

PROCEEDINGS
of the
BOARD OF SUPERVISORS
of the
COUNTY OF MONTGOMERY
2006

**PROCEEDINGS
of the
BOARD OF SUPERVISORS
of the
COUNTY OF MONTGOMERY
FOR THE YEAR 2006**

THOMAS L. QUACKENBUSH, Chairman
KIMBERLY SANBORN, Clerk

Compiled and arranged by the Clerk by Order of the Board

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2006 BOARD OF SUPERVISORS

CITY OF AMSTERDAM

First Ward	Vito L. Greco
Second Ward	Barbara Johnson
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	Brian R. Haak

BOARD OF SUPERVISORS, CHAIRMAN.....	Thomas L. Quackenbush
BOARD OF SUPERVISORS, CLERK OF THE BOARD.....	Kimberly Sanborn
ATTORNEY.....	Douglas E. Landon
AUDITOR.....	Marco Zumbolo
BOARD OF ELECTIONS.....	Joan M. Grainer/Democrat, Lyn A. May/Republican
CLERK'S OFFICE.....	Helen A. Bartone
COMMISSIONER OF JURORS.....	Victoria P. Sollecito
CHILDREN WITH SPECIAL NEEDS PROGRAM.....	Barbara Fiedler
CORNELL COOPERATIVE EXTENSION FMC.....	Marilyn J. Smith
CORONERS.....	Joseph M. Riley III, Susan L. Quackenbush
DATA PROCESSING/PRINTING.....	Deborah Bain
DISTRICT ATTORNEY.....	James E. Conboy
ECONOMIC OPPORTUNITY AND DEVELOPMENT.....	Ken Rose
EMERGENCY MANAGEMENT AND FIRE SERVICE.....	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
PUBLIC WORKS.....	Paul H. Clayburn
PURCHASING.....	Scott Surento
REAL PROPERTY TAX SERVICE.....	Florence A. Stanton
SHERIFF.....	Michael J. Amato
SOCIAL SERVICES.....	William M. Cranker
TREASURER.....	Shawn J. Bowerman
VETERANS SERVICE AGENCY.....	Dwight D. Thompson
WEIGHTS AND MEASURES.....	Nicholas M. Bartosik
YOUTH BUREAU/STOP-DWI /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 2, 2006

CALL TO ORDER

County Clerk Helen Bartone swore in the Supervisors.

The Organizational Meeting for 2006 was called to order at 7:00 pm by the Clerk of the Board Kim Sanborn.

SALUTE TO THE FLAG

Supervisor Strevy led the Salute to the Flag.

ROLL CALL

Roll call indicated that the following Supervisors were present: Quackenbush, McMahon, Cechnicki, Thomas, Haak, Strevy, Schumann, Jonker, Greco, Johnson, Walters, Mancini, Paton, Dybas and DiMezza.

SELECTION OF A TEMPORARY CHAIRMAN

Supervisor Bob McMahon was nominated Temporary Chairman.

RESOLUTION NO. 1 of 2006

DATED: January 2, 2006

RESOLUTION SELECTING TEMPORARY CHAIRMAN FOR 2006 ORGANIZATIONAL MEETING OF THE
MONTGOMERY COUNTY BOARD OF SUPERVISORS

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

RESOLVED, that Supervisor _____ is hereby selected temporary Chairman of the 2006 Organizational Meeting of the Montgomery County Board of Supervisors.

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor DiMezza, to insert the name "ROBERT MCMAHON" in the RESOLVED clause, passed with Aye(1868). (1/2/2006)

RESOLUTION ADOPTED with Aye(1868). (1/2/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

SELECTION OF PERMANENT CHAIRMAN

Supervisor Thomas Quackenbush was nominated Permanent Chairman.

RESOLUTION NO. 2 of 2006

DATED: January 2, 2006

RESOLUTION ELECTING CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR THE YEAR
2006

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Strevy

RESOLVED, that Supervisor _____ hereby is elected Chairman of the Montgomery County Board of Supervisors for the year 2006, 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 Cechnicki, seconded by Supervisor Walters, to add the name "DAVID DYBAS" in the RESOLVED clause, was defeated with Aye(574). Supervisors Johnson, Schumann, Dybas, Cechnicki and Haak voted Aye. (1/2/2006)

MOTION TO AMEND by Supervisor Walters, seconded by Supervisor Thomas, to insert the name "THOMAS QUACKENBUSH" in the RESOLVED clause, passed with Aye(1729). Supervisor Schumann voted Nay. (1/2/2006)

RESOLUTION ADOPTED with Aye(1663). Supervisors Schumann and Cechnicki voted Nay. (1/2/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Chairman Quackenbush gave an acceptance speech. He also called a mandatory Department Head meeting as follows:

Friday, January 6, 2006
2:00PM
Room 214
County Annex Building

Items on his agenda are as follows:

- 1.Chairman's availability
- 2.Procedure for Resolutions
- 3.2006 Budget Expectations
- 4.Other

Also, Chairman Quackenbush made Committee assignments as follows:

Economic Development/Agricultural & Planning

Areas of Jurisdiction: Agriculture, County Historian, Cooperative Extension, Planners, Tourism, Economic Opportunity and Development, Record Management, Private Industry Council, workforce Development Board,

Barbara Johnson, Chair

Committee Members: Sieds Jonker, Al Mancini, Brian Haak, Bethany Schumann, Dave Dybas, Ed Paton

Education/Government Committee

Areas of Jurisdiction: 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.

Robert McMahon, Chair

Committee Members: Brian Cechnicki, Dave Dybas, Sieds Jonker, Ed Paton, Bethany Schumann, Al Mancini

Finance Committee

Areas of Jurisdiction: 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.

Brian Haak, Chair

Committee Members: Tom DiMezza, Vito Greco, Robert McMahon, Brian Cechnicki, Bill Strevy, John Thomas

Personnel Committee

Areas of Jurisdiction: Employee Benefits, Civil Service, Employee Training, Insurance, Personnel Department, Grievances, Collective Bargaining, as well as all other related matters referred to the Committee.

Tom DiMezza, Chair

Committee Members: Barbara Johnson, Robert McMahon, Al Mancini, John Thomas, Vito Greco, Shayne Walters

General Services/Public Works/Solid Waste

Areas of Jurisdiction: 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.

Shayne Walters, Chair

Committee Members: Vito Greco, Brian Cechnicki, Al Mancini, Bill Strevy, Barbara Johnson, Ed Paton

Public Safety Committee

Areas of Jurisdiction: District Attorney, Emergency Management, Enhanced 911, Fire Coordinator, Probation, Public Defender, Sheriff and Corrections, Weights and Measures, Alternatives to Incarceration, STOP DWI, Office of the Coroner / Medical Examiner, as well as the Radio Communications, Computer-Aided Dispatch and all other related matters referred to the Committee.

John Thomas, Chair

Committee Members: Vito Greco, Brian Cechnicki, Sieds Jonker, Dave Dybas, Brian Haak, Bethany Schumann

Health & Human Services Committee

Areas of Jurisdiction: 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

Bill Strevy, Chair

Committee Members: Tom DiMezza, Shayne Walters, Sieds Jonker, Bethany Schumann, Dave Dybas, Ed Paton.

NEW BUSINESS

RESOLUTION NO. 3 of 2006

DATED: January 2, 2006

RESOLUTION ELECTING VICE-CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR THE YEAR 2006

Resolution by Supervisor: McMahon

Seconded by Supervisor: Thomas

RESOLVED, that Supervisor _____ hereby is elected Vice-Chairman of the Montgomery County Board of Supervisors for the year 2006, and

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

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

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Walters, to insert the name "THOMAS DiMEZZA" in the RESOLVED clause, passed with Aye(1452). Supervisors Schumann and Cechnicki voted Nay. Supervisors Jonker and Haak abstained. (1/2/2006)

RESOLUTION ADOPTED with Aye(1452). Supervisors Schumann and Cechnicki voted Nay. Supervisors Jonker and Haak abstained. (1/2/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 4 of 2006

DATED: January 2, 2006

RESOLUTION APPOINTING COUNTY ATTORNEY

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

RESOLVED, that _____ of _____ hereby is appointed County Attorney for the County of Montgomery for a term commencing on January 1, 2006 and ending on December 31, 2007, at an annual base salary of \$47,709, and

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

1. To act as the legal advisor to the Board of Supervisors and to every officer whose compensation is paid from County funds, in all matters involving an official act of a civil nature;

2. To prosecute and defend all actions and proceedings brought by the County or against the County, the Board of Supervisors or any officer whose compensation is paid from County funds, for any official act;

3. To approve all proposed resolutions, local laws, agreements, contracts, policies and other documents as to legality and being in proper form prior to their being adopted by the Board of Supervisors;

4. To perform such other related duties as may be prescribed by law or directed by the Board of Supervisors or the Chairman of the Board.

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor DiMezza to insert the name "DOUGLAS E. LONDON" and "5 COOLIDGE RD., AMSTERDAM, NY" in the RESOLVED clause, passed with Aye(1567). Supervisors Schumann, Cechnicki and Haak voted Nay. (1/2/2006)

RESOLUTION ADOPTED with Aye(1431). Supervisors Schumann, Dybas, Cechnicki and Haak voted Nay. (1/2/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution #5, Supervisor DiMezza stated that the NY state salary limits for part-time employees has increased, and he would like to see Marco get a raise, via a budget transfer.

Supervisor Schumann stated that this should be brought up in a Finance Committee Meeting, not in the Organizational meeting.

Supervisor DiMezza stated that discussion did come up in a Finance Committee meeting, but it was tabled until the Organizational Meeting. He stated that he will bring it up again in the next Finance Committee meeting.

RESOLUTION NO. 5 of 2006

DATED: January 2, 2006

RESOLUTION REAPPOINTING COUNTY AUDITOR

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Quackenbush

RESOLVED, that Marco Zumbolo of Amsterdam, NY, hereby is appointed County Auditor, at an annual base salary of \$21,854 for a term commencing on January 1, 2006 and ending on December 31, 2007, 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 DiMezza, seconded by Supervisor Mancini to strike the figure of "\$21,854" and insert "\$26,000" in its place, was defeated with Aye(493). Supervisors Johnson, Mancini and DiMezza voted Aye. (1/2/2006)

RESOLUTION ADOPTED with Aye(1868). (1/2/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 6 of 2006

DATED: January 2, 2006

RESOLUTION REAPPOINTING COUNTY PURCHASING AGENT

Resolution by Supervisor: Schumann

Seconded by Supervisor: DiMezza

RESOLVED, that Scott Surento of Amsterdam, NY, hereby is appointed Purchasing Agent, at an annual base salary of \$36,400 for a term commencing on January 1, 2006 and ending on December 31, 2007, 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.

RESOLUTION ADOPTED with Aye(1868). (1/2/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 7 of 2006

DATED: January 2, 2006

RESOLUTION REAPPOINTING REPUBLICAN ELECTION COMMISSIONER

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: McMahon

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 be reappointed to the office of the Republican Election Commissioner, and

WHEREAS, by Resolution 85 of 2005, and in accordance with New York State Election Law Section 3-202, Election Commissioners, Term of Office, the Montgomery County Board of Supervisors established the term of office for the Election Commissioners of Montgomery County to be a four-year term,

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. 85, of 2005, for a four-year term commencing on January 1, 2006 and ending on December 31, 2009 at an annual base salary of \$32,240.

