 hours a day, 7 days a week. Arson Bureau staff are based in Albany and adjoining counties and Montour Falls (Schuyler County).

To request on-scene fire investigation assistance:

- 1. 1. Contact OFPC at (518) 474-6746 – 24 hours a day 7 days a week.**
- 2. 2. Tell the operator you are requesting Fire Investigation Assistance. You will be transferred to, or shortly re-contacted by, OFPC Arson Bureau staff.**
- 3. 3. Be prepared to provide the following information:**
 - ☐ ☐ **Your name, title, agency and telephone number at which you can be re-contacted**
 - ☐ ☐ **Date, time and location of fire incident casualties**
 - ☐ ☐ **Dollar loss estimate**
 - ☐ ☐ **What agencies are investigating the incident**
 - ☐ ☐ **What has been done up to the time of the request**

APPENIX 2

MONTGOMERY COUNTY FIRE SERVICE

FIRE RADIO SYSTEM PROCEDURES

A. A. PURPOSE

These procedures are intended to improve the use of Montgomery County Fire Service Fire Radio System by insuring compliance with good operating practices and reducing the amount and length of radio transmissions.

The Montgomery County Board of Supervisors has designated the Montgomery County Sheriff's Department to be responsible for the operation, maintenance, and use of the Fire Radio System.

All users of the Fire Radio System are to comply with these procedures.

B. B. GENERAL

- 1. 1. Radio transmissions are to be kept to a minimum and are to be directly related to the
Fire protection and ambulance operations of the County Fire Departments and other authorized users.**
- 2. 2. Radio messages are to be clear and concise.**
- 3. 3. The telephone, instead of the Fire Radio System, will be used whenever possible.**
- 4. 4. During fires or other emergencies involving any fire department in the County, the Fire Radio System is to be used for emergency transmission only.**
- 5. 5. Single transmission messages are to be used whenever possible.**
- 6. 6. Plain English is to be used at all times; codes are to be eliminated. Calls of sensitive nature shall be handled as follows:
"209 you have an emergency. Please landline for further information".**
- 7. 7. The dispatcher (Montgomery County's Sheriff's Department) shall be called "KED 486" or "486". "Fonda" shall be eliminated, as it is no longer the location of this base.**

8. 8. The Fire Coordinator and the Fire Department Chiefs have the responsibility to ensure that the departments and the individual members comply with these procedures.
9. 9. Both frequencies 46.12 and 46.22 are emergency frequencies and these procedures apply to both.
10. 10. Echo system shall be used at all times by the Montgomery County Sheriff's Department and by all Fire Departments on acknowledgement and/or response to any call.

C. C. DISPATCHING OF ALARMS

1. The dispatching of alarms by the dispatcher shall be in accordance with these procedures all dispatchers are to be familiar with them.
3. 3. All alarm dispatches are to be preceded by the alert tone with a message to the affected department. **EXAMPLE:** Sound alert tone followed by "209 Canajoharie stand by for a call. Structure fire 1234 XYZ Road."
4. 4. If there is no acknowledgement of the call within three (3) minutes of the initial activation, Step 3 above is to be repeated. If no acknowledgement is received within three (3) minutes of the second activation, the CLOSEST available department along with the home department is to be activated using Step 3 above.
5. 5. When re-transmitting an alarm under Step 3, the dispatcher is to indicate that it is a re-transmission. **EXAMPLE:** "209, this is KED 486. Second activation for a structure fire at 1234 XYZ Road. 486 standing by 0000 hours."

D. D. RESPONDING TO ALARMS

1. 1. On arrival at station acknowledgement of call to dispatch
2. 2. The first responding unit (per station) is to notify the dispatcher that the unit is responding to the alarm. **EXAMPLE:** "KED 486, this is 209. Responding to a structure fire at 1234 XYZ Road." When

dispatch is notified of the response to a call, they are to give any pertinent information at that time including cross roads.

3. 3. Other responding units may acknowledge they are responding by simply transmitting that they are responding. EXAMPLE: “209 Rescue 4 en route.” (Note: Do not use “KED 486)
4. 4. The first unit on scene is to notify the dispatcher that it is on scene. Should mutual aid be needed, it may be requested at this time.
5. 5. All responding units should monitor 46.12 to receive pertinent information from KED 486, unless directed to switch to 46.12 by incident commander or 486.
6. 6. If a unit is unable to respond for any reason, the incident commander should be notified through KED 486.

E. E. MUTUAL AID

1. 1. Automatic Mutual Aid per dispatch book
2. 2. The Officer-in-Charge shall request needed assistance through KED 486, specifying the Department and unit(s) required. EXAMPLE: “KED 486, this 209.” Call acknowledged by dispatcher. “209 requests 215 to stand by at their station”, etc.
3. 3. Term “Command Officer” or “Command” shall be used only for the Officer in Charge of a call from the original Department.
4. 4. When a unit is responding to a mutual aid request, the unit shall notify KED 486 using proper radio transmissions. EXAMPLE: “KED 486, this is 215.” Call acknowledged by dispatcher. “215 standing by for 209.”
5. 5. If a requested Department/unit is not available, the dispatcher will notify the requesting Department immediately.
6. 6. Mutual aid units will be dispatched in the manner described below. EXAMPLE: Fire department: “KED 486, this is 209.”

	Dispatcher:	“KED 486 is on for 209.”
219 – a	Fire department:	“209 requests mutual aid from 206 and
tankers		Tanker and pumper from 206 and 2
		From 219.”
219 – a	Dispatcher:	“209 requests mutual aid from 206 and
tankers		Tanker and pumper from 206 and 2
		From 219. Is that a 10-4, 209”
	Fire department:	“10-4. Please activate.”

It is extremely important that both the dispatcher and the Fire Department clearly understand what mutual aid is required, and it is also important that the Fire Department knows that KED 486 is aware of exactly what mutual aid is required. Therefore, the dispatcher should repeat (echo system) the mutual aid is called for by the Fire Department and the Fire Department should verify the dispatcher has the message correct. We as Firefighters must keep ourselves aware of the fact it is important that we speak slowly and distinctly so the dispatcher is aware of the mutual aid required. In the heat of an emergency situation, it is sometimes hard to take your time, but we must speak slowly and distinctly, so the transmission can be clearly understood.

KED 486 shall then send out the appropriate tones for the requested Fire Department.

(Note: Equipment requests to the scene will be activated BEFORE request for station coverage.)

F. F. RETURNING TO SERVICE

- 1. 1. As the emergency situation comes to an end, IT IS ONLY NECESSARY FOR THE LAST UNIT FROM A PARTICULAR DEPARTMENT TO CONTACT KED 486 to notify them that their Department is clear of the scene and back in service.**

Example: “209 to KED 486. (Wait for response.) Apparatus is clear of the structure fire 1234 XYZ Road back in service.” 486 repeat the above transmission (echo system). 209 answers “10-4.”

- 2. 2. All other single units that return to service prior to the last unit should simply transmit they are back in service.**

G. G. RADIO IDENTIFICATION

- 1. 1. The radio identifiers of the department authorized to operate on the Montgomery County Fire Service Radio System frequencies are shown on the attached. These identifiers, and only these identifiers, are used on the Fire Radio System. The names of the individuals being contacted should be kept to a minimum.**
- 2. 2. The Fire Coordinator shall assign radio identifiers.**
- 3. 3. Out-of-County Departments/units authorized to operate on the Fire Radio System may use their home county identifier if permitted by the Montgomery County Fire Coordinator.**

H. H. RADIO AND SIREN TEST

- 1. 1. Individual siren and monitor tests (weekly), for those departments requesting to be on the automatic siren and monitor test schedule, will be conducted at 1900 hours (7PM) on the night requested.**
- 2. 2. Siren and monitor tests are not to be conducted while any department is operating at a fire or emergency unless approval has been obtained from the officer in charge.**
- 3. 3. The monthly test is eliminated.**

MONTGOMERY COUNTY FIRE ADVISORY BOARD

RADIO DESIGNATIONS FOR LINE OFFICERS AND FIRE APPARATUS

PURPOSE: Uniform countywide designations thus allowing everyone to know rank of officer they are talking with or knowing the type of apparatus en route. The intent is to eliminate use of designations such as Truck 1, Truck 2, etc., thus giving someone receiving mutual aid an idea what is en route.

OFFICER	DESIGNATION	
<u>EXAMPLE</u>		
Chief	Dept. # + Car #	214
Car 1		
1 st Asst. Chief	Dept. # + 1A	214 1A
2 nd Asst. Chief	Dept. # + 2A	
3 rd Asst. Chief	Dept. # + 3A	
1 st Captain	C1	214 C1
2 nd Captain	C2	
1 st Lieutenant	L1	214 L1
2 nd Lieutenant		
3 rd Lieutenant		

APPARATUS TYPE	DESIGNATION	EXAMPLE
<u> </u>		
Pumper	engine or pumper	218 engine 5
Tanker	tanker	219 tanker 2
Rescue	rescue or squad	211 rescue 4
Ladder	ladder or truck	215 ladder
Van or special pumper	utility	206 utility 2
Hazardous Materials	haz mat	Mont. Co.
Haz Mat		
Foam Truck	foam	212 foam 5

FIRE DEPARTMENT AND VEHICLE DESIGNATIONS

2901 2901 FIRE COORDINATOR

206 206 AMES

207/307 AMSTERDAM

208 BURTONSVILLE

209 209 CANAJOHARIE

210 210 CHARLESTON

211 211 CRANESVILLE

212 212 FONDA

213 213 FT. HUNTER

214 214 FT. JOHNSON

215 215 FT. PLAIN

216 216 FULTONVILLE

217 217 GLEN

218 218 HAGAMAN

219 219 RURAL GROVE

220 220 ST. JOHNSVILLE

221 221 TOWN OF FLORIDA

222	222	TOWN OF MOHAWK
223	223	TRIBES HILL
224	224	SOUTH MINDEN
260	260	FIRE SERVICE VAN
261	261	COMMAND POST
262	262	HAZ MAT VAN

OUT OF COUNTY FIRE DEPT. CAR NUMBERS

PERTH	230
SHARON SPRINGS	231
WEST GLENVILLE	232
CARLISLE	233
BERKSHIRE	234
EPHRATAH	235
PATTERSONVILLE	236
GLENVILLE HILLS	237
HILLTOP	238
CHERRY VALLEY	239
OPPENHEIM	240
BROADALBIN	241
SCHENECTADY	242



Attachment for:

Resolution
80 of 2005

INTRODUCTORY LOCAL LAW NO. 1 OF 2005

“A LOCAL LAW ESTABLISHING THE 2005 SALARIES OF VARIOUS COUNTY OFFICIALS”

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

SECTION 1. The annual salaries, including longevity, sums opposite the office and designation of such County Officials to wit:

COUNTY OFFICIAL 2005 ANNUAL SALARY

County Treasurer	\$52,250
Director of Real Property Tax	\$44,409
County Clerk	\$52,750
County Attorney	\$46,374
Personnel Director/Self - Ins. Dir.	\$54,784
Commissioner-Board of Election - Democrat	\$31,500
Commissioner-Board of Election - Republican	\$33,000
Commissioner of Public Works	\$52,225
Sheriff	\$58,524
Commissioner of Social Service	\$53,250
County Historian	\$31,750
Economic Opp. And Dev. Director	\$54,300
District Attorney	\$119,800
Head Coroner	\$6,647
Coroner	\$5,969
County Auditor	\$21,013
Purchasing Agent	\$35,000

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



Attachment for:

**Resolution
81 of 2005**

INTRODUCTORY LOCAL LAW NO. 2 OF 2005

"A LOCAL LAW AMENDING LOCAL LAW NO. 2 OF 1990 WHICH
ESTABLISHED THE MONTGOMERY COUNTY OCCUPANCY TAX ADVISORY
BOARD"

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

SECTION 1. Section 6, Item 3 of Local Law No. 2 of 1990 which established the Montgomery County Occupancy Tax Advisory Board shall be amended as follows:

(3) The Members of said Advisory Board shall serve three-year terms as follows:

- (a) Three of such members, of which one member shall be a representative of an organization of the lodging facility industry, shall serve terms the cycles of which shall coincide with starting on January 1, 2005 and every third year thereafter;
- (b) Two of such members, of which one member shall be a representative of an organization of the lodging facility industry, shall serve terms the cycles of which shall coincide with starting on January 1, 2006 and every third year thereafter;
- (c) Two of such members, of which one member shall be a representative of an organization of the lodging facility industry, shall serve terms the cycles of which shall coincide with starting on January 1, 2007 and every third year thereafter.

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
123 of 2005

Guidelines for Expenditure of the Montgomery County Occupancy Tax

The Montgomery County Board of Supervisors, upon recommendation of the Occupancy Tax Advisory Board of Montgomery County, establishes the following guidelines be met for the expenditure of Occupancy Tax collected.

For any given calendar year starting in January and ending in December, the amount of the tax's fund balance remaining after meeting the requirements of the I Love NY matching funds program and the administration thereof as determined by the County Treasurer, be allocated for expenditure in the following manner:

Twenty percent (20%) of the full fund balance or \$10,000, whichever is greater, remains in reserve on account.

Then:

1. Sixty percent (60%) of the remaining fund balance will be utilized for events and programs operated by not-for-profit organizations within the County that generate overnight tourists to the lodging facilities in the County. As the tax is collected from lodging facilities, the funding of events within the County that generate overnight tourists will replenish the fund for future use. The distribution of funds will be regulated by a grant process established by the Occupancy Tax Advisory Board, administered by the County Treasurer and will require the final approval of the Board of Supervisors.
2. Fifteen percent (15%) of the remaining fund balance will be utilized for resources within the County, which foster the tourism industry within the County. As an example, these resources may include reference materials such as literature, computer software and the like for the management of archives, collections, genealogy, and other record keeping. The distribution of funds will be regulated by a request process established by the Occupancy Tax Advisory Board, administered by the County Treasurer and will require the final approval of the Board of Supervisors.
3. Twenty-five percent (25%) of the remaining fund balance will be utilized for economic development of tourism sites within the County in order to assist them in becoming more 'visitor ready.' Preference should be given to the construction or rehabilitation of the structural components of tourism sites. The distribution of funds will be regulated by a request process established by the Occupancy Tax Advisory Board, administered by the County Treasurer and will require the final approval of the Board of Supervisors.

The Occupancy Tax Advisory Board and County Treasurer will be utilized for the channeling of funding requests and for following up on the utilization of awarded funds through the use of interim and final reporting submitted by the funded organization. The OTAB will review funding requests on a case-by-case basis and present their recommendations to the Board of Supervisors on no less than a quarterly basis. This quarterly basis shall coincide with the quarterly collection of the Occupancy Tax, that being during the months of March, June, September and December within any calendar year.



Attachment for:

Resolution
217 of 2005

Montgomery County Information Security Policy

Version 1.0

June 27, 2005

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1. Purpose

Access to Montgomery County's (hereinafter referred to as the County) information systems has been provided to all authorized County employees, consultants, contractors, interns, volunteers, and temporary workers (hereinafter referred to as County Information Technology Systems Users [County ITS Users]) for the benefit of providing service to the residents of Montgomery County. All County ITS Users have a responsibility to maintain and protect the County's information assets against accidental or intentional disclosure or compromise. Each County ITS User also has the responsibility to maintain and protect the County's public image and to use the County's information systems in a productive manner.

Information is essential to all County services. As a result, information security is a critical requirement in the delivery of County services. The integrity, availability, and confidentiality of County information collected, processed, and stored needs to be ensured. The accidental or intentional disclosure of non-public County information can have serious repercussions. The County, in the event its information resources are compromised or due to County ITS User misconduct, can face legal liability associated with the disclosure of information governed by Federal and State Laws (e.g., Health Insurance Portability Accountability Act of 1996 (HIPAA)).

To ensure County ITS Users are responsible and productive users of the County's information resources, the following policy document for using the County's information systems has been established. This policy is applicable to the County's internal computer network (County Wide Area Network) as well as interconnections with systems outside the County WAN (Internet).

- **Effective Date:** This policy is effective as of the date of issuance.
- **Expiration Date:** This policy remains in effect until superseded, amended, or canceled.

All use of information systems involves certain risks that must be addressed through proper controls. The protective requirements for each of the individual information systems within the County will vary according to the unique characteristics of the system, data sensitivity and mission-related criticality of the system or information. Appropriate levels of security and cost-effective controls that are adequate to achieve an acceptable level of risk for each system will be implemented through the guidance of this policy.

This policy establishes procedures and requirements designed to protect and maintain the availability, integrity, confidentiality and non-repudiation of information and information resources.

- **Availability:** Systems and data being operational, accessible, functional and usable upon demand by an authorized entity, e.g., a system or a user.

- **Integrity:** Data not being altered or destroyed from its intended form or content in an unintentional or an unauthorized manner.
- **Confidentiality:** Information not being made available or disclosed to unauthorized individuals, entities or processes.
- **Non-Repudiation:** Unquestionable proof of the origin of, the content integrity of a transaction or of data and the receipt and optionally the acceptance of a transaction or of data, such that refutation of any of these is not possible.

Effective information security is a team effort involving all County ITS Users who access information and information resources. In recognition of the need for teamwork, this policy clarifies responsibilities and duties associated with information security.

The policy aims to:

1. Establish an evolutionary, risk managed information security program to defend against internal and external threats.
2. Establish a management structure to address the County's information security operation.
3. Require all County ITS Users to:
 - a) be knowledgeable of acceptable County information system usage,
 - b) understand their information security responsibilities,
 - c) be held accountable for their actions.

2. Scope

The policies contained in this document are applicable to all County information system resources, whether located within the physical confines of County property or at an off-site location. They cover all computer and communication devices owned or operated by the County. They also cover any computer and communications devices that are present on County premises and connected to County information systems, but which may not be owned or operated by the County.

These policies are mandatory for all County departments, County employees and other authorized users having access to or using information systems and resources of the County. It is the responsibility of all County ITS Users to protect the County's information systems and information from accidental or intentional misuse or destruction.

3. Policy Organization

Montgomery County's Information Security Policy consists of two parts: Managerial Policy and Technical Policy. Managerial Policy establishes policy for use, ownership, management, disclosure and processing information on the County's information systems. Technical Policy establishes policy for the detailed technical aspects of the County's information security.

Managerial Policy

4. County Employee Responsibilities

All County ITS Users are responsible for maintaining the confidentiality, integrity and availability of the County's information to facilitate effective and efficient conduct of County business.

Three responsibility classifications (**owner**, **custodian**, and **user**) are defined to assist County ITS Users in understanding their roles and responsibilities when using the County's information systems. County ITS Users may fall into more than one category.

- **Owner:** All information residing on the County's information systems must have a designated owner. Information owners determine the appropriate information sensitivity classification to be applied to the information. Owners are responsible for deciding which County ITS Users will be permitted to access the information, and the uses to which the information will be put. ***All information owners are required to submit an annual report to the Information Security officer (ISO), in a format set forth by the ISO, listing the information of which they are owners.***
- **Custodian:** Information on the County's information systems must have a designated custodian. The custodian is responsible for protecting the information in accordance with the information owner's access control, data sensitivity and data criticality instructions.
 - At a minimum, the **custodian** is responsible for:
 - ensuring physical security for equipment, information storage, backup, and recovery is adequate;
 - ensuring a secure processing environment that can adequately protect the integrity, confidentiality, and availability of information is maintained;
 - developing and maintaining a business continuity and contingency plan;
 - administering access to information as authorized by the information owner;
 - implementing procedural safeguards and cost-effective controls.
- **User:** The user is an individual authorized access to an information asset by the owner. The user is responsible for using the information only for the intended purpose -- consistent with the information owner's instructions -- and safeguarding the integrity, confidentiality and availability of the information accessed. Users are also responsible for familiarizing themselves and complying with the County's information security policies.

Specific information security responsibilities shall be incorporated into all County ITS Users' job descriptions.

5. Information System Criticality

5.1 The County's Information System Criticality Levels

All County information systems shall be classified according to their criticality to County operations into one of three categories: **Business Vital Systems**, **Business Essential Systems**, or **Public Systems**.

5.1.1 Business Vital Systems (Confidential)

Business Vital Systems are systems that require a high degree of protection to ensure the confidentiality, integrity or availability of the information stored on them. These systems are absolutely vital to County business operations. This includes systems and data whose destruction, improper use or disclosure could have a substantial and perhaps disastrous impact on the County's business operations.

5.1.2 Business Vital Systems (Non-Confidential)

Business Vital Systems are systems that require a high degree of protection to ensure the integrity or availability of the information stored on them. These systems are absolutely vital to County business operations. This includes systems and data whose destruction or improper use could have a substantial and perhaps disastrous impact on the County's business operations.

5.1.3 Business Essential Systems (Confidential)

Business Essential Systems and the information stored on them are essential to continued County business operations and need special protection. However, their destruction, improper use or disclosure of the information stored within would not be disastrous to County business operations. These systems require less protection than vital systems, but more than public systems.

5.1.4 Business Essential Systems (Non-Confidential)

Business Essential Systems and the information stored on them are essential to continued County business operations and need special protection. However, their destruction or improper use of the information stored within would not be disastrous to County business operations. These systems require less protection than vital systems, but more than public systems.