RESOLUTION ADOPTED with Aye(1868). (1/2/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 8 of 2006

DATED: January 2, 2006

RESOLUTION REAPPOINTING COUNTY HISTORIAN/RECORDS MANAGEMENT OFFICER

Resolution by Supervisor: Thomas

Seconded by Supervisor: Paton

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

RESOLVED, that Kelly Farquhar is hereby reappointed as Montgomery County Historian/Records Management Officer, at an annual base salary of \$31,980, and

FURTHER RESOLVED, that said appointment shall be at the pleasure of the Board.

RESOLUTION ADOPTED with Aye(1868). (1/2/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 9 of 2006

DATED: January 2, 2006

RESOLUTION REAPPOINTING MONTGOMERY COUNTY FIRE COORDINATOR

Resolution by Supervisor: Strevy

Seconded by Supervisor: Haak

RESOLVED, that, in accordance with NYS County Law, Section 225-a, Gary Nestle is hereby reappointed Fire Coordinator for Montgomery County at an annual base salary of \$6,812, and

FURTHER RESOLVED, that said appointment shall be at the pleasure of the Board, and

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

RESOLUTION ADOPTED with Aye(1868). (1/2/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Schumann asked the Board if an appointment of a County Budget Officer is necessary at this time.

Attorney Doug Landon stated that if there was no appointee, the County Treasurer would be appointed in default. He also stated the compensation, as stated in Resolution #10, wouldn't be granted if the Resolution doesn't pass in this meeting.

Supervisor Walters stated his support of Shawn Bowerman as County Budget Officer.

Supervisor DiMezza stated that he will be wanting to discuss Shawn's salary in the next Finance Committee meeting.

RESOLUTION NO. 10 of 2006

DATED: January 2, 2006

RESOLUTION APPOINTING MONTGOMERY COUNTY BUDGET OFFICER - 2006

Resolution by Supervisor: Strevy

Seconded by Supervisor: Dybas

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,

RESOLVED, that Shawn Bowerman, County Treasurer, is hereby appointed Montgomery County Budget Officer for a term beginning January 1, 2006 and ending on December 31, 2006, and

FURTHER RESOLVED, that said Budget Officer shall be compensated the amount of \$5,200, and

FURTHER RESOLVED, that said Budget Officer is hereby permitted to appoint a Deputy Budget Officer who shall be compensated \$2,080 for assistance in performing the duties of Budget Officer.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann voted Nay. (1/2/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Dybas supports the passing of Resolution #11 as is, so that the new Committee Chairs would have an opportunity to examine the Rules and make recommendations for changes in the appropriate venue.

Supervisor Haak, who had previously submitted selected changes of the Rules of Procedure to the Supervisors, stated that he will wait to submit his changes in the appropriate Education/Government Committee meeting.

Supervisor McMahon stated his displeasure of the general lack of respect for the Rules of Procedure.

RESOLUTION NO. 11 of 2006

DATED: January 2, 2006

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

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

Resolution by Supervisor: McMahon

Seconded by Supervisor: Dybas

RESOLVED, that the Rules of Procedure, attached hereto, hereby are adopted by the Montgomery County Board of Supervisors for 2006, or until amended by Resolution.

RESOLUTION ADOPTED with Aye(1868). (1/2/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution #12, Supervisor McMahon stated that the Courier Standard Enterprise has moved to Amsterdam, and he also noted that a reporter from the Leader Herald is present at all the Board and Committee meetings .

Supervisor Jonker supports the continued use of the CSE for public notices.

RESOLUTION NO. 12 of 2006

DATED: January 2, 2006

RESOLUTION DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR 2006

Resolution by Supervisor: Schumann

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 2006:

The Recorder

Courier-Standard Enterprise

MOTION TO AMEND by Supervisor Schumann, seconded by Supervisor Mancini, to strike the name "Courier-Standard Enterprise" and insert the name "LEADER HERALD" in its place, passed with Aye(1591). Supervisors Jonker, Cechnicki and Haak voted Nay. (1/2/2006)

RESOLUTION ADOPTED with Aye(1591). Supervisors Jonker, Cechnicki and Haak voted Nay. (1/2/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 13 of 2006

DATED: January 2, 2006

RESOLUTION DESIGNATING DEPOSITORIES FOR COUNTY FUNDS IN THE NAME OF THE COUNTY TREASURER DURING 2006 AND FIXING MAXIMUM AMOUNTS WHICH MAY BE KEPT ON DEPOSIT THEREIN AT ANY ONE TIME

Resolution by Supervisor: Haak

Seconded by Supervisor: Dybas

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 2006, 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

CITIZENS 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

CITIZENS 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(1802). Supervisor Cechnicki abstained. (1/2/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 14 of 2006

DATED: January 2, 2006

RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO 1 OF 2006 - A LOCAL LAW ESTABLISHING 2006 SALARIES OF VARIOUS COUNTY OFFICIALS

Resolution by Supervisor: Johnson

Seconded by Supervisor: Jonker

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 1 of 2006 - A Local Law Establishing the 2006 Salaries of Various County Officials,

RESOLVED, that Introductory Local Law No. 1 of 2006 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing as follows:

"A Local Law Establishing the 2006 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:

Title	Salary
County Treasurer	\$54,900
Election Commissioner - Rep.	\$34,740
Election Commissioner - Dem.	\$33,240
Personnel/Self Ins. Director	\$57,415
County Clerk	\$55,300
County Historian	\$33,330

Purchasing Agent	\$37,150
Sheriff	\$61,535
Public Works Commissioner	\$54,734
Director of Real Property Tax	\$46,855
Social Services Commissioner	\$56,300
Clerk of Board of Supervisors - P/T	\$7,280
County Auditor - P/T	\$22,604
County Attorney - P/T	\$48,709
Coroner - P/T	\$6,208
Head Coroner - P/T	\$6,913

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.

FURTHER RESOLVED, that said public hearing shall be held _____ at _____ 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.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Walters by inserting, in the first FURTHER RESOLVED clause, the meeting date and time of "JANUARY 24, 2006" and "6:50 PM", passed with Aye(1868). (1/2/2006)

RESOLUTION ADOPTED with Aye(1868). (1/2/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

OTHER

Mayor Joseph Emanuele III and Council Members from the City of Amsterdam congratulated Chairman Quackenbush, Vice Chair DiMezza and the Supervisors on extending the sales tax status quo to November, 2006. He spoke regarding a Resolution the City recently passed in support of the sales tax extension, and requested a further extension to November, 2007.

Chairman Quackenbush spoke in support of the City's Resolution, and requested a meeting with the Mayor on January 7th, 2006, at 10:00 AM to further discuss the matter. Also present will be members of the special Sales Tax Distribution Committee that he created, that comprises of Supervisors Haak, Greco and DiMezza.

Supervisor McMahon made a motion to suspend the rules, which was seconded by Supervisor DiMezza, to extend the Amsterdam contract to five years.

Attorney Landon stated that the Organizational Meeting is not a proper venue to discuss this matter.

Supervisor McMahon and DiMezza made a motion and seconded, respectively, to sponsor a Resolution for a five year extension, to be presented at the Finance Committee meeting on January 17, 2006.

Supervisor McMahon stated his support of an private census of the City of Amsterdam.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor DiMezza, passed with Aye(1868).

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
COMMON COUNCIL CHAMBERS, CITY HALL, 61 CHURCH ST., AMSTERDAM, NY
COMMITTEE MEETING - SALES TAX DISTRIBUTION
10:00 AM, January 7, 2006

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 10:00 AM.

Roll call indicated Committee members present included Supervisors DiMezza, Haak, Greco and Johnson.

There were no additional Supervisors present.

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

1. Sales Tax Distribution Formula

The Committee recognized Amsterdam Mayor Joseph Emanuele and ward Aldermans Babe Pallotta and Vince Nicosia. Also recognized was Michael Chiara, City Assessor.

There was a presentation by Michael Chiara.

Mayor Emanuele welcomed the spirit of cooperation between the city and county. Mayor Emanuele requested an extension for one year because of a five month open window due to different budget cycles.

Supervisor Quackenbush agreed that there is an urgency to have an agreement. The five years suggested by Supervisor Mc Mahon is a long commitment, but would like to consider a three year extension.

Supervisor DiMezza suggested to move forward to five years due to the census coming out at this time. Also Supervisor DiMezza proposed that the county apply for .5 % more in sales tax, which would bring the sales tax to 8.5%, where the county would guarantee the city's school tax, and any additional money would go to the city of Amsterdam. Everyone pays sales tax-won't lose retail business-not a burden on property owners. Everyone remains whole. This proposal would need to be passed by the state allowing the increase of .5%, which could be completed by the end of this year.

Supervisor Quackenbush suggested to bring this proposal back to the Finance Committee Meeting to be held on January 17th, and will meet again with the city after the agreement is in place before the Legislator. Fiscal plan-making city whole and county-win-win situation. Mayor Emanuele will amend resolution to read June 30, 2009.

Also noted by Supervisor Quackenbush is that the county is starting to access the Fund Balance for 2006 because the county is not in great shape. Must be mindful of county expenses. Consider raising 1% - portion to county in need.

Consolidation or shared services of municipalities was raised by Supervisor Quackenbush who believes a steering committee made up of leaders of towns, school districts, etc., needs to be established.

Committee meeting adjourned at 11:00 AM.

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, January 10, 2006

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 6:02 p.m.

Roll call indicated Committee members present included Supervisors Mancini, Paton, Greco, Strevy and Johnson. Supervisor Cechnicki was absent.

Additional Supervisors present were Supervisors Schumann, Thomas, Dybas, DiMezza, Jonker and Quackenbush. Supervisors Haak and McMahon were absent.

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

1. Resolution Appointing Region IV Forest Practice Board Member
2. Resolution Appointing Region IV Fish and Wildlife Management Board Members
3. Resolution Appointing MOSA Board Representative
4. Resolution Appointing Member of Montgomery County Sanitary Sewer District No. 1 Board of Directors
5. Resolution Authorizing Chairman to Sign Agreement - Mass Transportation Third Party Provider - Brown Coach (Board of Supervisors)
6. Resolution Authorizing DPW Commissioner to Apply for Federal Funding for the Realignment of Log City Road and Maple Avenue Extension in the Town of Amsterdam
7. Discussion regarding Electricity Curtailment Offer (Public Works)
8. Other

Item #1: Motion to amend the Resolution was made by Supervisors DiMezza and Walters respectively, to add the name "SHAYNE WALTERS of CHARLESTON" in the last WHEREAS clause. There were no objections.

Supervisors Mancini and Greco made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: Motion to amend the Resolution was made by Supervisors DiMezza and Mancini, respectively, to insert the following names in the last WHEREAS clause:

"SHAYNE WALTERS"
"JOHN THOMAS"
"PAUL ORZULEC of CHARLESTON"
"JAMIE CARTER of ST. JOHNSVILLE"
"MIKE MARSHALL of TOWN OF AMSTERDAM"
"MILES FRASIER of TOWN OF PALATINE",

respectively. There were no objections.

Supervisors Mancini and Strevy made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #3: Motion to amend the Resolution was made by Supervisors DiMezza and Walters respectively, to add the name "OLGA PODMAJERSKY" in the last WHEREAS clause. There were no objections.

Supervisors Strevy and DiMezza made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #4: Motion to amend the Resolution was made by Supervisors DiMezza and Walters respectively, to add the name "GEORGE CAPECE" in the RESOLVED clause. There were no objections.

Supervisors Quackenbush and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #5: With no discussion, the Resolution, previously sponsored and seconded by Supervisors

DiMezza and Thomas, respectively, was moved to the full Board with a positive recommendation.

Item #6: Supervisor Schumann asked Attorney Doug Landon if the Resolution would impact the soon-to-be-released CDTA study, and would lock the County into a timeframe.