5.1.5 Public Systems

Public Systems contain only Public information that requires no special protective measures required for confidentiality. Availability and integrity of the information is still a concern. County operations could be accomplished without the system for a limited time.

5.2 Determining the Criticality Levels

The criticality level of County information systems is determined during the risk assessment process.

5.3 Annual Inventory Report of County Information Systems Criticality Levels

The Information Services Applications Support Team, on an annual basis, is required to submit an inventory report (to include application software information) to the Information Security Officer (ISO), in a format set forth by the ISO, that will at a minimum list all County information systems and dedicated communications links, along with their associated criticality level.

5.4 Information Technology Asset Inventory

Information Services Network and Technical Support Team is required to provide an annual inventory of information systems (using the Annual Inventory Report of Information Systems Criticality Level created by the Information Service Application Support Team) detailing all existing hardware, system software and communication link information. The format will be determined by the ISO.

6. County Information Security Administration

6.1 Centralized Responsibility for Information Security

The responsibility and authority for the County's information security is formalized in the Information Security Officer (ISO). The ISO is responsible for maintaining, coordinating and directing specific actions to maintain the confidentiality, integrity, availability and non-repudiation of County information resources as specified in the Montgomery County Information Security Policy document. The ISO reports to the Chief Information Officer (CIO) of Montgomery County. The ISO is responsible for:

- a. Developing policies, standards, procedures and guidance for implementing the County's information security policy;
- b. Providing information security education and awareness training to County employees;
- c. Ensuring information security is integrated with the County's business use of information technology;
- d. Developing the use of specific methodologies and processes for information security (e.g., risk management);
- e. Reviewing and bringing forth to the County CIO amendments or modifications to the County's information security policy, which will then be brought forth to County Department Heads and if need be to the County Board of Supervisors.
- f. Reviewing the County's information security posture;
- g. Heading the investigation in the event the County's information resources are compromised either from internal or external sources;
- h. Ensuring the County's information security policy is adhered to;
- i. Investigating data security violations and report findings to the County CIO.

6.2 Information Services Network and Technical Support Team Responsibilities

The Information Services Network and Technical Support Team, with guidance from the ISO, is responsible for maintaining the County's information resources in a manner that is responsive to the County's business needs. These responsibilities include, but are not limited to:

- Administer network, Intranet and Internet operations in a secure manner.
- Develop, implement and maintain a strategic information systems protection plan (information security vision) for the County to include secure network architecture, effective access control, virus/malicious code protection, process for implementing patches for vulnerabilities, intrusion detection, traffic screening and other information security measures.
- Periodically audit the operations of all technical security measures in place to ensure the measures are operating as required.
- Harden systems (by removing unnecessary services and patching necessary ones) before connecting them to the network.
- Establish an integrated disaster recovery plan (contingency plan) to include regular backups of critical County data with offsite storage. This will be established in close coordination with the Information Services Operations Team.
- Compile, maintain and protect documentation describing configuration and specific secure operating procedures for the County's information systems, as well as the County's Internet operations. Documentation must be stored in a secure location.
- Establish and maintain effective and secure telecommunications capabilities for/with off-site facilities.
- Identify common user deficiencies and ensuring these are passed to the ISO for inclusion in the information security training.
- Implement a secure system of identification and authentication to control access to County information.
- Complete a periodic review of assigned computer accounts to ensure access privileges are commensurate with user needs.

6.3 Network Administrator Responsibilities

Network administrators shall become familiar with network security concerns and take proactive measures to protect the systems and data for which they are responsible. These responsibilities include, but are not limited to:

- Implement appropriate access control measures;
- Install patches expeditiously to identified system vulnerabilities;
- Educate the ISO and users on security issues;
- Activate the appropriate security capabilities of servers and desktop systems;
- Review logs in a timely manner.

6.4 Information Security Incident Response

6.4.1 Information Security Incident Response Team

The County's Information Security Incident Response Team (ISIRT) reporting to the ISO is charged with responding in a quick, effective and orderly manner to all information security incidents on the County's information infrastructure. The ISIRT is composed of staff from the Information Services Department and other individuals as designated by the Chief Information Officer. The ISIRT is responsible for defining procedures for detecting, mitigating, investigating, implementing procedures and preventing such future incidents.

6.4.2 Incident Response and Procedures Plan

The ISO working with the County's ISIRT shall develop an incident response plan and procedures to be used in the event of an incident.

6.4.3 Recovery Actions

The ISIRT will take appropriate measures to secure the County's information resources from further compromise. After a security incident, the ISIRT will follow the list of approved recovery actions to bring the affected system(s) on-line and into service.

6.4.4 Investigating the Security Incident

In responding and investigating the incident the ISIRT must keep in mind the following objectives:

- Investigate how the incident occurred.
- Avoid escalation and further incidents.
- Assess the impact and damage of the incident.
- Recover from the incident.
- Find out who did it (if appropriate and possible).
- Take actions to prevent and/or deter the action from recurring.
- Document the incident and preserve evidence where possible, for reporting purposes and effective resolution of an incident.

6.5 Annual Information Systems Planning Process Required

The CIO and the ISO must annually prepare plans for the improvement of information security on the County's information systems in the wake of technological advances and the County's plan to incorporate new technology into the County's business processes. The developed plan will then be reviewed with the appropriate groups and committees.

6.6 Risk Analysis, Assessment and Management

On behalf of the CIO, the ISO shall perform a risk assessment on all applications, systems and services to be deployed on the County's information systems. The analysis should consist of seven steps:

- (1) Identification of threats and vulnerabilities;

- (2) Identification of application owners;
- (3) Analysis of the value of the information;
- (4) Identification of the impact on the County's operations in the event of a security compromise;
- (5) Classify the damage level: high, medium, low;
- (6) Predict occurring possibility;
- (7) Estimate the cost of implementing security controls.

6.7 Periodic Independent Review of Information System Controls

An independent review by an outside party of information security controls must be conducted annually. These reviews must include efforts to determine both the adequacy of controls and compliance with them. Those in the County responsible for implementing and maintaining security controls or computer systems must not perform the reviews.

6.8 Accrediting Hardware and Software

The ISO is responsible for developing an accreditation process for any new system, network, software or application before it is connected or placed onto the County's information systems. Accreditation is the process by which software and hardware are evaluated on whether they are consistent with the County's information security posture.

6.9 Configuration Control

The Information Services Department will employ a documented change control process to ensure that only authorized changes are made on County information systems. This change control procedure will be used for all changes to software (upgrades and patches), hardware, communications links, etc.

6.10 Current Information Security Manual Required

The ISO must prepare, maintain and distribute information security manual(s) describing the County's current information security policies and procedures. The manual(s) for employees must be appropriate to the employee's job function.

6.11 Amending the Information Security Policy

The Montgomery County Information Security Policy shall be amended when there is a need to align the policy with current County business practices, change in laws or technological change. The ISO is responsible for drafting new policy statements or amendments to policy for review by the CIO. The Board of Supervisors, CIO and appropriate committees shall approve amendments to policy. Once approved, the amended policy will be in effect.

7. User Responsibilities

County ITS Users are responsible for adhering to policy and the security controls governing the security of the information resources under their control to prevent unauthorized disclosure of information, ensuring effective and accurate processing and maintaining continuity of operations for accomplishing the County's mission.

Each County ITS User is responsible for the content of all text, audio or images they place or send over the email, voicemail, Intranet or Internet. Fraudulent, harassing or obscene (inappropriate) messages are prohibited. No abusive, profane or offensive language shall be transmitted through the County's systems. County ITS Users who wish to express personal opinions on the Internet should obtain their own accounts and use systems other than the County's.

Information stored, processed and transmitted on the County's information systems are owned by the County, and as such is a County resource in the custody of the County ITS User. It is the County ITS User's responsibility to ensure all sensitive County information is adequately protected at all times -- in the manner as proscribed by the information owner. When data is transferred from the County ITS User's custodial responsibility to another County ITS User, each County ITS User accepts the same responsibility of continued protection.

County ITS Users shall:

- Become aware of the sensitivity/criticality of the information they handle and apply appropriate protective measures when handling the information.
- Coordinate the connection of Personal Communications Devices (PDAs) with the ISO and Information Services.
- Coordinate the connection of devices with RF capabilities (e.g., wireless access points, wireless LANs) with the ISO and the Information Services Department.
- Coordinate the connection of a modem to a phone line with the ISO and the Information Services Department.
- Use only legal and software licensed to the County on County computers.
- Scan all files and software for malicious code prior to execution.
- Use robust network password(s) and change them as required.
- Never share ID or passwords with another user.
- Never document passwords and put them on or near the computer (i.e. Sticky notes under keyboards, on monitors, etc.)
- Log off or activate screensavers with password protection to protect the County's information when they are left unattended for more than 10 minutes.
- Never release non-public County information unless prior authorization from the information owner has been obtained.
- Not disclose sensitive County data to other County Staff other than on a need-to-know basis.
- Secure any physical copies of sensitive County data such as tapes, floppy disks and printouts when left unattended.
- Backup data on a regular basis if data is not kept on a server that IS backs up.
- Become familiar with indicators of virus infection and report operational anomalies to Information Services Technical Support, ISO or the CIO.
- Report all discovered security vulnerabilities and/or computer security concerns to their supervisor, ISO, or CIO.

- When working at home, take reasonable measures consistent with workplace standards to safeguard access to County information resources (e.g., computers, networks, data).
- Ask for clarification on any issue or measure that they do not understand. Questions should be directed to their supervisor or to the ISO or CIO.

8. Information Security Training and Awareness

8.1 Required Security Training

All County ITS Users are to be provided with sufficient information security training and support reference materials appropriate to their job responsibilities. For County ITS Users, who are new County employees, the information security training will be incorporated into the Human Resources new employee orientation program. For County ITS Users, who are not County employees (e.g., consultants), the ISO must be consulted for the appropriate security training. In either case, the information security training must be given before the County ITS User is allowed access to and use of the County's information systems. At the conclusion of the training, each County ITS User will be required to sign a statement that they have had information security training, understood the material presented and had the opportunity to ask questions.

A refresher course (which will also address any policy changes) will be held annually. County ITS Users will be required to attend one refresher course each year, and sign a statement indicating that they have received the training and updates to the policy.

8.2 Security and Confidentiality Policy Statement

All County ITS Users are required to sign a security and confidentiality policy statement, before they are given access to the County's information resources, that they have read, understood and had been given the opportunity to ask questions concerning the County's information security policy. The security and confidentiality policy statement shall include language as follows: County ITS Users shall be required to sign the security and confidentiality policy statement annually. Access to and use of County information resources shall be terminated for any County ITS User who does not sign a security and confidentiality policy statement.

8.3 Responsibility for Security Training

The ISO in conjunction with Information Services are responsible for providing the material and conducting the training sessions for new County ITS Users and the annual refresher security training to remind all County ITS Users of their responsibility and obligations with respect to information security.

8.4 Information Security Awareness

The ISO is responsible for developing and conducting an information security awareness program throughout the year.

9. Contingency Planning

9.1 Contingency and Disaster Planning Document

The County, as part of its preparedness against natural and man-made disasters, shall have a current documented and tested contingency and disaster recovery plan, which addresses the possibility of short and long term loss of computing and networking services. The plan needs to take into consideration the criticality of the various systems. Such a plan needs to include all procedures and information necessary to return computing and networking systems to full operation in the event of a disaster. The plan must be communicated to, and approved by, all those (especially the information owner) who would be affected by such a disaster.

9.2 Contingency Planning Responsibility

The CIO is responsible for contingency planning. The ISO is responsible for providing technical guidance for all information security contingency plans.

9.3 Periodic Testing

The Information Services Department shall periodically test the County's information technology contingency plan(s).

10. Acceptable and Unacceptable Use Policy

10.1 Acceptable Use

County ITS Users are responsible for exercising good judgment regarding the use of the County's information resources. The County's computers and networks are only to be used for official County business.

10.2 Unacceptable Use

The County's computers or networks shall not be used for personal use, commercial profit or to facilitate unethical or criminal activities. The following activities are, in general, prohibited. County ITS Users may be exempted, in writing, from these restrictions during the course of their legitimate job responsibilities.

Under no circumstances are County ITS Users authorized to engage in any activity that is illegal under local, state, federal or international law while utilizing County-owned resources.

The listing below is by no means exhaustive, but attempts to provide a framework for activities that fall into the category of unacceptable use. Note that an omission from this list does not indicate that the activity or behavior is acceptable.

10.2.1 System and Network Activities

The following activities are strictly prohibited, with no exceptions.

1. Violations of the rights of any person or company protected by copyright, trade secret, patent or other intellectual property or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products not appropriately licensed for use by the County.
2. Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music or movies and the installation of any copyrighted software for which the County does not have an active license is strictly prohibited.
3. Exporting software, technical information, encryption software or technology, in violation of international or national export control laws, is illegal. The appropriate management should be consulted prior to export of any material that is in question.
4. Introduction of malicious programs into the network or server (e.g., viruses, worms, Trojan horses, e-mail bombs, etc.).
5. Revealing your account password to anyone or allowing use of your account by others. This includes family and other household members when work is being done at home.
6. Using a County computing asset to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws.
7. Making fraudulent offers of products, items or services originating from any County account.
8. Making statements about warranty, expressly or implied, unless it is a part of normal job duties.
9. Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the user is not an intended recipient or logging into a server or account the user is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, "disruption" includes, but is not limited to, network sniffing, pinged floods, packet spoofing, denial of service and forged routing information for malicious purposes.
10. Port scanning or security scanning is expressly prohibited unless performed by authorized Information Services staff.
11. Executing any form of network monitoring which will intercept data not intended for the user's host, unless this activity is a part of the user's normal job/duty (e.g., Information Security staff).
12. Circumventing user authentication or security of any host, network or account.
13. Interfering with or denying service to any user (for example, denial of service attack) unless this activity is a part of the user's normal job/duty (e.g., Information Security staff).
14. Using any program/script/command or sending messages of any kind with the intent to interfere with, or disable, a user's session via any means locally or via the Internet/Intranet/Extranet.
15. Providing information about or lists of County Staff to parties outside County government, unless the information is considered public.

16. Using encryption on County information systems without written authorization by the CIO or the ISO.
17. Intentionally changing hardware and software configurations as deployed by Information Services without authorization from the CIO or the ISO.

10.2.2 Email and Communications Activities

The following activities are strictly prohibited, with no exceptions.

1. Sending unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material.
2. Any form of harassment via email, telephone or paging whether through language, frequency or size of messages.
3. Inappropriate materials, including cartoons or jokes or anything that may be construed as harassment or showing disrespect to others.
4. Unauthorized use or forging of email header information; a.k.a. e-mail spoofing.
5. Solicitation of email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies.
6. Creating or forwarding "chain letters", "Ponzi" or other "pyramid" schemes of any type.
7. Use of unsolicited email originating from within the County's networks of other Internet/Intranet/Extranet service providers on behalf of, or to advertise, any service hosted by the County or connected via the County's network.
8. Posting the same or similar non-business-related messages to large numbers of Usenet newsgroups.

10.2.3 Web Servers, MUDs, Network Games, Listservs, Other Computer Applications on County Information Systems

County ITS Users may not have web servers, Multi-User Dungeons (MUDs), network games (e.g. Quake, Everquest, etc.), unauthorized computer applications, file sharing programs or file transfer programs (e.g. Napster, Kazaa,) or listservs running on County information systems without written consent from the CIO or ISO.

10.2.4 Instant Messaging

County ITS Users are prohibited from using Instant Messaging (IM) on any County information resource, unless authorized in writing by the CIO or the ISO.

10.2.5 Security Circumvention

County ITS Users must not attempt to compromise information system security measures in any way. Incidents involving unapproved system hacking or cracking, password cracking, file decryption or similar attempts to compromise security measures will be considered violation of the County's information security policy. Unless specifically authorized by the ISO in consultation with the CIO, County ITS users, including Information Services staff must not acquire, possess, trade, or use hardware or software tools that could be employed to evaluate or compromise the County's information

systems security. County ITS Users, including Information Services staff, found in violation may face disciplinary measures, which may include immediate dismissal.

11. Privacy Expectations for Users

County ITS Users should be aware that Internet/Intranet/Extranet related systems, including but not limited to computer equipment, software, operating systems, storage media, network accounts providing electronic mail, WWW browsing and FTP are the property of the County and thus County ITS Users have no expectation of privacy. The County reserves the right to access and monitor all messages and files on the County's network, PCs, laptops or workstations as deemed necessary and appropriate.

Backup copies of e-mail and data files are maintained and may be reviewed by authorized County personnel for legal, business or other reasons.

While the County respects the privacy of all employees, there should be no expectation of privacy with regards to County equipment, systems or services. Authorized County personnel may monitor and log usage data, may review this data for evidence of violation of law or County policy, and may monitor all activities and inspect files and messages of specific users of County computers and networks. All communications including audio, text and images can be disclosed to law enforcement or third parties without prior consent of the sender or receiver.

12. County Information Security Audit Policy

The County ISO has the authority to conduct a security audit on any County information system.

Audits may be conducted to:

- Ensure integrity, confidentiality and availability of information and resources;
- Investigate possible security incidents;
- Ensure conformance to the County's security policies;
- Monitor user or system activity where appropriate.

For the purpose of performing an audit, any access needed will be provided to members of the audit team. This access may include:

- User level and/or system level access to any computing or communications device;
- Access to information (electronic, hardcopy, etc.) that may be produced, transmitted or stored on County equipment or premises;
- Access to work areas (labs, offices, cubicles, storage areas, etc.);
- Access to interactively monitor and log traffic on County networks.

13. Security Tools

The ISO in consultation with the CIO is authorized to acquire and employ the appropriate security tools necessary to ensure confidentiality, integrity and availability of the County's information system resources. These tools shall include mechanisms for recording, detecting and correcting security problems. May also include password and network security checkers, intrusion detection systems, hardware/software firewall technologies and other information security tools (a.k.a. hacking tools -- some security tools are dual use -- security and hacking). Possession or use of security tools by other than specifically authorized Information Services staff is prohibited.

13.1 Information Services Staff Permission to Use Security Tools

Information Services staff, who in their job duties will require the use of information security tools (a.k.a. hacking tools) must obtain permission from their immediate supervisor and from the County CIO or ISO before such tools are acquired and used on the County's information resources.

14. Copyright and Licenses

Failure of County ITS Users to observe copyright or license agreements may result in disciplinary action or legal action by the copyright owner and by the County. County ITS Users will be held personally liable for any violations of the copyright laws and license agreements. Supervisors will also be held personally liable if they knew about copyright and license violations, and did not take any action to correct and to prevent copyright and licensing violations. Violations by County ITS Users will be referred to Human Resources and Legal for further action.

15. Disclosure of Information System Vulnerabilities

System vulnerabilities and security incidents must be handled on a need-to-know basis. Also, security analyses of the County's information systems security posture are to be considered confidential information to be handled on a need-to-know basis. The Information Security Incident Response Team (ISIRT) will place all hardcopy or electronic documents, notes, memos on investigative results, in a secured file to which only the ISIRT members have access.

16. Reporting Suspected Security Incidents / Violations

It is the County ITS User's responsibility to immediately report, in confidence, all suspected policy violations, system intrusions, virus infections and other conditions that might jeopardize the County's information security to their supervisor, and the County CIO or the ISO.

17. Violations

17.1 Non-Compliance

All County ITS Users are required to comply with all the measures outlined in this policy. Violations of the provisions of this policy may lead to disciplinary action including termination and criminal prosecution.

17.2 Disciplinary Review

The County shall have in place a review process based on current employee disciplinary processes to address information security policy violations.

17.3 Absence of Guidelines

The absence of specific guidance covering a particular situation does not relieve County ITS Users from exercising the highest ethical standard applicable to the circumstances. When in doubt contact your immediate supervisor or the ISO.

Technical Policy

18. The County's Information Systems Connections

18.1 Internal

The County's information infrastructure shall have separately defined, organization-based logical domains (where practical), each protected with suitable security perimeters and access control mechanisms.

18.2 External Connections

The CIO or the ISO must approve all external connections before any external connection is made and all connections must adhere to standards and procedures for security as set forth by Information Services. All entities connected to the County network are required to maintain an up-to-date list of all external connections in use, and to provide the list to the County CIO and the ISO. Non-compliance in maintaining such a list or not providing the list to the CIO and the ISO allows Information Services to terminate any connection to the County Network so as to preserve a secure environment. The CIO and the ISO are granted the authority to direct staff to remove connection points on the County's network under the CIO's control that pose a security risk to the County network.

18.3 Modems

The use of modems on the Montgomery County WAN or on any LAN connected to the WAN is not allowed. If there exists a business reason for a modem to be used, a business case will need to be presented to the CIO and the ISO. Only the CIO and the ISO have the authority to approve the use of a modem connection. The allowed modem connection shall be in accordance to the security standards and procedures set forth by the Information Services for such connections.

18.4 Remote Access to the County's Network by County ITS Users

Remote access to the County WAN by County ITS Users shall only be via methods that ensure the security of the County's network and are approved by the ISO and the CIO. Only the CIO or the ISO have the authority to grant County ITS Users remote access to the County's network, and only after reviewing with the Department Head the need for such access and access requirements.