Supervisor Haak entered the Chamber at 6:07 PM.

Administrative Aide Jacki Meola stated that the Federal Application was for a two year period: January 2005 - December 2006.

Supervisor DiMezza stated that he heard that the County was no longer interested in this program, and was concerned that the study may not even be active.

Chairman Walters stated that changes can be made to the Resolution in the future, if necessary.

Supervisors Quackenbush and Paton made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #7: Commissioner Paul Clayburn of DPW explained the MiltonCat "Generate Cash Program" as a potential revenue generator for the County.

Sheriff Amato spoke in favor of the County Jail's participation in the program, which would reduce electric load by operating on generators during a peak-demand timeframe.

The Committee concurred that a Resolution will be written to enter into an agreement with the MiltonCat "Generate Cash Program". Supervisors Mancini and Strevy made a motion and seconded, respectively, to move that Resolution to the full Board with a positive recommendation.

Supervisors Mancini 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 6:15 PM

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
COMMITTEE MEETING - PUBLIC SAFETY
6:15 PM, January 10, 2006

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Jonker, Schumann, Haak Greco and Walters. Supervisor Cechnicki was absent.

Additional Supervisors present were DiMezza, Johnson, Strevy, Dybas, Quackenbush, Mancini, and Paton. Supervisor McMahon was absent.

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

1. Resolution Appointing Member - Montgomery County Jury Board
2. Resolution Appointing Members - Montgomery County EMS Advisory Board
3. Resolution Appointing Members - Montgomery County Fire Advisory Board
4. Resolution Appointing Member - Montgomery County Court Law Library Board of Trustees
5. Resolution Authorizing Chairman to Sign Contract - Emergency Management Community Project Appropriation Grant (Emergency Management)
6. Discussion regarding Intergovernmental Agreement - Montgomery County and NYS Emergency Management Office (SEMO)
7. Discussion Regarding Band Reconfiguration of Public Safety Network
8. Discussion Regarding Rate Increases for Part-time Deputies and Corrections Officers
9. Discussion Regarding Smoking Accommodations - Montgomery County Office Building
10. Other

Chairman Thomas stated that the add-on Resolution titled "RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - INMATE DENTAL SERVICES - DR. DANEIL KANA (SHERIFF)", would be entertained prior to the discussion items on the agenda but after all other Resolutions.

Item #1: Supervisors Jonker and Schumann made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation, and to insert the name "BARBARA JOHNSON" in the RESOLVED clause.

Item #2: Gary Nestle clarified the Resolution and spoke about how Board members are voluntarily selected.

Chairman Quackenbush stated that there has been confusion in the past about appointees and qualifications.

Supervisor Walters stated that we should copy and paste the names/positions from Resolution 193 from 2004, only replacing those names who are no longer interested in serving on the Board.

Supervisor DiMezza stated his objection to the amendments in Resolution 193 from 2004, since the departments who were removed from the Board are vital for coordinating in an emergency situation.

Supervisors DiMezza and Walters made a motion and seconded, respectively, to table the Resolution. There were no objections.

Item #3: Gary Nestle, Director of Emergency Management, clarified the changes in the appointee list from Resolution 36 of 2005.

Supervisor Schumann stated that, based on the statute, the appointees are public officers, and must be County residents. She stated that Richard Sager is not a resident. She asked for the opinion of the County attorney.

Supervisors DiMezza and Walters spoke in support of Richard Sager.

Attorney Doug Landon stated that the concern is based on Attorney General opinion, and hasn't been tested in Court if it is violated.

Supervisor Jonker stated that since this Resolution is regarding an "Advisory Board", the Board would not be in the position to make decisions, nor would the Board appointees be taking any kind of "oath of office".

Supervisors Walters and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation, and, in the RESOLVED clause, striking "JEFF SMITH", "77 GARFIELD ST., FT. PLAIN" and inserting "KEN SWAIN" and "(address)". Supervisor Jonker stated that he would prefer to move the Resolution with no recommendation. Supervisor Schumann stated that she objects to the Resolution being moved at all.

Item #4: Supervisors Haak and Johnson made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation, and inserting in the RESOLVED clause "BETHANY SCHUMANN".

Item #5: Gary Nestle, Director of Emergency Management, stated that the Grant is restricted for the Gilboa Dam Project, and includes planning, supplies and equipment. He stated that even if all materials are used in the project, the materials would be owned by the County.

Shawn Bowerman, County Treasurer, stated that he will be supplying the budget information at a later date.

Supervisors Schumann and Jonker made a motion and seconded, respectively, to move the Resolution to the full board with a positive recommendation.

Item #6 (Add on Resolution): Sheriff Mike Amato stated that this agreement has no changes from last year.

Supervisors Dybas and Schumann made a motion and seconded, respectively, to move the Resolution to the full board with a positive recommendation.

Item #7 (previously item #6, "Discussion regarding Intergovernmental Agreement - Montgomery County and NYS Emergency Management Office (SEMO)": Director Gary Nestle stated that a mutual aid plan is being formulated between the County, State and out-of-state emergency service organizations.

Supervisor Dybas asked Director Nestle to summarize the plan with pros and cons and present it at the next Public Safety Committee meeting.

Item #8 (previously item #7, "Discussion Regarding Band Reconfiguration of Public Safety Network"): Director Nestle stated that this discussion should be disregarded, since Montgomery County is not on a 800mhz band.

Item #9 (previously item #8, "Discussion Regarding Rate Increases for Part-time Deputies and Corrections Officers"): Sheriff Mike Amato stated that the raises create competitiveness in the market, and that he has put the raises in the budget already, effective March 6, 2006.

Supervisor Jonker stated that he feels that Sheriff Amato should draft a Resolution and present it at the next Finance Committee meeting.

Supervisors Schumann and Walters made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #10 (previously item #9, "Discussion Regarding Smoking Accommodations - Montgomery County Office Building"): Edward Russo, President of CSEA, spoke in favor of a portable building to be erected outside the County Building on Rte. 30A to accommodate smokers. He praised the tent that was previously provided by Supervisor Thomas. He recommended a steel structure.

Commissioner Paul Clayburn of DPW stated that he could build a proper wooden structure with a concrete slab floor for approximately \$600.00.

Supervisor Schumann stated that she is not willing to commit any County funds to encourage continued smoking.

Supervisor Thomas made a motion for Paul Clayburn to write a Resolution outlining the proposed building, and that the County would match \$300.00 raised by County employees who smoke, for a total of \$600.00 toward the project. Supervisor Walters seconded the motion, and it was moved to the full Board with no recommendation.

Motion was made and seconded by Supervisors Jonker and Schumann, respectively, to adjourn the Committee meeting.

Chairman Thomas adjourned the Public Safety Committee meeting at 7:15 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
6:00 PM, January 17, 2006

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 6:00 PM.

Roll call indicated Committee members present included Supervisors DiMezza, Walters, Jonker, Schumann and Dybas. Absent was Supervisor Paton.

Additional Supervisors present were Mancini, Johnson, Quackenbush, McMahon, Greco, Haak, and Thomas. Absent was Supervisor Cechnicki.

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

1. Resolution Authorizing Chairman to Sign Grant Agreement and Amending 2006 Operating Budget - 2005-06 Preparedness and Response to Bioterrorism Grant (Public Health)
2. Resolution Authorizing Chairman to Sign Grant Agreement and Amending 2006 Operating Budget - Child Passenger Safety Incentive Grant (Public Health)
3. Resolution Amending 2006 Operating Budget - Lead Poisoning and Prevention Grant (Public Health)
4. Resolution Reestablishing Two (2) Cleaner Positions - Montgomery Meadows Residential Health Care Facility
5. Resolution Reestablishing Activity Aide Position - Montgomery Meadows Residential Health Care Facility
6. Resolution Authorizing Chairman to Sign Agreement - Billing Consultant - Vicki Croft (Montgomery Meadows)
7. Resolution Authorizing Chairman to Sign Agreement - Emergency Evacuation Services - Fulton County Nursing Home (Montgomery Meadows)
8. Resolution Authorizing Chairman to Sign Agreement - Montgomery County Office for the Aging (Board of Supervisors)
9. Resolution Authorizing Chairman to Sign Agreements - Services Approved by 2006 Operating Budget (Social Services)
10. Resolution Authorizing the Chairman to Sign Agreements - Mental Health and Addiction Services (Mental Health)
11. Other

The Chair stated that he is moving agenda item #8 to the top of the agenda list.

Item #1 (formerly item #8, "Resolution Authorizing Chairman to Sign Agreement - Montgomery County Office for the Aging (Board of Supervisors)": The Committee recognized Eileen Broyles, Executive Director, Office of Aging, who clarified the changes in the agreement between the Office of Aging and Montgomery County, stating that the Department can no longer guarantee the maintaining of services as they are at the current level, due to fluctuations in population utilizing those services.

Supervisors Dybas and Schumann made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2 (formerly item #1, "Resolution Authorizing Chairman to Sign Grant Agreement and Amending 2006 Operating Budget - 2005-06 Preparedness and Response to Bioterrorism Grant (Public Health)": Supervisors McMahon and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #3 (formerly item #2, "Resolution Authorizing Chairman to Sign Grant Agreement and Amending 2006 Operating Budget - Child Passenger Safety Incentive Grant (Public Health)": Supervisors Schumann and Quackenbush made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #4 (formerly item #3, "Resolution Amending 2006 Operating Budget - Lead Poisoning and

Prevention Grant (Public Health)"): Supervisors Dybas and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #5 (formerly item #4, "Resolution Reestablishing Two (2) Cleaner Positions - Montgomery Meadows Residential Health Care Facility"): The Committee recognized Pat Failing, Director of Nursing, who clarified the Resolution and the need for additional cleaners.

Supervisors Dybas and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Supervisor Greco entered the Chamber at 6:15PM.

Item #6 (formerly item #5, "Resolution Reestablishing Activity Aide Position - Montgomery Meadows Residential Health Care Facility"): Pat Failing clarified the need for an Activity Aid and what the general duties would be.

Supervisors Jonker and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution.

Supervisors Dybas and Jonker made a motion and seconded, respectively, to move the Resolution to the Finance Committee, meeting later this night, for funding considerations. There were no objections.

Item #7 (formerly item #6, "Resolution Authoring Chairman to Sign Agreement - Billing Consultant - Vicki Croft (Montgomery Meadows)"): Supervisors Jonker and Dybas made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Dybas stated that he believes that the Board of Supervisors doesn't need to be involved in this issue.

Attorney Doug Landon stated that since this Resolution involves an Independent Contractor, it would comply with the Board's current standing that requires said contracts to be signed by the Chairman by Resolution.

Supervisor Dybas withdrew his second, and Supervisor DiMezza entered as second sponsor.

Supervisors Jonker and DiMezza made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #8 (formerly item #7, "Resolution Authorizing Chairman to Sign Agreement - Emergency Evacuation Services - Fulton County Nursing Home (Montgomery Meadows)"): Supervisor Dybas stated that the agreement needs additional language stressing that the evacuation would only occur during an emergency. Attorney Landon stated that such language will be inserted into the contract, where appropriate.

Supervisors Schumann and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #9: Supervisors Schumann and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #10: The Committee recognized Jim Gumaer, Director of Community Services, who clarified the changes in the agreements.

Supervisors Dybas and Schumann made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #11 (Other): Chairman Strevy announced that Director Dwight Thompson of the Veteran Service Agency will be retiring at the end of June. Also, Karen Francisco (Account Clerk-Typist at Veteran Service Agency and Youth Services) is leaving at the end of July.