18.5 Third Party Access

Before any third party is allowed to connect to the County WAN, a third party connection agreement must be executed between the County and the Third Party. The CIO and the ISO are the final approval authority for such agreements.

18.6 Intermunicipality Agreements

Before any municipality is allowed to connect to the County WAN, an Intermunicipality agreement must be executed between the County and the municipality. At a minimum the agreement outlines the roles and responsibility of the County and the Municipality, and the agreement of the Municipality to adhere to the security policies, standards and

procedures for connecting to the County WAN. The CIO and the ISO are the final approval authority of such agreements.

19. System Privileges/Access

19.1 Granting System Privileges

Requests for new user-IDs and changed privileges must be in writing and approved by the Department Head and information owner and submitted to Information Services before the system administrator fulfills the request.

19.2 Inactive Accounts

Accounts will be established to deactivate if the account has been inactive for a specified period of time (normally 30 days).

19.3 Need-to-Know

The information system privileges of all County ITS users, based upon the information security policy, are to be restricted based on the “need-to-know.” This means privileges on County information systems must not be extended unless a legitimate business need for such privileges exists.

19.4 Group or Shared Accounts Prohibited

Information systems access control and audit ability shall be achieved via the use of user accounts unique to each individual user. Access control to files, applications, databases, computers, networks and other system resources via shared accounts (user ids) (also called “group accounts”) and shared passwords (also called “group passwords”) are prohibited. The CIO and ISO can grant a waiver to this requirement if adequate justification is provided and security measures are determined to be appropriate.

19.5 Guest and Anonymous User-Ids

Anonymous and “guest” user-IDs are prohibited and must be disabled from all County information systems.

19.6 Revoking System Access

19.6.1 User Status Change

Department Heads must promptly report all significant changes in County ITS User duties as it relates to information access to the information owners. System administrators must promptly revoke privileges no longer needed by County ITS User. The County shall have a process in place by which changes in a County ITS User's duties as they relate to information and network access are communicated to Information Services.

19.6.2 County Staff Separation (Voluntary or Termination)

In the event County ITS User separates, the County is required to have in place a process that ensures that the employee's access to County information resources is disabled. As

part of the process a separation checklist is to be used whenever an employee leaves County service. Information Services shall promptly disable the County ITS User's access to the county's information systems and information (e.g., disabling employee's account(s)).

In the case of termination, the Department Head is required to immediately notify Information Services by phone of the need to disable the employee's access to all County information resources and accounts. This is followed up by the separation checklist from Human Resources.

19.7 Two User-IDs Required for Privileged Use

All County ITS users shall have minimal privilege accounts. In the event that a higher level of privilege is needed in the system (to perform 'administrator' level tasks), this shall be accomplished with a second account. The higher-privilege account shall only be used for administration tasks. Day-to-day work will be done using the normal account. Administrative accounts will only be authorized in exceptional circumstances by the ISO or CIO.

19.8 Vendor's Access Privileges

Vendor must not have access privileges by default to the County's information systems. All such accounts on vendor supplied equipment or applications must be disabled. Vendors needing to provide maintenance on equipment via remote access must be coordinated with the CIO or the ISO. All vendor activity will be closely monitored and logged by Information Services.

19.9 Screen Savers

County ITS Users are required to have password protected screen savers activated. After a certain period of no activity, based on the sensitivity of the information, the screensaver blanks the screen. The County ITS User will need to re-authenticate to resume work. Depending on the confidentiality and criticality of the information, some users must not leave their workstation without first logging-off or enabling a screen-saver requiring re-authentication.

20. Login / Logoff Process

20.1 Network Login Banner Required

Every County system, where technically feasible, must employ a login banner that includes a warning notice. This notice must state: (1) the system is to be used only by authorized County users, and (2) by continuing to use the system, the user acknowledges that he/she is an authorized user, and (3) understand he/she is subject to monitoring.

20.2 User Authentication Required

At a minimum, positive identification for login into County information systems involves both a user-ID and a password, both of which are unique to an individual user. Other

additional methods of authentication (e.g., token-based, smartcard, biometric) are to be considered where appropriate.

20.3 Login Prompts

The login process for the County's information systems and applications must simply ask the user to login, providing prompts as needed. Confidential information about the County, the computer operating system, the network configuration, must not be provided until a user has successfully been authenticated.

20.4 Disclosure of Incorrect Login Information

If any part of the login sequence is incorrect, the person logging in must not be given specific feedback indicating the source of the problem – whether it was due to an invalid userID or to an invalid password. Instead, the person logging in must simply be informed that the login process was incorrect.

20.5 Limited Number of Login Attempts

Access to an account will be locked out if an unreasonable number of unsuccessful login attempts occurs during a preset time period. The number of allowable failed login attempts is dependent on the criticality of the system and the sensitivity of the information. The length of the lockout is dependent on the criticality of the system and the sensitivity of the information contained in the system.

21. Password Policy

21.1 Initial Password Set-up

Wherever system software permits, the initial passwords issued to a new County ITS User must be valid only for the user's first login. At the first login, the user will be forced to set a new password. This same process applies to the resetting of passwords in the event a County ITS User forgets a password. The initial password must be difficult to guess, which means it should not follow any predictable patterns, such as any words or numbers representing the user's personal or organizational information.

21.2 Vendor-Supplied Default Passwords

All vendor-supplied default passwords on software and hardware must be changed before any software or hardware is made operational on the County's information systems.

21.3 Security Compromised

Whenever the security of an information system has been compromised, or if there is a convincing reason to believe an information system has been compromised, the involved system administrator must immediately force every password on the involved system to be changed at the next login. If systems software does not allow for that, the system administrator shall broadcast a message to all users informing them of the required actions. If the situation warrants, the system administrator must immediately reset all passwords on the affected systems.

21.4 Accountability

County ITS Users are accountable for all usage of their County provided accounts, and therefore shall not grant access to their account to any person or entity.

21.5 Password Disclosure

County ITS Users must never disclose their password(s) to anyone or to any entity under any circumstances. If access to certain County resources is required for business purposes, the Information Owner should approve the access. Under no circumstances should any County ITS User provide access to said resources via sharing a password or through other means. If a password is unintentionally disclosed, the County ITS User shall immediately change the password. The County's Information Security Incident Response Team must be notified immediately.

21.6 Positive Identification to Reset Password

To obtain a new or changed password, the system administrator must positively authenticate the identity of the person making the request. Only upon positively identifying the person will the system administrator reset a password, or issue a new password.

21.7 Password Selection

The first line of defense against an attack against the County's information systems is the use of robust passwords. County ITS Users are to refer to the document titled "Montgomery County Password Guidelines" for guidance on how to choose a robust and difficult-to-guess password.

21.8 Password Aging

All County ITS Users will be automatically required to change their passwords periodically -- at least once every forty-five (45) days, or less depending on the sensitivity of the information and the criticality of the system.

21.9 Tracking Previous Passwords Used

If system software permits, a history file of passwords must be employed to prevent users from reusing passwords. The history file must minimally contain as many old passwords as is reasonable. At least thirteen (13) passwords for each user-ID will be maintained.

21.10 Password Storage

For all County information systems, passwords must be encrypted when stored or transmitted. Passwords must not be stored in unencrypted form in batch files, automatic login scripts, software macros, terminal function keys, computers without access control system or in other locations where unauthorized County ITS Users might discover them. Similarly, passwords must not be written or produced in hard copy form and left in a place (e.g., a post-it note under the keyboard or next to the monitor screen) where unauthorized County ITS Users might discover them.

21.11 Changing Passwords

County ITS Users are required to change their password immediately if they suspect that their password has been disclosed. The County's Information Security Incident Response Team must be notified immediately.

22. Information Systems Backup

22.1 Backup Responsibility

To protect the County's information resources from loss or damage, Information Services is responsible for the installation of automated backup hardware and/or software on all servers. All critical information must be backed up on a regular basis. Information shall be backed up according to its criticality level as defined by its owner. The frequency of the backup is influenced by the frequency with which the data changes and the effort required to recreate information, if it is lost.

22.2 Backup Plan

The CIO in consultation with the ISO shall formulate a backup plan for all County information resources.

22.3 Backup Testing

All backups of critical data must be tested periodically to ensure that they still support full system recovery. Information custodians must document all restore procedures, and test them at least annually. Backup media must be retrievable 365 days a year.

22.4 Offsite Storage of Backups

The backup itself must be carefully protected. A copy of the backup will be made and stored offsite as determined by the nature of the information and set forth by the information owner. Offsite is synonymous with "out of the building." The offsite storage location must provide evidence of adequate fire and theft protection and environmental controls.

23. System Logs

23.1 System Logs Enabled

All County information systems shall log security events. Examples of significant security events includes users switching user IDs during an on-line session, attempts to guess passwords, attempts to use privileges that have not been authorized, modifications to production application software, modifications to system software, changes to user privileges and changes to logging subsystems.

23.2 Accountability and Traceability for All Privileged System Commands

All special privilege commands issued on the County's information systems must be traceable to individuals via comprehensive logs.

23.3 *Reviewing Logs in a Timely Manner*

To allow proper action to be taken in a timely manner, security logs must be reviewed in a timely manner. Automated means are required to aid in this tedious process.

23.4 *Clock Synchronization*

All computers and multi-user systems connected to the County WAN must always have its internal clock synchronized with a master clock for purposes of correlating significant security events.

24. Malicious Code

24.1 *Malicious Code Detection*

The County is to employ the use of malicious code detection software on all its systems. Malicious code checking programs are to be kept current via automated means.

24.2 *Protecting Portable Computing Devices from Malicious Code*

Information Services shall develop a process for County ITS Users using portable computing devices (e.g., laptop computers) to receive timely updates to the software used to protect against malicious code (e.g., viruses). County ITS Users have the responsibility to ensure that their portable computing device has the latest protection against malicious code, by following the policy, standards and procedures set forth by Information Services.

24.3 *Initial Scanning of Software*

Software on all County systems must be scanned for malicious code and copied or backed up prior to its initial usage. These copies must not be used for ordinary business activities, but must be reserved for recovery from malicious code infestations and other security problems.

24.4 *Malicious Code Eradication*

County ITS Users are prohibited from attempting to eradicate malicious code from a system on the County's information system unless they do so in conjunction with authorized Information Services staff.

25. Laptop Security

25.1 *Avoiding Loss of a Laptop*

County ITS Users must take proper care to prevent their laptop from being stolen.

25.2 Protecting Information Stored on the Laptop

25.2.1 Laptop Backup

It is mandatory for all County ITS Users using laptops to back-up important files on a regular basis according to the standards and procedures set forth by Information Services.

25.2.2 Laptop Information Encryption

Sensitive information stored on a laptop computer shall be in encrypted form using the processes defined by the ISO. Access to the laptop and to the encrypted information shall be through a secure password that meets the normal County requirements for passwords.