Item #11 (Other): Chairman Strevy stated that an Executive Session is needed to discuss the proposed sale of real property.

Pursuant to Section 105 (h) of NYS Open Meeting Law, the motion was made and seconded by Supervisor Jonker and Dybas, respectively, to enter into Executive Session to discuss the proposed sale of real property. Executive Session commenced at 6:32PM.

Motion to adjourn the Executive Session was made and seconded by Supervisors Schumann and Haak, respectively. Supervisors DiMezza, Walters, Thomas, Jonker and Strevy voted Nay.

Supervisors Schumann and Haak left Chamber at 6:55 PM.

Supervisors Schumann and Haak entered Chamber at 7:05 PM.

Motion to adjourn the Executive Session was made and seconded by Supervisors DiMezza and Thomas, respectively. Executive Session was adjourned at 7:07 PM.

As a result of Executive Session, no action was taken.

The motion was made and seconded by Supervisors DiMezza and Walters, respectively, to adjourn the Committee meeting.

Chairman Strevy adjourned the Health & Human Services/Social Services Committee meeting at 7:08 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
6:15 PM, January 17, 2006

COMMITTEE MEETING DISCUSSION

Chairman Johnson presided over the meeting commencing at 7:09 PM.

Roll call indicated Committee members present included Supervisors Jonker, Mancini, Haak, Schumann and Dybas. Supervisor Paton was absent.

Additionally present were Supervisors Walters, DiMezza, McMahon, Thomas, Greco, Quackenbush and Strevy. Supervisor Cechnicki was absent.

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

1. Discussion regarding Freedom Packaging Revolving Loan
2. Resolution Reappointing Economic Development Director
3. Resolution Authorizing Chairman to Sign Agreement - Community Projects Appropriation Contract (History and Archives)
4. Resolution Authorizing Chairman to Sign Agreement - Montgomery County Soil and Water Conservation District (Board of Supervisors)
5. Resolution Appointing Members of the Montgomery County Soil and Water Conservation District Board of Directors
6. Resolution Authorizing Chairman to Sign Agreement - Cornell Cooperative Extension (Board of Supervisors)
7. Resolution Appointing Member - Cornell Cooperative Extension of Fulton and Montgomery Counties Board of Directors
8. Resolution Appointing Members of the Montgomery County Occupancy Tax Advisory Board
9. Resolution Appointing Supervisor - Montgomery County Records Management Advisory Board
10. Other

Item #1: The Committee recognized Mike Yevoli, Economic Development Director, who stated that he has a draft Resolution authorizing the release of security interest in certain machinery and equipment located at the Freedom Packaging Company. Freedom has equipment that they will be selling and giving the County the proceeds (approx. \$20,000). Mr. Yevoli stated that Freedom owes the County approximately \$60,000, but the equipment sale will not cover the entire loan.

Supervisors Schumann and Mancini made a motion and seconded, respectively, to move the proposed Resolution to the full Board with a positive recommendation.

Item #2: Supervisors DiMezza and Quackenbush made a motion to amend the Resolution, replacing in the RESOLVED clause the words "be at the Pleasure of the Board" with the words "expire December 31, 2007". Supervisors Jonker, Mancini, Haak, Schumann & Dybas voted Nay. The motion failed upon roll call.

Supervisor Schumann stated that if an appointment is set to the "Pleasure of the Board", issues and problems may be circumvented. She opposed the amendment.

Supervisors DiMezza and McMahon both stated that job security should be paramount, and are in favor of a two year position.

Supervisors Schumann and Mancini made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisors Dybas and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #4: Supervisors Schumann and Haak made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #5: Supervisors Schumann and Haak made a motion and seconded, respectively, to insert the

names "Brian Cechnicki" and "Ed Paton" in the two Supervisor positions, respectively, in the RESOLVED clause. There were no objections.

Supervisors Dybas and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #6: Supervisors Haak and Quackenbush made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #7: Supervisors Quackenbush and Dybas made a motion and seconded, respectively, to insert the name "Robert McMahon" in the Supervisor positions in the RESOLVED clause. There were no objections.

Supervisors Dybas and Schumann made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #8: Supervisors DiMezza and Haak made a motion and seconded, respectively, to insert the names "Richard Brown of A White Rose Bed and Breakfast", "Ann Thane of the Walter Elwood Museum", "Eric Trahan of the Canajoharie Library and Art Gallery" and "Barbara Johnson" in the appointees positions, respectively, in the seventh to tenth WHEREAS clauses. There were no objections.

Supervisors DiMezza and Mancini made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #9: Supervisors Haak and the Full Board made a motion and seconded, respectively, to insert the name "John Thomas" in the RESOLVED clause. There were no objections.

Supervisors Haak and Quackenbush made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #10 (other): Add-on discussion regarding a draft Resolution executing an agreement between the County and the Mohawk Valley Snowmobile Clubs, Inc. in support of snowmobile trail development and maintenance. Supervisors Haak and Schumann made a motion and seconded, respectively, to move the proposed draft Resolution to the full Board with a positive recommendation.

Supervisors Schumann and Haak made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Johnson adjourned the Economic Development/Agriculture and Planning Committee meeting at 7:36 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
6:30 PM, January 17, 2006

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 7:37 PM.

Roll call indicated Committee members present are Supervisors Johnson, McMahon, Mancini, Thomas, Greco and Walters were present.

Additional Supervisors present were Strevy, Dybas, Quackenbush, Jonker, Haak and Schumann. Supervisors Cechnicki and Paton were absent.

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

1. Resolution designating Health Insurance Providers
2. Resolution designating provider for Excess Workers Compensation Coverage
3. Discussion regarding County Administrative Employee for the Board of Supervisors Office
4. Other

Item #1: Barry McNamara, Benetech, summarized the process of collecting bids for the self-funded health coverage and HMO, and the results thereof.

Chairman DiMezza stated that the two HMO providers considered seriously were MVP and CDPHP. He stated that MVP has 261 more providers in the tri-County area than CDPHP. Personnel Officer Rich Baia concurred.

The Committee recognized two representatives from MVP, who stated their compliancy with the RFP.

Supervisors Thomas and Johnson made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Supervisor Schumann left Chamber at 8:02PM.

Item #2: Chairman DiMezza clarified the Resolution. Supervisors Thomas and McMahon made a motion and seconded, respectively, to move this Resolution to the full Board with a positive recommendation.

Item #3: Richard Baia submitted to the Board a job description and history of the position. Chairman DiMezza asked the Committee to review their packet and that the item be added to the agenda of the next Personnel Committee meeting (February 21, 2006).

Item #4 (Other): Chairman DiMezza stated that the committee schedule is as follows:

Week 1: "Education/Government" & "Economic Development/Planning/Agriculture"
Week 2: "General Services/Public works/Solid Waste" & "Public Safety" & "Health & Human Services"
Week 3: "Finance" & "Personnel".

Chairman Quackenbush stated that Resolutions must be submitted to the appropriate Committee Chair within 10 days of the Committee meeting for consideration.

Supervisors Thomas and Mancini made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman DiMezza adjourned the Personnel Committee meeting at 8:07 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, January 17, 2006

COMMITTEE MEETING DISCUSSION

Chairman Haak presided over the meeting commencing at 8:08 PM.

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

Additional Supervisors present were Jonker, Dybas, Quackenbush, Johnson and Walters. Supervisors Schumann, Mancini and Paton were absent.

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

1. Resolution Authorizing Chairman to sign Agreement with the City of Amsterdam Extending Current Sales Tax Distribution Formula through June 30, 2009
2. Resolution Rescinding Resolution 12 of 2006 and Designating Newspapers to publish County Matters for 2006
3. Resolution Delegating Erroneous Assessment Correction Approval Authority to County Auditor
4. Resolution Adopting Introductory Local Law No. 1 of 2006 - A Local Law Establishing 2006 Salaries of Various County Officials
5. Resolution Authorizing Disbursement of Surplus Dog License Fund
6. Discussion Regarding Salaries - Auditor, Budget Officer
7. Other

Supervisor Mancini left the Chamber at 8:09 PM.

Item #1: Chairman Quackenbush summarized discussions held previously with the City and the City's wishes regarding the agreement.

Supervisors McMahon and Greco made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: Supervisors Greco and Thomas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #3: Supervisors Dybas and Strevy made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #4: Supervisors Thomas and Johnson made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #5: Supervisors Haak and Strevy made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

The Chairman stated that he is moving agenda item #6 to the end of the agenda list, at the request of Supervisor DiMezza.

Supervisor DiMezza left Chamber at 8:15 PM.

Item #7 (Other): Add-on discussion: Supervisor McMahon stated that emergency repair of a stadium at FMCC had to be done for \$10,000. He made a motion to sponsor a Resolution authorizing the Chair to sign a check. The general consensus of the Committee is to move the proposed Resolution to the full Board with a positive recommendation, on the condition that Fulton County passes a similar Resolution.

Chairman Quackenbush requested that a copy of a letter which was forwarded earlier to the Supervisors be attached to the Resolution.

Item #7 (Other): Add-on discussion: Paul Clayburn clarified the cost proposal submitted by EarthTech for environmental survey services in regards to the old County Jail. He recommended a Resolution be written entering into a contract with EarthTech for their services, which is another step closer to the demolition of the building.

Supervisors Walters and Thomas made a motion and seconded, respectively, to move the proposed Resolution to the full Board with a positive recommendation.

Item #7 (Other): Add-on discussion: Mortgage recording tax legislation. Attorney Doug Landon clarified the letter received from Sen. Farley and Member of Assembly Tonko's office, and stated that action must be taken and there are two options:

- 1) follow through & taking additional step of requesting 2 year timeline be added to legislation.
- 2) request that the state rescind the legislation authorizing this in the first place.

Supervisors Haak and DiMezza made a motion and seconded, respectively, to move the proposed Resolution selecting option # 1 to the full Board with a positive recommendation.

Item #7 (other): Add-on discussion: Activities Aid position at the Meadows (previously heard during the Health and Human Services/Social Services Committee earlier in the evening). The Committee unanimously decided that the position should be funded within the Meadows budget and not come out of the General Fund. The Resolution was moved to full Board with no recommendation.

Item #7 (Other): Add-on discussion: Mike Yevoli spoke about a letter received from HUD regarding the 1997 County Audit and their concerns of the findings. The County now has until March 31st, 2006 to respond. A meeting is in the works.

Supervisor DiMezza entered Chamber at 8:25 PM.

Item #6: Supervisor DiMezza spoke in support of the Auditor and Budget Officer salaries; the Auditor to receive \$26,000 plus \$750 (longevity), and the Budget Officer to receive \$10,000.

Supervisor McMahon stated he'd rather approve an hourly rate instead of a salaried rate for the two positions.

Supervisors DiMezza and Thomas made a motion and seconded, respectively, to move the proposed two Resolutions to the full Board with a positive recommendation.

The motion was made and seconded by Supervisor Greco and Thomas, respectively, to adjourn the Finance Committee. Chairman Haak 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
PUBLIC HEARING
6:50 PM, January 24, 2006

INTRODUCTORY LOCAL LAW NO 1 OF 2006 - A LOCAL LAW ESTABLISHING 2006 SALARIES OF VARIOUS COUNTY OFFICIALS

PUBLIC HEARING DISCUSSION

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

Present were Supervisors Quackenbush, Johnson, Greco, McMahon, Strevy, Haak, Dybas, Cechnicki, Walters, Thomas, Jonker, Mancini and DiMezza. Absent were Supervisors Paton and Schumann.