26. Encryption

26.1 Use of Encryption

Use of encryption on the County's information systems will only be done using processes approved by the CIO and the ISO, and only for official County business. County ITS users are forbidden to use encryption for any other purposes except for official County business.

26.2 Transmittal of Sensitive Information

Sensitive information that is to be transmitted on the County's WAN or via the Internet shall be encrypted.

26.3 Storage of Sensitive Information

Sensitive information stored on County information systems must be encrypted. In addition any archived (back-up copies) sensitive information also need to be encrypted. No exceptions will be allowed without the authorization of the ISO or CIO.

26.4 Encryption Keys

Encryption keys used by the County shall be treated as confidential information. Access to encryption keys shall be strictly limited to those who have a need-to-know basis.

26.4.1 Encryption Key Escrow

Copies of all encryption keys will be kept in escrow and accessible by the CIO and the ISO.

27. Transfer of Computer Equipment and Media

27.1 Internal to the County

The County strives strongly to protect the confidentiality of information entrusted to it. As the County upgrades computing equipment, equipment may be moved to other areas within the County. To protect information entrusted to the County, proper measures need to be employed to ensure all data is removed from the computer's storage media before the computer is relocated to another location within the County. Information Services,

using methods approved by the ISO to ensure any previously stored information will not be recoverable, shall conduct the removal of such data.

27.2 Outside the County

As the County upgrades its computer systems, the County may decide to dispose of its old computers. Before any computer leaves County premises, Information Services shall be contacted, and Information Services will ensure all data stored on the computer is removed using methods approved by the ISO; ensuring any previously stored information on the media is not recoverable.

28. Hardware and Software Configuration

Configurations and set-up parameters, as defined by the ISO and the CIO, for deployed hardware and software must comply with County security policies and standards. The configurations and parameters have been designed with security in mind as well as the County's ability to conduct business. Any changes in the configurations and set-up parameters of deployed hardware and software can undermine overall security, and thus are **forbidden**, unless approved in advance by the ISO and the CIO. Information Services reserves the right to disconnect from the County network any hardware or software application whose configuration or parameters are not compliant.

29. Physical Security

Physical access to wiring closets and computer machine rooms, and the like, must be restricted to authorized personnel only. The equipment must be located in locked rooms to prevent tampering and unauthorized usage. Information technology equipment must be protected from power surges, power failures, water damage, overheating, fire and other physical threats.

30. Systems Development and Maintenance

Security requirements and controls must reflect the business value of the information involved and the potential business damage that might result from a failure or absence of security controls. It is required that security requirements be considered throughout the systems development life cycle. Whenever new systems are procured or developed, or existing systems are significantly modified by either in-house or vendor personnel, the standards and procedures developed by the CIO and the ISO shall be followed.

Revision History

June 27, 2005, Montgomery County Revision 2.

Appendix A: Glossary

Authentication: The process to establish and prove the validity of a claimed identity.

Availability: This is the ‘property’ of being operational, accessible, functional and usable upon demand by an authorized entity, e.g., a system or a user.

CIO: Chief Information Officer.

Classification: The designation given to information or a document from a defined category on the basis of its sensitivity.

Confidentiality: The property that information is not made available or disclosed to unauthorized individuals, entities, or processes.

Controls: Countermeasures or safeguards that are the technology that are needed to satisfy the requirements set forth by policy.

County Entity: County Entity for the purposes of this policy, shall include all county departments, offices etc., over which the County Executive has executive power.

County ITS User: County Information Technology Systems User. See definition of User.

Custodian: An employee or organizational unit acting as a caretaker of an automated file or database on behalf of its owner.

Data: Data shall be defined as any information created, stored (in temporary or permanent form), files, produced or reproduced, regardless of the form of media. Data may include, but is not limited to personally identifying information, reports, files, folders, memoranda, statements, examinations, transcripts, images, communications, electronic or hard copy.

Disaster: A condition in which information is unavailable, as a result of a natural or man-made occurrence, that is of sufficient duration to cause significant disruption in the accomplishment of the County’s business objectives as determined by the County leaders.

Encryption: The cryptographic transformation of data to render it unintelligible through an algorithmic process.

Firewall: A security device that creates a barrier between an internal network and an external network.

IM: See definition of Instant Messaging.

Incident: Considered to be any adverse event that threatens the confidentiality, integrity or accessibility of information resources.

Incident Response: The manual and automated procedures used to respond to reported network intrusions (real or suspected); network failures and errors; and other undesirable events.

Information: Information is defined as the representation of facts, concepts, or instructions in a formalized manner suitable for communication, interpretation, or processing by human or automated means.

Information Assets: (1) All categories of automated information, including but not limited to: records, files, and databases, and (2) information technology facilities, hardware and software owned or leased by the County.

Information Owner: An individual or organizational unit having responsibility for making classification and control decisions regarding the use of information.

Information Security: The concepts, techniques and measures used to protect information from accidental or intentional unauthorized access, modification, destruction, disclosure, or inability to process the information -- be it temporary or permanent.

Information Security Architecture: A framework designed to ensure information security principles are defined and integrated into business and IT processes in a consistent manner.

Instant Messaging: The ability to exchange short messages online with co-workers or others. IM solutions can take several forms. They can use an existing Internet based service, or they can be an Intranet only solution implemented and controlled within an IT department. The latter is significantly more secure than the former, but lacks access to outside business partners.

Integrity: The property that data has not been altered or destroyed from its intended form or content in an unintentional or an unauthorized manner.

Internet: A system of linked computer networks, international in scope, that facilitate data transmission and exchange, which all use the standard Internet protocol, TCP/IP, to communicate and share data with each other.

Intranet: The Intranet is an internal (i.e., non-public) network that uses the same technology and protocols as the Internet.

Intrusion Detection: The monitoring of network activities, primarily through automated measures, to detect, log and report upon actual or suspected unauthorized access and events for investigation and resolution.

ISO: Information Security Officer.

IT: Information Technology.

Malicious Code: Is programming or files that are developed for the purpose of doing harm; examples of which are viruses, worms, and Trojan horses.

Non-Repudiation: The availability of irrefutable proof of the provenance of, the content integrity of a transaction or of data, and the receipt and, optionally the acceptance of, a transaction or of data, such that refutation of any of these is not possible.

Principles: General comprehensive, fundamental and durable statements or guidelines which underpin an architecture – relate to the role, use or direction of security in an organization.

Procedures: Specific operational steps that individuals must take to achieve goals stated in policy.

Risk: The probability of suffering harm or loss. It refers to an action, event or a natural occurrence that could cause an undesirable outcome, resulting in a negative impact or consequence.

Risk Assessment: The process of identifying threats to information or information systems, determining the likelihood of occurrence of the threat, and identifying system vulnerabilities that could be exploited by the threat.

Risk Management: The process of taking actions to assess risks and avoid or reduce risk to acceptable levels.

Security Policy: The set of criteria for the provision of security services based on enterprise-wide rules imposed for all users. These rules usually rely on a comparison of the sensitivity of the resources being accessed and the possession of corresponding attributes of users, a group of users, or entities acting on behalf of users.

Sensitivity: The measurable, harmful impact resulting from disclosure, modification, or destruction of information.

Standard: Sets of rules for implementing policy. Standards make specific mention of technologies, methodologies, implementation procedures and other detail factors.

System: An interconnected set of information resources under the same direct management control that shares common functionality. A system may include hardware, software, information, data, applications, or communications infrastructure.

Technical Security Review: A technical security review would consist of reviewing the controls built into a system or application to ensure they still perform as designed. It would also include reviewing security patches to ensure they have been installed and are operational, review of security rules such as access control lists for currency, testing of firewall rules, etc.

Threat: A threat is a force, organization or person, which seeks to gain access to, or compromise, information. A threat can be assessed in terms of the probability of an attack. Looking at the nature of the threat, its capability and resources, one can assess it, and determine the likelihood of occurrence, as in risk assessment.

Trojan Horse: Is a program in which malicious or harmful code is contained inside an apparently harmless program, and when executed performs some unauthorized and undesirable activity or function.

User (a.k.a. County ITS User): shall be defined as any county entity(ies), political subdivision(s), their employees or third party contractor(s) or business associates, or any other individual(s) who are authorized by such entities to access a system for legitimate government purpose.

Virtual Private Network (VPN): Is a way to use a public telecommunications infrastructure, such as the Internet, to provide remote offices or individual users with secure access to their organization's network.

Virus: A program, usually malicious, that replicates itself on computer systems by incorporating itself into other programs that are shared among computer systems. Once in the new host, a virus may corrupt files, display unwanted messages, crash the host, etc.

Vulnerability: A weakness of a system or facility holding information which can be exploited to gain access or violate system integrity. Vulnerability can be assessed in terms of the means by which the attack would be successful.

Worm: A worm is a self-replicating piece of software, usually malicious, similar to a virus, but requires user action to activate it. A worm uses exploits weaknesses in operating systems and other applications to propagate itself to other systems.



Attachment for:

Resolution
265 of 2005

Draft: 9/22/05

MEMORANDUM OF AGREEMENT***By and Between******The County of Montgomery******And******Civil Service Employees Association, Inc.
Local 1000 AFSCME, AFL-CIO***

WHEREAS, the County of Montgomery ("County") and the Civil Service Employees Association, Inc., Local 1000 AFSCME, AFL-CIO ("CSEA") are signatories to a Collective Bargaining Agreement; and

WHEREAS, the County employs Professional Registered Nurses at the Montgomery County Meadows, which employees are in the bargaining unit represented by CSEA; and

WHEREAS, in order to recruit and retain Registered Professional Nurses at the Meadows, the County wishes to offer a signing and retention bonus as more fully set forth herein.

NOW, as and for a Memorandum of Agreement, the parties hereto agree as follows:

1. Registered Professional Nurses hired at the Montgomery County Meadows after ratification of this Agreement shall receive a Two Thousand Dollar (\$2,000.00) signing bonus after three (3) months, which bonus shall not be added to the employee's base wage. After satisfactory completion of six (6) months of service, the Registered Professional Nurse shall receive an additional Two Thousand Dollar (\$2,000.00) bonus, which bonus shall not be added to the employee's base salary.

2. The signing bonuses contained herein shall only apply to Registered Professional Nurses hired at the Montgomery County Meadows.

SEP. 22. 2005 4:00PM

ROEMER WALLENS AND MINEAUX LLP

NO. 2771 P. 3

Draft: 9/22/05

3. All other provisions of the Collective Bargaining Agreement shall remain unchanged.

4. This Memorandum of Agreement constitutes the full and complete agreement by and between the parties. Neither party has relief upon oral representation.