The following notice was read:

INTRODUCTORY LOCAL LAW NO. 1 OF 2006

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, January 24, 2006 for the purpose of holding a public hearing on "INTRODUCTORY LOCAL LAW NO 1 OF 2006 - A LOCAL LAW ESTABLISHING 2006 SALARIES OF VARIOUS COUNTY OFFICIALS"

FURTHER NOTICE is hereby given that copies of said Introductory Local Law No. 1 of 2006 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 Quackenbush asked whether anyone from the public wished to speak.

No one spoke.

Chairman Quackenbush adjourned the public hearing at 6:51 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, January 24, 2006

CALL TO ORDER

Chairman Quackenbush called the Regular Meeting of the Montgomery County Board of Supervisors for Jan. 24, 2006 to order at 7:00 PM.

SALUTE TO THE FLAG

Supervisors Haak, Johnson and Greco led the salute to the Flag.

ROLL CALL

Present were Supervisors Quackenbush, McMahon, Strevy, Dybas, Cechnicki, Walters, Thomas, Jonker, Mancini, Haak, Johnson, Greco and DiMezza. Supervisors Schumann and Paton were absent.

PRIVILEGE OF THE FLOOR

PRESENTATION

A. Proclamation

Assemblyman Paul Tonko and the Board of Supervisors honored retiring Ed Sajdak for his 32 years of dedication, commitment and community involvement as a Florida town Councilman.

B. Public Comment

Chairman Quackenbush opened the floor for public comment at 7:07 PM.

There were no speakers.

Chairman Quackenbush adjourned the Privilege of the Floor at 7:07 PM.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (Nov. 22, 2005 - Jan. 17, 2006) by Supervisor McMahon, seconded by Supervisor Johnson, passed with Aye(1582). Supervisors Schumann and Paton were absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor DiMezza, seconded by Supervisor Walters, passed with Aye(1582). Supervisors Schumann and Paton were absent.

OTHER

Supervisor McMahon stated that County Auditor Marco Zumbuolo is resigning as Trustee at FMCC, and that anyone interested in the position should contact the appropriate Committee Chair.

UNFINISHED BUSINESS

NEW BUSINESS

RESOLUTION NO. 15 of 2006

DATED: January 24, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MASS TRANSPORTATION THIRD PARTY PROVIDER - BROWN'S COACH (BOARD OF SUPERVISORS)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Paton

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, 2006 through December 31, 2006.

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 16 of 2006

DATED: January 24, 2006

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

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

WHEREAS, the 2006 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(1498). Supervisor Thomas voted Nay. Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 17 of 2006

DATED: January 24, 2006

RESOLUTION AUTHORIZING CAPITAL PROJECT FUNDING - EMERGENCY REPAIR -EXTERIOR WALL OF COMMUNICATIONS AND VISUAL ART BUILDING (FMCC)

Resolution by Supervisor: McMahan

Seconded by Supervisor: Mancini

WHEREAS, the acting president at Fulton-Montgomery Community College has requested the County's assistance with an emergency capital project that took place at the college when an exterior wall of the College's Communications and Visual Art Building failed September 1, 2005, necessitating an emergency repair cost of \$39,769.48, and

WHEREAS, College representatives, with the assistance of SUNY have conducted a thorough investigation of the failure and believe there to be no other practical recourse for recuperating funds associated with said emergency repair, and

WHEREAS, Capital projects undertaken at the Community College involve a split of costs between SUNY, Fulton County, and Montgomery County - 50%, 25% and 25% respectively,

RESOLVED, that the Board of Supervisors does hereby approve the support and funding of the Emergency Capital Project undertaken at Fulton-Montgomery Community College to repair an exterior wall of the College's Communications and Visual Art Building, and

FURTHER RESOLVED, that the 2006 Operating Budget be amended as follows:

TRANSFER FROM:		
A-01-1990-00-4400	Contingent Account	\$9,942.37

TRANSFER TO:		
A-06-9900-00-9950	Transfer to Capital Project Fund	\$9,942.37

, 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(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 18 of 2006

DATED: January 24, 2006

RESOLUTION RESCINDING RESOLUTION 12 OF 2006 AND DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR 2006

Resolution by Supervisor: Greco

Seconded by Supervisor: Thomas

WHEREAS, Resolution 12 of 2006 designated The Recorder and The Leader Herald as the newspapers to publish County matters for 2006,

RESOLVED, in accordance with Section 214, Subdivision 2 of the County Law the Montgomery County Board of Supervisors hereby designates the following newspapers, for the purpose of publishing County matters for 2006:

The Recorder

Courier-Standard Enterprise

, and

FURTHER RESOLVED, that Resolution 12 of 2006 is hereby rescinded.

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 19 of 2006

DATED: January 24, 2006

RESOLUTION APPOINTING REGION IV FOREST PRACTICE BOARD MEMBERS

Resolution by Supervisor: Mancini

Seconded by Supervisor: Greco

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

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

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

WHEREAS, currently, there is a vacancy in the Legislative Appointment, and

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

Shayne Walters of Charleston representing the Legislative Appointment for a term ending on December 31, 2007.

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

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 20 of 2006

DATED: January 24, 2006

RESOLUTION APPOINTING REGION IV FISH AND WILDLIFE MANAGEMENT BOARD MEMBERS

Resolution by Supervisor: Mancini

Seconded by Supervisor: Strevy

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

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

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

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

Supervisor Shayne T. Walters representing the Legislative Appointment for a term ending on December 31, 2007.

Supervisor John B. Thomas representing the Alternate Legislative Appointment for a term ending on December 31, 2007.

Paul Orzolek of Charleston representing the Sportsman Appointment for a term ending on December 31, 2007.

Jamie Carter of St. Johnsville representing the Alternate Sportsman Appointment for a term ending on December 31, 2007.

Mike Marshall of Town of Amsterdam representing the Landowner Appointment for a term ending on December 31, 2006.

Miles Frasier of Town of Palatine representing the Alternate Landowner Appointment for a term ending on December 31, 2006.

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

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 21 of 2006

DATED: January 24, 2006

RESOLUTION APPOINTING MONTGOMERY COUNTY FIRE ADVISORY BOARD

Resolution by Supervisor: Walters

Seconded by Supervisor: Jonker

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, 2006.

NAME	ADDRESS	REPRESENTING
Frank Nestle	100 Lafayette St, Palatine Bridge	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
Ken Swain	119 Reid St, 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

MOTION TO AMEND by Supervisor Haak, seconded by Supervisor Thomas, by adding in the RESOLVED clause, the following:

"Jeffrey Swartz", "24 Kingsbury Ave., St. Johnsville", "St. Johnsville", passed with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 22 of 2006

DATED: January 24, 2006

RESOLUTION APPOINTING MOSA BOARD REPRESENTATIVE

Resolution by Supervisor: Full Board

Seconded by Supervisor:

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

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

WHEREAS, the Chairman of the Board of Supervisors has appointed Olga Podmajersky of Fonda as a Montgomery County Representative to the Board of the Montgomery-Otsego-Schoharie Solid Waste Authority for a four-year term ending December 31, 2009,

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

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 23 of 2006

DATED: January 24, 2006

RESOLUTION APPOINTING MEMBER - MONTGOMERY COUNTY JURY BOARD

Resolution by Supervisor: Jonker

Seconded by Supervisor: Schumann

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

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

RESOLVED, that Supervisor Barbara Johnson hereby is appointed to serve on the Montgomery County Jury Board for a term beginning on January 1, 2006 and ending on December 31, 2007.

MOTION TO AMEND by Supervisor Johnson, seconded by Supervisor Thomas, to strike, in the RESOLVED clause, "Barbara Johnson" and insert "Ed Paton", passed with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon

Kimberly Sanborn

County Attorney

Clerk, Board of Supervisors

RESOLUTION NO. 24 of 2006

DATED: January 24, 2006

RESOLUTION APPOINTING MEMBER - MONTGOMERY COUNTY COURT LAW LIBRARY BOARD OF TRUSTEES

Resolution by Supervisor: Haak

Seconded by Supervisor: Johnson

WHEREAS, Section 814(1) of the Judiciary Law provides for the appointment of a member of the Board of Supervisors to the Montgomery County Law Library Board of Trustees, and

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

RESOLVED, that Supervisor Bethany Schumann hereby is appointed to serve on the Montgomery County Court Law Library Board for a term ending on December 31, 2007.

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 25 of 2006

DATED: January 24, 2006

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

Resolution by Supervisor: Dybas

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, and

WHEREAS, there currently exists two vacancies for the two members representing the County Board,

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

Supervisor Brian Cechnicki representing County Legislator Appointment for a term to expire on December 31, 2007, and

Supervisor Ed Paton representing County Legislator Appointment for a term to expire on December 31, 2007, and

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Cechnicki stated that Corey Nellis, District Manager of MCSWC, has several projects in the works and will be asking for an amendment to increase Resolution 26's agreement to a total of \$60,000 at a later date.

Supervisor Jonker stated that he will support that amendment when it comes before the Board.

RESOLUTION NO. 26 of 2006

DATED: January 24, 2006

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

Resolution by Supervisor: Schumann

Seconded by Supervisor: Haak

WHEREAS, the 2006 Operating Budget includes appropriations of \$55,000 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 \$55,000.

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 27 of 2006

DATED: January 24, 2006

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

Resolution by Supervisor: Haak

Seconded by Supervisor: Quackenbush

WHEREAS, the 2006 Operating Budget includes appropriations of \$119,000 for the Cornell Cooperative Extension of Fulton and Montgomery Counties to provide funds to assist said agency in maintaining programs to benefit Montgomery County residents, and

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

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

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 28 of 2006

DATED: January 24, 2006

RESOLUTION APPOINTING MEMBER - CORNELL COOPERATIVE EXTENSION OF FULTON AND MONTGOMERY COUNTIES (BOARD OF SUPERVISORS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

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 Robert F. McMahon 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, 2006.

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 29 of 2006

DATED: January 24, 2006

RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY OCCUPANCY TAX ADVISORY BOARD

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Mancini

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, said Local Law was amended by Local Law No. 2 of 2005 creating terms of such appointments 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.

WHEREAS, said Board currently has a three vacancies that needs to be filled, and

WHEREAS, the Chairman of the Board of Supervisors has recommended that Richard Brown of A White Rose Bed and Breakfast be appointed to fill a three-year term ending on December 31, 2008, and

WHEREAS, the Chairman of the Board of Supervisors has also recommended that Ann Thane of Walter Elwood Museum be appointed to fill a three-year term ending on December 31, 2008, and

WHEREAS, the Chairman of the Board of Supervisors has also recommended that Eric Trahan of Canajoharie Library and Art Museum be appointed to fill a three-year term ending on December 31, 2008, and

WHEREAS, the Chairman has also designated Supervisor Barbara Johnson to serve as an ex-efficio member of said Board,

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

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 30 of 2006

DATED: January 24, 2006

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 current Supervisors of the Towns of Canajoharie, Minden, and Palatine and the current 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, 2006

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, 2006.

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon

Kimberly Sanborn

County Attorney

Clerk, Board of Supervisors

RESOLUTION NO. 31 of 2006**DATED:** January 24, 2006**RESOLUTION APPOINTING SUPERVISOR - MONTGOMERY COUNTY RECORDS MANAGEMENT ADVISORY BOARD**

Resolution by Supervisor: Haak

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 Thomas is hereby appointed to serve on the Montgomery County Records Management Advisory Board for a term to expire on December 31, 2006.