Dated: September ____, 2005

COUNTY OF MONTGOMERY

Dated: September ____, 2005

**CIVIL SERVICE EMPLOYEES
ASSOCIATION, INC.**

Proposal for Contract Negotiations

(20 Plan w/ Bonus - 4%, 4.5%, 4.5% raises)

	<u>2004</u>	<u>2005</u>	<u>2006**</u>	<u>2007 ***</u>	<u>2008***</u>	
Proposed	0.00%	0.00%	4.00%	4.50%	4.50%	
Non-Bargaining	1,890,598	1,890,598	1,773,467	1,775,075	1,861,838	
CSEA	8,365,357	8,365,357	7,280,836	6,126,931	6,403,397	
Correction Officers	1,145,484	1,145,484	1,229,783	1,358,273	1,419,395	
Correction Supervisors	336,592	336,592	367,216	383,741	401,009	
Deputies	<u>488,553</u>	<u>488,553</u>	<u>541,375</u>	<u>565,737</u>	<u>591,195</u>	
Total	12,226,584	12,226,584	11,192,677	10,209,757	10,676,834	
Enhancement pay (Sheriff unions)			85,500	85,500	85,500	256,500
Bonuses		535,250				535,250
New Longevity	128,600	155,150	154,000	136,050	136,050	709,850
Cost of raises	0	0	436,676	826,486	1,295,665	<u>2,558,827</u>
					Total costs	4,060,427
Less Fringe Benefit savings:						
Change from MVP 15 to 20 APA 15 to 20	0 0	0 0	(67,500) (147,756)	(58,125) (126,567)	(58,125) (126,567)	(183,750) (400,890)
Change in prescription drugs 5/10 & 4/7 to 10/20/40 plan and domestic mail order	0	0	(197,000)	(170,809)	(170,809)	(538,618)
Change from 10 to 12.5% contribution for CSEA				(66,000)	0	(66,000)
Change from 5 to 10% contribution for all others				(58,000)	0	(58,000)
Change all unions and non- bargaining to 15% contribution					(115,000)	(115,000)
Medicare Part D			(100,000)	(100,000)	(100,000)	(300,000)
						<u>2,398,169</u>
					Net cost to County	

NOTE: Board of Supervisors authorized the appropriation of \$2,950,000 for a five year contract - Negotiation team has proposed plan that appropriates \$2,398,169 which is over \$550,000 LOWER than board approved

** Meadows employees are funded for half of year

*** Meadows employees are removed

CSEA

Proposal for Contract Negotiations

(20 Plan w/ Bonus - 4%, 4.5%, 4.5% raises)

	<u>2004</u>	<u>2005</u>	<u>2006**</u>	<u>2007 ***</u>	<u>2008***</u>	
Proposed	0.00%	0.00%	4.00%	4.50%	4.50%	
CSEA	5,636,251	5,636,251	5,861,701	6,126,931	6,403,397	
Meadows	2,729,106	2,729,106	1,419,135			
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>	
Total	8,365,357	8,365,357	7,280,836	6,126,931	6,403,397	
<hr/>						
Bonuses		376,250				376,250
New Longevity	95,250	110,900	108,000	92,250	92,250	498,650
Cost of raises	0	0	280,367	490,680	767,146	<u>1,538,193</u>
					Total costs	2,413,093
						<hr/>
					Net cost to County	<u><u>2,413,093</u></u>

** Meadows employees are funded for half of year

*** Meadows employees are removed

Dental & Vision Plans

(Cost comparison between APA and CSEA)

Dental

APA actual costs 2004	259,902
APA estimated costs 2005	298,887
APA estimated costs 2006	343,720
CSEA estimated costs 2006	398,400
Estimated add'l expense if switch to CSEA dental plan:	(54,680)

Vision

APA actual costs 2004	129,021
APA estimated costs 2005	148,374
APA estimated costs 2006	170,630
CSEA estimated costs 2006	115,000
Estimated savings if switch to CSEA vision plan:	55,630

**ESTIMATED SAVINGS IF SWITCH TO
CSEA DENTAL AND VISION PLANS:**

Draft: 9/21/05

MEMORANDUM OF AGREEMENT

By and Between

The County of Montgomery

And

***The Civil Service Employees Association, Inc.
Local 1000 AFSCME, AFL-CIO***

The parties hereto, as and for a Memorandum of Agreement hereby modify the Collective Bargaining Agreement as follows. All other provisions remain unchanged except modification of dates where applicable.

1. ***Term of Agreement.*** January 1, 2004 through December 31, 2008.

2. ***Article II, Section 2, Compensation.***

Effective January 1, 2004 0%

Effective January 1, 2005 \$1,250.00 bonus (not added to salary schedule) to those employees on the payroll January 1, 2005, and on August 29, 2005.

Effective January 1, 2006 The base salary shall be increased by 4%

Effective January 1, 2007 The base salary shall be increased by 4.5%

Effective January 1, 2008 The base salary shall be increased by 4.5%

3. ***Article II, Section 3, Longevity.*** Effective January 1, 2004, the longevity shall be

as follows and payable retroactive to those employees on the payroll on August 29, 2005:

Year 2 \$300.00

Year 4 \$600.00

Year 5 \$900.00

Year 9 \$1,250.00

Draft: 9/21/05

Year 12	\$1,500.00
Year 15	\$1,750.00
Year 20	\$2,000.00
Year 25	\$2,500.00
Year 30	\$3,000.00

4. **Article VII, Section 1, Hospital and Medical Insurance.** Effective January 1, 2006, the County shall provide the Montgomery County Self-Insurance Plan Co-Pay 20, and HMO Co-Plan 20. The prescription drug card for both plans shall be \$10/\$20/\$40.

Domestic mail order: 2 co-pays for three months supply.

The parties agree to establish a joint health insurance committee to review health insurance utilization and alternative providers, including, but not limited to, Canadian drugs.

Effective January 1, 2006, the County shall no longer offer CDPHP.

Effective January 1, 2006, dental and vision shall be provided by the CSEA EBF (specify plans).

Effective January 1, 2007, employees shall contribute 12 ½% towards health insurance premium.

Effective January 1, 2008, employees shall contribute 15% towards health insurance premium.

5. **Article I, Section 3.A(3).** Modify to delete County Administrator.

6. **Article II, Section 3.d, Uniforms.** Modify to provide that effective January 1, 2006, full-time Dispatchers shall receive \$200.00 uniform allowance. Part-time Dispatchers shall, upon completion of training as determined by the Sheriff, be provided a uniform. Such uniform shall be replaced at the Sheriff's discretion.

Draft: 9/21/05

7. **Article II, Section 3.A.** Clarify that Meadows and the Department of Public Works shall receive uniforms as provided in paragraph (c) of Section 3.

8. **Article II, Section 4.** Delete.

9. **Article II, Section 8, Tuition Reimbursement.** Modify to provide that the County shall reimburse \$100.00 per credit hour for courses taken at FMCC, and \$75.00 per credit hour for non-FMCC courses. Such modification shall be effective with the Fall 2005 semester.

Also modify to provide that the County agrees to provide \$7,500.00 for the bargaining unit for each year of the contract.

10. **Article II, Section 9.b.** Modify to provide as follows:

The Labor/Management Committee shall meet on an as-needed basis. All Labor/Management meetings must be agreed to between the appropriate Unit President and the Personnel Officer or designee, with notice to the Local President or designee.

11. **Article III.** New provision to be applicable to employees assigned to the Jail as follows:

Clerical employees shall work seven (7) hours per day with one-half (1/2) hour unpaid lunch.

Cooks and Nurses – eight (8) hours per day with one-half (1/2) hour paid lunch.

Employees shall be entitled to two (2) 15-minute breaks during each work day.

Section 2(E) shall be applicable to Jail employees, excluding the Dispatchers.

The Sheriff and the Union shall meet and confer to discuss the implementation of 12-hour shifts for Dispatchers.

12. **Article III, Section 2.D.** Delete.

13. **Article V, Section 1.g.** Modify that vacation may be taken in 15-minute increments.

Draft: 9/21/05

14. *Article VI, Section 1.b.* Modify to delete "use of sick leave ... shall be continued."

15. *Article VI, Section 2.f.* Modify to provide that personal leave may be used in 15-minute increments.

16. *Article VI, Section 3, Bereavement Leave.* Modify to provide parents and siblings five (5) days; step parent, three (3) days.

17. *Article VI, Section 4, Jury Duty* Modify to provide that if three (3) or more hours remain after jury duty, the employee shall return to work.

18. *Article VI, Section 1.b.* Modify maximum accumulation from 165 days to 255 days.

Modify last sentence to provide as follows:

No credit for sick leave under this rule shall be allowed unless the employee has been on full pay status at least eleven (11) days during the calendar month.

19. *Article VI, Section 1.e.* Modify to provide as follows:

The Personnel Department shall maintain a written record of attendance and sick leave status of each County employee.

Eliminate the rest of paragraph.

20. *Article VI, Section 1.f.* Modify to provide as follows:

In positions requiring replacement in case of absence, the time for reporting absence shall be left to the discretion of the Department Head.

21. *Article VI, Section 1.i.* Modify \$25.00 per day to \$55.00 per day.

Section 2. Modify to provide as follows:

At the end of six (6) months, the employee shall receive three (3) days of personal leave. Thereafter, the employee shall accumulate

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ROEMER WALLENS AND MINEAUX LLP

NO. 2749 P. 6

Draft: 9/21/05

leave at the rate of one (1) day for each three (3) months of service through the end of the fiscal year.

22. *Article IX, Section 5.* Modify to provide ten (10) work days per calendar year.

23. *Article X, Section 2.a.* Modify to provide probationary period of eight (8) weeks to twelve (12) months at the discretion of the Department Head for all employees.

24. *Article X, Section 4.* Modify title of provision to "Filling of Vacancies." Modify first sentence to provide "In the event a vacancy occurs

Dated:

COUNTY OF MONTGOMERY

By: _____

Dated:

CIVIL SERVICE EMPLOYEES
ASSOCIATION, INC.

By: _____

Draft: 9/22/05

MEMORANDUM OF AGREEMENT**By and Between****The County of Montgomery****And****The Civil Service Employees Association, Inc.
Local 1000 AFSCME, AFL-CIO
(Part-Time Employees)**

The parties hereto, as and for a Memorandum of Agreement hereby modify the Collective Bargaining Agreement as follows. All other provisions remain unchanged except modification of dates where applicable.