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 32 of 2006****DATED:** January 24, 2006**RESOLUTION AUTHORIZING DPW COMMISSIONER TO APPLY FOR FEDERAL FUNDING FOR THE REALIGNMENT OF LOG CITY ROAD AND MAPLE AVENUE EXTENSION IN THE TOWN OF AMSTERDAM**

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Thomas

WHEREAS, in a Meeting of the General Services/Public Works/Solid Waste Committee held on December 6, 2005, the Commissioner of Public Works presented options for the realignment of Log City Road and Maple Avenue Extension in the Town of Amsterdam, and

WHEREAS, the Committee supported the option of completing the project locally and utilizing the Federal Program Funds to assist with the cost, which would bring the local share portion to 5% of the total project,

RESOLVED, that the Montgomery County Board of Supervisors does hereby approve the request for inclusion by the Commissioner of Public Works of said capital project on the Local Off System Project list for Montgomery County.

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 33 of 2006****DATED:** January 24, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ELECTRICITY CURTAILMENT PROGRAM - ENERGY CURTAILMENT SPECIALISTS (PUBLIC WORKS)**

Resolution by Supervisor: Mancini

Seconded by Supervisor: Strevy

WHEREAS, the New York Independent System Operator (NYISO) oversees New York State's electricity grid and has the responsibility of maintaining a reliable, safe and efficiently operating grid, and

WHEREAS, electricity curtailment action reduces demand which avoids electric blackouts and helps stabilize the electric grid, and

WHEREAS, NYISO has a Demand Response Program, where they have designated Service Providers to administer electric curtailment programs to reduce electric load, and

WHEREAS, Energy Curtailment Specialists, a Demand Response Provider for NYISO is paying industrial and commercial customers to reduce electric load or operate on-site generators when the state is deficient electric supply compared to the anticipated electric load, and

WHEREAS, the County wishes to participate in said energy curtailment program to assist the State with reducing electric load and to also produce a revenue stream for such participation,

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 Energy Curtailment Specialists for the purposes of participating in their energy curtailment program, and

FURTHER RESOLVED, said agreement shall be for four periods of participation which include winter 2005, Summer 2006, winter 2006 and Summer 2007.

RESOLUTION ADOPTED with Aye(1446). Supervisor Dybas voted Nay. Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Cechnicki stated that the amendment to Resolution 34 is being presented in respect to the County's recent support of the "Reality Check" initiatives on smoking cessation.

Supervisors DiMezza and Haak stated that they will be voting "no", as a non-smoking environment should be encouraged on County grounds.

Supervisor Jonker stated that he will be abstaining, as he disagrees with asking employees to pay for half the cost of the shelter.

RESOLUTION NO. 34 of 2006

DATED: January 24, 2006

RESOLUTION AUTHORIZING SMOKING SHELTER - MONTGOMERY COUNTY OFFICE BUILDING (PUBLIC WORKS)

Resolution by Supervisor: Thomas

Seconded by Supervisor: walters

WHEREAS, it has been requested by the employees of the County that a smoking shelter be provided at the Montgomery County Office Building for those employees who are smokers, and

WHEREAS, the Public Safety Committee has met and reviewed options for the most cost effective way to provide for said request, and

WHEREAS, the Committee has recommended that the Department of Public Works be authorized to construct said smoking shelter on the grounds of the Montgomery County Office Building for those employees choosing to smoke during their breaks and lunches provided that said employees bear at least half of the expense of the construction, and

WHEREAS, said option is estimated to cost approximately \$600,

RESOLVED, that the Department of Public Works is hereby authorized to construct a proper shelter for use by County Employees who smoke at a cost not to exceed \$600, and

FURTHER RESOLVED, that construction of said shelter is hereby contingent and shall not commence until the County Treasurer has received funds in the amount of one half of the project costs from the employees of the County.

MOTION TO AMEND by Supervisor Cechnicki, seconded by Supervisor Mancini, to change the following:

in the Title, to strike the words "Smoking Shelter" and insert "Outdoor Pavilion",

in the first WHEREAS clause, to strike "a smoking shelter" and insert "an outdoor pavilion",

in the first WHEREAS clause, to strike "for those employees who are smokers",

in the second WHEREAS clause, to strike "smoking shelter" and insert "outdoor pavilion" and strike "those employees choosing to smoke" and insert "employees to use",

in the first RESOLVED clause, strike "shelter" and insert "pavilion", and strike "who smoke", and

in the FURTHER RESOLVED clause, strike "shelter" and insert "pavilion",

passed with Aye(1375). Supervisors Walters and Quackenbush voted Nay. Supervisors Schumann and Paton were absent. (1/24/2006)

RESOLUTION ADOPTED with Aye(946). Supervisors Dybas, McMahon, Strevy, Quackenbush and Haak voted Nay. Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 35 of 2006

DATED: January 24, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT - OLD JAIL (B-4) - ENVIRONMENTAL SURVEY AND AMENDING 2006 OPERATING BUDGET (PUBLIC WORKS)

Resolution by Supervisor: Walters

Seconded by Supervisor: Thomas

WHEREAS, the Board of Supervisors wishes to proceed with the demolition/renovation of the Old Jail, and said demolition/renovation cannot be completed until an environment survey has been completed;

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 Old Jail Environmental Survey;

FURTHER RESOLVED, that said services shall be provided at a cost not to exceed \$9,350.00

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

TRANSFER FROM:

A-01-4-1990-00-4400	Contingent Account	\$9,350
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ADD AND TRANSFER TO:

A-12-4-1620-00-4438	Misc. Support Svcs	\$9,350
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RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 36 of 2006

DATED: January 24, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DEPARTMENT OF STATE - COMMUNITY PROJECTS APPROPRIATION CONTRACT (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

WHEREAS, the Montgomery County Emergency Management Office has been notified that Montgomery County has been awarded a \$25,000 special state legislative grant that is for emergency response planning, equipment and supplies, and

WHEREAS, the Emergency Management Officer has requested acceptance of said funding,

RESOLVED, that the Montgomery County Board of Supervisors does hereby accept the special state legislative grant funding (Community Projects Appropriation Contract (#M050847) in the amount of \$25,000 to be utilized by the Emergency Management Office for the purpose of emergency response planning, equipment and supplies, 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 documents, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

INCREASE REVENUE:

A - 02 - 3 - 3960 Emergency Disaster Assistance - State \$25,000

INCREASE APPROPRIATIONS:

A-02-4-3640-00-4449 Special Supplies & Materials \$25,000

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 37 of 2006

DATED: January 24, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - INMATE DENTAL SERVICES - DR. DANIEL KANA (SHERIFF)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

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, 2006 and ending on December 31, 2006, with compensation at the rate of \$1,200 per month, not to exceed \$14,400 annually.

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 38 of 2006

DATED: January 24, 2006

RESOLUTION AUTHORIZING RATE INCREASES - PART-TIME DEPUTY SHERIFFS AND CORRECTIONS OFFICERS (SHERIFF)

Resolution by Supervisor: Schumann

Seconded by Supervisor: walters

WHEREAS, the Sheriff has recommended that hourly compensation rates be increased for certain part-time Deputy Sheriffs and Correction Officers,

RESOLVED, that the Board of Supervisors hereby authorizes and directs that compensation for part-time Deputy Sheriffs and Correction Officers that are fully trained with at least one year of experience shall be as follows:

CORRECTIONS OFFICERS

New with > 1 year experience increase from \$10.75 to \$11.75/Hour

ROAD PATROL

New with > 1 year experience increase from \$11.00 to \$12.00/Hour

, and

FURTHER RESOLVED, that said increases shall take effect on March 6, 2006

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Haak stated that he is abstaining from the Resolution #39 vote because his law firm represents Catholic Charities.

RESOLUTION NO. 39 of 2006

DATED: January 24, 2006

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

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

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 \$ 1,100,000
- 2) St. Mary's Hospital Community Mental Health and Alcoholism Center for alcoholism services, not to exceed \$ 364,000
- 3) National Alliance for the Mentally Ill of Montgomery, Fulton and Hamilton Counties, Inc. (NAMI) for mental health services, not to exceed \$ 30,000
- 4) Mental Health Association in Fulton and Montgomery Counties (MHA) for mental health services, not to exceed \$ 198,000
- 5) Montgomery Transitional Services Inc. (MTS) for mental health services, not to exceed \$ 357,000
- 6) Catholic Charities of Montgomery County for alcoholism and substance abuse preventative services not to exceed \$ 290,000
- 7) NYS Association for Retarded Citizens, Montgomery County Chapter (DBA Liberty) for mental health services not to exceed \$ 420,000
- 8) Other organizations approved by the Community Services Board of Montgomery County pursuant to the By-Laws of the Community Services Board and fully funded by the State of New York or other appropriate funding entity not to exceed \$20,000

RESOLUTION ADOPTED with Aye(1486). Supervisor Haak abstained. Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 40 of 2006

DATED: January 24, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT AND AMENDING 2006 OPERATING BUDGET - 2005-06 PREPAREDNESS AND RESPONSE TO BIOTERRORISM GRANT (PUBLIC HEALTH)

Resolution by Supervisor: McMahan

Seconded by Supervisor: Jonker

WHEREAS, the Montgomery County Public Health Department has been awarded the 2005-06 Preparedness and Response to Bioterrorism grant for the period commencing August 31, 2005 and ending August 30, 2006, and

WHEREAS, the New York State Department of Health has approved the operating budget for said grant period,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the 2005-06 Preparedness and Response to Bioterrorism grant, 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 documents, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-06	Public Health Grant	\$	75000.00
Appropriations:	A-16-4-4010-06	Public Health Grant		
	.2250	Technical Equipment	\$	2500.00
	.2259	Computer Equipment	\$	5010.00
	.4407	Office Equipment	\$	3990.00
	.4408	Office Supplies	\$	5150.00
	.4409	Office Furniture	\$	5400.00
	.4411	Telephone Expense	\$	3800.00
	.4425	Maintenance Agreements	\$	2780.00
	.4431	Professional Services	\$	23500.00
	.4438	Misc. Supporting Svc.	\$	2920.00
	.4445	Medical Supplies	\$	5000.00
	.4446	Food Supplies	\$	3000.00
	.4453	Postage	\$	1000.00
	.4455	Training	\$	3500.00
	.4459	Computer Software	\$	1200.00
	.4470	Travel Related Exp.	\$	1000.00
	.4471	Mileage Expense	\$	3000.00
	.4491	Legal Notice & Advertising	\$	2250.00

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 41 of 2006

DATED: January 24, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT AND AMENDING 2006 OPERATING BUDGET - CHILD PASSENGER SAFETY INCENTIVE GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Quackenbush

WHEREAS, the Montgomery County Public Health Department has been awarded a Child Passenger Safety Incentive grant in the amount of \$3425.00, and

WHEREAS, the grant will commence on October 1, 2005 and will end on September 30, 2006,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the NYS Governor's Traffic Safety Committee - Child Passenger Safety Incentive Grant, and

FURTHER RESOLVE, 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 documents, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-08	Public Health Grant	\$3425.00
Appropriations:	A-16-4-4010-08	Public Health Grant	
	.4449	Special Supplies & Materials	\$3425.00

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 42 of 2006

DATED: January 24, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - LEAD POISONING AND PREVENTION GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

WHEREAS, the Board of Supervisors authorized acceptance of the Lead Poisoning and Prevention Grant funds for the period commencing April 1, 2005 and ending March 31, 2006, and

WHEREAS, said funds were appropriated in the 2005 Operating Budget and the unexpended balance should be carried forward in the 2006 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-05	Public Health Grant	\$	640.66
Appropriations:	A-16-4-4010-05	Public Health Grant		
	.4408	Office Supplies	\$	93.00
	.4436	Medical Fees	\$	131.32
	.4445	Medical Supplies	\$	100.00
	.4453	Postage	\$	316.34