1. **Term of Agreement.** January 1, 2004 through December 31, 2008.
2. **Article II, Section 2, Compensation.**

Effective January 1, 2004	0%
Effective January 1, 2005	\$1,250.00 bonus (not added to salary schedule) prorated based on regular hours worked in 2004 not to exceed \$1,250.00
Effective January 1, 2006	The base salary shall be increased by 4%
Effective January 1, 2007	The base salary shall be increased by 4.5%
Effective January 1, 2008	The base salary shall be increased by 4.5%

Dated:

COUNTY OF MONTGOMERY

By: _____

Dated:

**CIVIL SERVICE EMPLOYEES
ASSOCIATION, INC.**

By: _____



Attachment for:

Resolution
341 of 2005

STATE OF NEW YORK
SUPREME COURT COUNTY OF MONTGOMERY

MICHAEL J. KAYES,

Plaintiff,

-against-

THE COUNTY OF MONTGOMERY and
THE BOARD OF SUPERVISORS OF THE
COUNTY OF MONTGOMERY,

Defendants.

:
: **SETTLEMENT AGREEMENT**
: **INCLUDING GENERAL RELEASE**

: Index No.: 2004-0594

THIS SETTLEMENT AGREEMENT INCLUDING GENERAL RELEASE (the "Agreement") is made as of this ____ day of November, 2005, by and among MICHAEL J. KAYES (the "Plaintiff"); THE COUNTY OF MONTGOMERY and THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY (the "Defendants").

WHEREAS, the Plaintiff has commenced a civil action in the Supreme Court for the State of New York, County of Montgomery against the Defendants, and

WHEREAS, the civil action brought in the New York State Supreme Court for the County of Montgomery is entitled Michael J. Kayes v. The County of Montgomery and The Board of Supervisors of the County of Montgomery, Index No. 2004-0594; and

WHEREAS, in that civil action, the Plaintiff asserts various violations of law, including alleged violations of County Law, breach of contract, Veterans' Laws, and New York State Executive Laws as it related to his employment as a Planning Director for Montgomery County; and

WHEREAS, the defendants having reviewed and answered the complaint and deny any violations of law, and

WHEREAS, the issue has been joined; and

WHEREAS, the parties desire to resolve through settlement all outstanding disputes;

NOW, THEREFORE, in consideration of the mutual covenants and promises hereinafter set forth, the parties hereto agree as follows:

1. The Defendants will cause to pay the Plaintiff, as an employee of the County of Montgomery, salary for the period covering January 1, 2004 through December 31, 2004. This payment is being made as a retroactive salary for the period of time identified in the preceding sentence in this paragraph.

2. The County has agreed that the annual salary to be paid for the period identified in Paragraph 1 shall be Sixty Thousand Dollars (\$60,000.00). The annual salary shall be made in one lump sum subject to all required deductions, including but not limited to state, federal, FICA, and Medicare. There will be no deductions for health insurance benefits, if any, or deferred compensation.

3. The County agrees to make all required contributions to New York State Retirement System on plaintiff's behalf relative to the salary paid for 2004, as set forth in paragraph 2 above. The County, as employer, agrees to report the payment to the Retirement System by filing an adjustment report.

4. The payments identified in paragraphs 2 & 3 are being made in full satisfaction of all claims asserted by the Plaintiff in his complaint, including any claim related to his employment as the County Planning Director.

5. The Plaintiff acknowledges, agrees and understands that he assumes the risk of how the Federal Government or the State of New York may characterize these payments identified in paragraphs 1, 2, 6 & 7 for purposes of taxes. In the event that any governmental body assesses a tax penalty or late fee on these payments or any portion thereof, the Plaintiff shall be solely responsible for any such tax, penalty or late fee, even if the tax, penalty or late fee is to be levied against one or any of the County.

6. The Plaintiff hereby waives any entitlement to any other benefits than those set forth above, including but not limited to, his waiver of all medical insurance claims, and contribution to

his deferred compensation.

7. The Plaintiff, in consideration of this settlement, has agreed to reimburse the County for various other costs it has incurred, in amounts equal to \$_____ and that said funds will be submitted to the County simultaneous with the issuance of his salary for the 2004 calendar year.

8. The Plaintiff hereby waives any entitlement to recover attorneys' fees relative to this civil action.

9. The Plaintiff hereby relinquishes any claim or entitlement he may have to assert violations of law and other claims, including retaliation claims against the County any of its employees, officers, supervisors or other elected officials in relation to any failure to hire claim that he may have against the County in the future, to the extent that said claim is in any way related to the current civil action. Specifically, this relinquishment is designed to eliminate any future claim against the County and its officials that the failure to hire is in retaliation for this civil action. Such a claim has been concerned and is being specifically released by the Plaintiff is this Agreement.

10. This Agreement shall not in any way be construed as an admission by the Defendants that they, or their agents, both elected and non-elected officials, or employees, have acted wrongly or discriminatorily with respect to the Plaintiff.

11. The Plaintiff specifically maintains the truthfulness of his allegations contained in the Civil Action.

12. The Plaintiff desires to release the County from any and all existing, pending or potential claims and causes of action up to the date of the execution of this Agreement as well as those claims released in paragraph 8 above. The Plaintiff shall release all claims and causes of action on behalf of himself, his spouse, dependents, heirs, assigns, executors, administrators, agents, employees or other representatives. Accordingly, the Plaintiff, acting as defined in the preceding sentence, hereby releases and forever discharges the County, and its County Board of Supervisors including its employees, elected, non-elected and appointed officials, agents, Board members, and other representatives, from any and all past, present claims, present or future employment claims,

demands, rights, causes of action, judgments, executions, damages, liabilities, and costs or expenses including reasonable attorneys' fees or court costs which any party ever had, now has, or can, shall or may have against the other party up to and including the date of execution of this Agreement including, but not limited to, any and all claims arising out of the Plaintiff's employment with the County, his separation from service, his status on any State or County Civil Service Lists or any employment within the State. Such claims which the Plaintiff is releasing, include but is not limited to, claims for: discriminatory treatment under any local, state or federal law or order (including, without limitation, Age Discrimination in Employment Act ("ADEA"), the Americans with Disability Act of 1990, 42 U.S.C. §12101, et seq.; Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000-e, et seq.; the Civil Rights Act of 1991, as amended, 42 U.S.C. §1981, et seq.; the Employee Retiree and Income Social Security Act of 1974, 29 U.S.C. §1001, et seq.; the Civil Rights Act of 1871, 42 U.S.C. §1983, et seq.; New York Labor Law §198-b, et seq.; New York Executive Law §290, et seq.), violation of New York or Federal Family and Medical Leave Acts, violation of the New York and U.S. Constitutions, New York State County Laws, New York State Veteran's Law, New York State and Federal due process claims, liberty interests claim and stigma plus claims, retaliation claims, contract tort, defamation, mental anguish, attorneys' fees, emotional distress, negligence, wages, severance pay, vacation pay, retirement pay or benefits, injury to personal reputation, and any other Federal, State or local regulation or order, failure to appoint to any position of employment to the County.

13. The Plaintiff acknowledges that he is represented by David J. Wukitsch, an attorney-at-law, with regard to this Agreement. The Plaintiff also acknowledges and agrees that he has been given a period of at least twenty-one (21) days, specifically the period up to and including November 28, 2005, which is at least 21 days from the date on which the Plaintiff was provided with this Agreement, within which to consider this Agreement and the release of any claim for violations of the ADEA.

14. This Agreement with respect to the release of the ADEA will not become effective or

enforceable until the eighth day following its execution, and the Plaintiff may revoke this Agreement with regard to his release of any ADEA claims, during the first seven (7) days following its execution by giving written notice of such revocation by certified mail, to: Elena M. R. DeFio, Esq. of Roemer Wallens & Mineaux LLP, 13 Columbia Circle, Albany, New York 12203. In the event the Plaintiff exercises his right under the statute to revoke the Agreement with regard to the release of any ADEA claims, this Agreement in its entirety becomes null and void.

15. The parties have been represented by counsel during the negotiation and preparation of this Agreement, specifically the plaintiff has been represented by David J. Wukitsch, Esq. of McNamee, Lochner, Titus & Williams, PC and the defendants have been represented by Elena M. R. DeFio, Esq. of Roemer, Wallens & Mineaux, LLP.

16. Each party hereby acknowledges they have read this Settlement Agreement, fully understand it, and have had all questions that they may have had in regard thereto been answered by their respective counsel.

17. Each party enters into this Agreement by their own free will and has not been coerced into doing so.

18. Unless otherwise stated herein (see paragraph 13), all notices required under this Agreement shall be sent via regular first class mail through the United States Post Office as follows:

If to the Defendants:

The County of Montgomery
County Annex Building, Park St.
P.O. Box 1500
Fonda, NY 12068-1500

-and-

Elena M. R. DeFio, Esq.
Roemer Wallens & Mineaux, LLP
13 Columbia Circle
Albany, New York 12203

If to the Plaintiff:

Michael J. Kayes
_____, New York

-and-

David J. Wukitsch, Esq.
McNamee, Lochner, Titus & Williams, PC
375 State Street, P.O. Box 459
Albany, NY 12200-0459

19. This Agreement contains the entire Agreement between the parties relating to the

rights granted herein and the obligations assumed herein, it is completely superseded by any prior written or oral agreements or representations concerning the subject matter hereof. Any oral representation or modification concerning this Agreement shall be of no force or effect.

20. The parties to this Agreement agree that this Agreement shall be governed by and construed under the laws of the State of New York and any applicable Federal laws.

21. Each party executing this Agreement further represents that they do not suffer from any mental disease or defect, or are not under the influence of drugs or alcohol at the time of execution, which renders them incompetent to understand and execute the Agreement.

Michael J. Kayes, Plaintiff

Dated: _____, 2005

The County of Montgomery, Defendant

Dated: _____, 2005

Elena M. R. DeFio, Esq.
Counsel for the Defendants

Dated: _____, 2005

David J. Wukitsch, Esq.
Counsel for the Plaintiff

Dated: _____, 2005

STATE OF NEW YORK :
: ss.:
COUNTY OF :

On this _____ day of _____, 2005, before me personally appeared Michael J. Kayes, to me known to be the individual described in and who executed the foregoing instrument, and she acknowledged to me that she executed the same.

Notary Public

STATE OF NEW YORK :

: ss.:

COUNTY OF :

On this _____ day of _____, 2005, before me personally appeared _____ to me known to be the individual described in and who executed the foregoing instrument, and he acknowledged to me that he executed the same individually and in his capacity as _____.

Notary Public

STATE OF NEW YORK :

: ss.:

COUNTY OF :

On this _____ day of _____, 2005, before me personally appeared Elena M. R. DeFio, to me known to be the individual described in and who executed the foregoing instrument, and she acknowledged to me that she executed the same.

Notary Public

STATE OF NEW YORK :

: ss.:

COUNTY OF :

On this _____ day of _____, 2005, before me personally appeared David J. Wukitsch, to me known to be the individual described in and who executed the foregoing instrument, and she acknowledged to me that she executed the same.

Notary Public