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 43 of 2006

DATED: January 24, 2006

RESOLUTION REESTABLISHING TWO (2) CLEANER POSITIONS - MONTGOMERY MEADOWS RESIDENTIAL HEALTH CARE FACILITY

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

WHEREAS, the Nursing Home Administrator has deemed it necessary to reestablish two Cleaner positions not currently in the operating budget for 2006, and

WHEREAS, the Housekeeping Department is short-handed as it now stands, and

WHEREAS, the cost of two Grade C Cleaners is \$45,040.00, and

WHEREAS, the Nursing Department is willing to relinquish two (2) CNA positions, also Grade C, in order to fund these two very necessary Cleaner positions,

RESOLVED, that the Montgomery County Board of Supervisors hereby establishes two (2) Grade C Cleaners at a base salary of \$22,520 each at the Montgomery Meadows Residential Health Care Facility, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:	
EH 34 4 6020 00 1110 (208) CNA	\$22,520
EH 34 4 6020 00 1110 (210) CNA	\$22,520

TRANSFER TO:	
EH 34 4 6020 00 1110 (037) cleaner	\$22,520
EH 34 4 6020 00 1110 (039) Cleaner	\$22,520

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon

Kimberly Sanborn

County Attorney

Clerk, Board of Supervisors

RESOLUTION NO. 44 of 2006

DATED: January 24, 2006

**RESOLUTION REESTABLISHING THE POSITION OF ACTIVITY AIDE - MONTGOMERY MEADOWS
RESIDENTIAL HEALTH CARE FACILITY**

Resolution by Supervisor: Jonker

Seconded by Supervisor: Quackenbush

WHEREAS the Nursing Home Administrator has requested that the position of Activity Aide be reestablished in the 2006 Operating Budget, and

WHEREAS, there is only one full-time employee other than the Activities Director, and

WHEREAS, the Activities Department is open seven days a week, also one evening weekly until 8pm, and

WHEREAS, proper staffing becomes difficult to meet the criteria of New York State Department of Health and the social, recreational, religious and emotional needs of the residents.

RESOLVED, that the Montgomery County Board of Supervisors approves the reestablishment of a Full-time Activity Aide position, at a Grade Level B and a base salary of \$21,811, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

EH-34-4-6020-00-1110(249)	CNA	\$22,520
EH-34-4-6020-00-1120(115)	Part time Employees	\$ 541

TRANSFER TO:

EH-34-4-6020-00-1110(166)	Leisure Time Activities Aide	\$23,061
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RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Meadows Administrator Daniel Mumpton stated that the part-time Consultant stated in Resolution 45 will be overseen by the Administrator.

RESOLUTION NO. 45 of 2006

DATED: January 24, 2006

**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - BILLING CONSULTANT - VICKI CROFT
(MONTGOMERY MEADOWS)**

Resolution by Supervisor: Jonker

Seconded by Supervisor: DiMezza

WHEREAS, it has been recommended by the Business Office Manager at the Montgomery Meadows that the facility hire a Billing Specialist consultant in order to effectively reconcile the accounts and to complete the training of the Account Clerk/Typist in the Business Office, and

WHEREAS, the goal at the Meadows is to efficiently provide all pertinent information to contracted auditors for fiscal year end 2005, and

WHEREAS, said billing consultant will aid and advise in the billing of Medicaid and Medicare and the new Prescription Plan D, and

WHEREAS, funds for this contract is currently budgeted and will be expended from Line Item #EH 34 4 6020 00 (4438) Miscellaneous Supporting 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 Vicki Croft, Billing Specialist Consultant, to provide Billing Consultation to the Meadows at an hourly rate of \$25.00 for a maximum of fifteen (15) hours weekly.

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 46 of 2006

DATED: January 24, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - EMERGENCY EVACUATION SERVICES - FULTON COUNTY NURSING HOME (MONTGOMERY MEADOWS)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

WHEREAS, the Nursing Home Administrator at the Montgomery Meadows has recommended entering into a "Transfer Agreement" with the Fulton County Residential Health Care Facility, in Gloversville, NY, and

WHEREAS, said agreement would be entered into to cover emergency evacuation of the potential of up to 15 residents from the Fulton County RHCF to the Montgomery Meadows and 24 residents from the Montgomery Meadows to the Fulton County RHCF, and

WHEREAS, said agreement would be in the interest of community health, the promotion of appropriate use of facilities and services, the assurance of continuity of care and to fulfill mandatory regulations,

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 Fulton County Residential Health Care Facility for the provision of emergency evacuation transfer services between both facilities.

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 47 of 2006

DATED: January 24, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - SERVICES APPROVED BY THE 2006 OPERATING BUDGET (SOCIAL SERVICES)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

WHEREAS, Resolution 367 of 2005 approved the signing of certain contracts, as listed, that were approved in the 2006 Operating Budget, and

WHEREAS, certain contracts were inadvertently not listed in said Resolution, although provided for in the 2006 operating Budget, and

WHEREAS, it is necessary to enter into agreements with various contractors to provide needed 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 agreements for services funded in the 2006 Operating Budget with the following providers:

Montgomery Transitional Services, Inc.
(Highland Road Community Residence)

Mary O'Connor, Ph.D.
(Sexual Abuse Services)

Rev. Bonnie M. Orth
(Managed Care Services)

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 48 of 2006

DATED: January 24, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2005-2006 SNOWMOBILE TRAILS GRANT-IN-AID PROGRAM - MOHAWK VALLEY SNOWMOBILE CLUBS, INC (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Haak

Seconded by Supervisor: Schumann

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation has awarded Montgomery County \$79,525.00 from the 2005-2006 Snowmobile Trails Grant-In-Aid Program, based upon an application submitted in cooperation with the Mohawk Valley Snowmobile Clubs, Inc. , and

WHEREAS, the 2006 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 the 2005-2006 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 2006 Operating Budget, as follows:

INCREASE:

Revenue:

A-24-3889-00	Other Cultural & Recreation	\$59,525.00
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Appropriations:

A-24-7180-00.4572	Spec. Recreation Facility Recreation Trails	\$59,525.00
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RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 49 of 2006

DATED: January 24, 2006

RESOLUTION AUTHORIZING THE RELEASE OF A SECURITY INTEREST OF MACHINERY AND EQUIPMENT LOCATED AT THE FREEDOM PACKAGING COMPANY

Resolution by Supervisor: Schumann

Seconded by Supervisor: Mancini

WHEREAS, Montgomery County through its Economic Development Program has a loan with Freedom Packaging Company and,

WHEREAS, Montgomery County's loan is secured with a UCC-1 on certain machinery and equipment located at Freedom Packaging Company's Facility in Amsterdam, N.Y.,

WHEREAS, Freedom Packaging Company intends to sell certain pieces of equipment and machinery that it no longer utilizes,

RESOLVED, the Chairman of the Board of Supervisors, is hereby authorized and directed, following review by the County Attorney, to sign any documents necessary to release Montgomery County's security interest on certain machinery and equipment intended to be sold by Freedom Packaging Company.

Further resolved that said release is conditioned upon Freedom Packaging Company's commitment to forward all proceeds of the sale of said machinery and equipment as payment on Freedom Packaging Company's loan with Montgomery County's Economic Development Program.

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Dybas, to add a second FURTHER RESOLVED clause as follows:

FURTHER RESOLVED that completion of said transaction is contingent upon approval by the U.S. Housing and Urban Development Office,

passed with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 50, Supervisor DiMezza and Chairman Quackenbush support a four-year appointment.

EOD Director Mike Yevoli stated that his position officially terminates on March 31, 2006.

Several Supervisors discussed that, in order to support a four-year term, other positions (currently at the pleasure of the Board) in other Resolutions must be revisited.

Supervisor Mancini withdrew his seconded sponsorship of the Resolution. Supervisor Thomas picked up the seconded sponsorship.

RESOLUTION NO. 50 of 2006

DATED: January 24, 2006

RESOLUTION REAPPOINTING ECONOMIC DEVELOPMENT DIRECTOR

Resolution by Supervisor: Schumann

Seconded by Supervisor: Thomas

WHEREAS, Resolution 118 of 1998 created the Department of Economic Opportunity and Development in Montgomery County, and

WHEREAS, said resolution provided for the position of Economic Development Director,

RESOLVED, that Michael J. Yevoli is hereby reappointed Economic Development Director at an annual base salary of \$55,432, and

FURTHER RESOLVED, that said appointment shall be at the pleasure of the Board.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Johnson, by striking in the FURTHER RESOLVED clause "at the pleasure of the board" and inserting "for a four year term terminating on December 31, 2009", was defeated with Aye(790). Supervisors Greco, Johnson, Mancini, DiMezza and Quackenbush voted Aye. Supervisors Schumann and Paton were absent. (1/24/2006)

MOTION TO TABLE, was defeated with Aye(793). Supervisors Johnson, Mancini, McMahon, Walters, Strevy, Quackenbush and Cechnicki voted Aye. Supervisors Schumann and Paton were absent. (1/24/2006)

MOTION TO TABLE by Supervisor Haak, seconded by Supervisor Jonker, passed with Aye(1259). Supervisors Dybas, Strevy and Thomas voted Nay. Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Resolution 50 was tabled pending further discussion.

RESOLUTION NO. 51 of 2006

DATED: January 24, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT -- COMMUNITY PROJECTS APPROPRIATION CONTRACT #M050848 (HISTORY AND ARCHIVES)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

WHEREAS, Senator Hugh T. Farley, through the State of New York Department of State, has awarded Montgomery County Department of History & Archives \$25,000 toward the conversion of the Boiler House building into a records storage facility,

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 Community Projects Appropriation Contract #M050848, and

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

INCREASE:

H-22-4-7510-16-2202 Records Retention Project \$25,000

MOTION TO AMEND by Supervisor Haak, seconded by Supervisor Jonker, to add the following revenue line item:

"REVENUE:

H-22-3-3889-16 Other Culture and Recreation \$25,000",

passed with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Chairman Quackenbush is abstaining from Resolution 52 because his wife is one of the Coroners listed.

RESOLUTION NO. 52 of 2006

DATED: January 24, 2006

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO 1 OF 2006 - A LOCAL LAW ESTABLISHING 2006 SALARIES OF VARIOUS COUNTY OFFICIALS

Resolution by Supervisor: Thomas

Seconded by Supervisor: Johnson

WHEREAS, on January 2, 2006 a proposed Local Law for the County of Montgomery County entitled "A Local Law Establishing 2006 Salaries of Various County Officials" was presented to the Board of Supervisors for consideration, and

WHEREAS, on January 2, 2006 Resolution 14 of 2006 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 24th day of January, 2006 at the time and place appointed, and

WHEREAS, said public hearing has been held,

RESOLVED, that Introductory Local Law No. 1 of 2006 entitled "A Local Law Establishing 2006 Salaries of Various County Officials" hereby is adopted and is incorporated as follows:

"A Local Law Establishing the 2006 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:

Title	Salary
County Treasurer	\$54,900
Election Commissioner - Rep.	\$34,740
Election Commissioner - Dem.	\$33,240
Personnel/Self Ins. Director	\$57,415
County Clerk	\$55,300
County Historian	\$33,330
Purchasing Agent	\$37,150
Sheriff	\$61,535
Public Works Commissioner	\$54,734
Director of Real Property Tax	\$46,855
Social Services Commissioner	\$56,300
Clerk of Board of Supervisors - P/T	\$7,280

County Auditor - P/T	\$22,604
County Attorney - P/T	\$48,709
Coroner - P/T	\$6,208
Head Coroner - P/T	\$6,913

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(1424). Supervisor Quackenbush abstained. Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor DiMezza stated that no RFP was solicited for a prescription drug plan.

Supervisor Strevy stated that Resolution 53 should be broken down into three separate Resolutions.

RESOLUTION NO. 53 of 2006

DATED: January 24, 2006

RESOLUTION DESIGNATING HEALTH INSURANCE PROVIDERS

Resolution by Supervisor: Thomas

Seconded by Supervisor: Johnson

WHEREAS, it has been recommended that the following firms be designated to provide health insurance for County employees and retirees:

1. APA Partners - Administration of Montgomery County's Self-Insured Medical and Prescription Drug coverage health insurance plans, including Aggregate and Specific Umbrella coverages.
2. MVP for the County's HMO Plan, excluding Prescription Drug coverage.

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

FURTHER RESOLVED, that the Personnel Officer hereby is authorized and directed to implement said agreements, commencing at on March 1, 2006 and ending on December 31, 2008, and

FURTHER RESOLVED, that the County's Insurance Broker of Record, P.B. Associates (Pat Baia Associates) whose agreement expires on 12/31/07 has an exclusive agreement working with Benetech, and

FURTHER RESOLVED, that Benetech will finish out the agreement thru 12/31/07 as Insurance Broker of Record for Montgomery County.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Mancini, the Resolution as follows:

in the WHEREAS clause, to strike "including Aggregate and Specific Umbrella coverages",

in the last FURTHER RESOLVED clause, to strike "12/31/07" and insert "12/31/08", and

in the last FURTHER RESOLVED clause, to strike the "." after the word "County" and insert ", to also include Aggregate and Specific Umbrella coverages."

passed with Aye(1413). Supervisors Strevy and Cechnicki voted Nay. Supervisors Schumann and Paton were absent. (1/24/2006)

MOTION TO TABLE by Supervisor Jonker, seconded by Supervisor Cechnicki, was defeated with Aye(563). Supervisors Dybas, McMahon, Strevy, Jonker and Cechnicki voted Aye. Supervisors Schumann and Paton were absent. (1/24/2006)

RESOLUTION ADOPTED with Aye(1019). Supervisors Dybas, McMahon, Strevy, Jonker and Cechnicki voted Nay. Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 54 of 2006

DATED: January 24, 2006

RESOLUTION RESCINDING RESOLUTION 178 OF 2005 AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MIDWEST EMPLOYERS REINSURANCE CORPORATION, EXCESS WORKERS COMPENSATION COVERAGE (PERSONNEL)

Resolution by Supervisor: Thomas

Seconded by Supervisor: McMahon

WHEREAS, Resolution 178 of 2005 approved a one-year renewal with G. E. Insurance Solutions on 1/1/05 thru 12/31/05, for Excess Workers Compensation coverage, and

WHEREAS, Midwest has given a rate of \$ 91,007.00 which is based on \$750,000.00 retention, and

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 Midwest for the provisions of Excess Workers Compensation coverage for the period of 1/1/06 thru 12/31/06 at a cost of \$91,007.00.

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisors Thomas and Haak made a motion and seconded, respectively, to amend Resolution 55 by transferring from the contingent account an additional \$35,538, to be transferred to the following positions in the Sheriff's Dept.:

.509 Sheriff \$11,692
.419 UnderSheriff \$9,452
.510 Sheriff's Confidential Sec. \$6,166

and in the Jail,
.470 Corrections Administrator \$8,228.

Supervisor McMahon stated that the proposed amendment to Resolution 55 should go through a Committee first.

Sheriff Mike Amato spoke in support of the proposed amendment, stating that the Department has generated \$1.5M in revenue over the past year, and inquired what steps he should take in getting a raise for his overworked and underpaid employees.

Supervisor DiMezza stated that he would like to have a Personnel Committee meeting to explore the salary structure in this County and surrounding Counties of comparable size, so adjustments can be made.

Supervisors Thomas and Haak withdrew their motion to amend, pending future discussions.

RESOLUTION NO. 55 of 2006

DATED: January 24, 2006

RESOLUTION ESTABLISHING SALARY AND AMENDING 2006 OPERATING BUDGET - COUNTY AUDITOR

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Thomas

RESOLVED, that the County Auditor's annual base salary is hereby established at \$26,000 effective January 1, 2006, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingent Account \$4,146

TRANSFER TO:

A-30-4-1320-00-1120(703) County Auditor \$4,146

RESOLUTION ADOPTED with Aye(1162). Supervisors Dybas, Strevy, Jonker and Cechnicki voted Nay. Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisors Strevy and Cechnicki stated that the time to look at salaries is budget time.

Supervisor DiMezza stated that County Auditor Zumbolo is worth every penny.

Attorney Doug Landon stated that both the Budget Officer and County Auditor positions are statutory, (County Officers). He stated that upcoming Resolution 57 will allow for the salary adjustments in accordance with legal requirements.

RESOLUTION NO. 56 of 2006

DATED: January 24, 2006

RESOLUTION ESTABLISHING SALARY AND AMENDING 2006 OPERATING BUDGET - COUNTY BUDGET OFFICER

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Thomas

RESOLVED, that the Budget Officer's annual base salary is hereby established at \$10,000, effective January 1, 2006, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingent Account \$4,800

TRANSFER TO:

A-01-4-1340-00-1120(676) Budget Officer \$4,800

RESOLUTION ADOPTED with Aye(1162). Supervisors Dybas, Strevy, Jonker and Cechnicki voted Nay. Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 57 of 2006

DATED: January 24, 2006

RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO 2 OF 2006 - A LOCAL LAW ESTABLISHING 2006 SALARIES OF CERTAIN COUNTY OFFICIALS

Resolution by Supervisor: Johnson

Seconded by Supervisor: Greco

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 2 of 2006 - A Local Law Establishing the 2006 Salaries of Certain County Officials,

RESOLVED, that Introductory Local Law No. 2 of 2006 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing as follows:

"A Local Law Establishing the 2006 Salaries of Certain 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:

Title	Salary
-------	--------

County Auditor - P/T \$26,750
Budget Officer \$10,000

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, 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.

FURTHER RESOLVED, that said public hearing shall be held _____ at _____ 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.

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Walters, to insert the date and time of "February 28" and "6:50 PM" in the first FURTHER RESOLVED clause, passed with Aye(1516). Supervisor Cechnicki voted Nay. Supervisors Schumann and Paton were absent. (1/24/2006)

RESOLUTION ADOPTED with Aye(1401). Supervisors Jonker and Cechnicki voted Nay. Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 58 of 2006

DATED: January 24, 2006

RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL AUTHORITY TO COUNTY AUDITOR

Resolution by Supervisor: Dybas

Seconded by Supervisor: Strevy

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(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 59 of 2006

DATED: January 24, 2006

RESOLUTION AUTHORIZING DISBURSEMENT OF SURPLUS DOG LICENSE FUNDS

Resolution by Supervisor: Haak

Seconded by Supervisor: Strevy

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, \$3,052.11 in surplus dog license funds, in proportion to the contribution made by each, collected during 2005.

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 60 of 2006

DATED: January 24, 2006

RESOLUTION RECOMMENDING THE STATE LEGISLATURE PASS S.5947/A.9053 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 THROUGH AUGUST 1, 2008

Resolution by Supervisor: Haak

Seconded by Supervisor: DiMezza

WHEREAS, the NYS Legislature amended such sections of the NYS Tax Law to increase mortgage recording tax in Montgomery County and allow for the expenditure in any appropriate manner contingent upon adoption of a chapter amendment providing for a "sunset" date, and

WHEREAS, the NYS Legislature has introduced a chapter amendment (S5947/A.9053) embodying the language requested by the Governor of the State of New York to provide for a sunset date of August 1, 2008,

RESOLVED, that the Montgomery County Board of Supervisors hereby supports and advocates for the passage of S.5947/A.9053.

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

In regards to Resolution 60, Supervisor Cechnicki stated that the County could use the money, and that the County would still competitive with surrounding Counties, tax-wise. Attorney Doug Landon stated that Resolution 61 is subject to approval of the State Comptroller's Office.

Chairman Quackenbush called for a "Full Board" vote on Resolution 61.

RESOLUTION NO. 61 of 2006

DATED: January 24, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT WITH THE CITY OF AMSTERDAM EXTENDING CURRENT SALES TAX DISTRIBUTION FORMULA THROUGH JUNE 30, 2009

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, Resolution 340 of 2005 authorized the Chairman of the Board of Supervisors to sign a one year renewal agreement of the 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

said contract to expire on November 30, 2006, and

WHEREAS, Section 1262(c) of the New York State 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 Chairman's Sales Tax Distribution Committee has met with the City of Amsterdam Common Council and has proposed an arrangement that would extend the current sales tax distribution formula through June 30, 2009, and

WHEREAS, it is the desire of the Board of Supervisors to also extend the current arrangement for

this time 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% for such period as authorized by state law --

90% retained by the County

10% to the City of Amsterdam

, and

FURTHER RESOLVED, that said Agreement shall be for the period December 1, 2006 through June 30, 2009.

RESOLUTION ADOPTED with Aye(1582). Supervisors Schumann and Paton were absent. (1/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Chairman Quackenbush thanked the City of Amsterdam and the Sales Tax Distribution Special Committee on their efforts and success.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Mancini, seconded by Supervisor Dybas, passed with Aye(1582). Supervisors Schumann and Paton were absent. Meeting adjourned at 8:35 PM by Chairman Quackenbush.

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
7:00 PM, February 7, 2006

COMMITTEE MEETING DISCUSSION

Chairman McMahon presided over the meeting commencing at 7:00 PM.

Roll call indicated Committee members present included Supervisors Cechnicki, Dybas, Jonker, Schumann, Paton and Mancini.

Additional Supervisors present were Supervisors Johnson, Greco, Strevy, Thomas, DiMezza and Quackenbush. Absent were Supervisors Walters and Haak.

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

1. Resolution Supporting the Efforts of the Amsterdam Common Council who have requested the NYS Legislature to designate the River Bridge which spans the Mohawk River in the City of Amsterdam the "Joseph Jacobs Memorial Bridge"
2. Discussion regarding the Rules of Procedures of the Montgomery County Board of Supervisors
3. Discussion regarding Vacancy - Fulton-Montgomery Community College Board of Trustees
4. Discussion regarding FMCC 2006 Capital Projects
5. Discussion regarding FMCC/BOCES project as it relates to the Connection of BOCES to FMCC
6. Resolution Authorizing Chairman to Sign Change Order #1, 2 & 3 - Stilsing Electric - Integrated Campus Fire Alarm System (FMCC)
7. Other

Chairman McMahon stated that two Resolutions would be entertained first on the agenda.

Item #1: Supervisors Greco and Mancini made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation, as a "Full Board" Resolution. There were no objections.

Item #2 (formerly item #6, "Resolution Authorizing Chairman to Sign Change Order #1, 2 & 3 - Stilsing Electric - Integrated Campus Fire Alarm System (FMCC)": Supervisors Schumann and Cechnicki made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3 (formerly item #4, "Discussion regarding FMCC 2006 Capital Projects"): The Committee acknowledged David Morrow, VP for Administration and Finance at FMCC, who spoke in support of the projects.

Supervisors Cechnicki and Schumann made a motion and seconded, respectively, to sponsor a draft Resolution to provide the requested 25% of funding, as Fulton County will be matching funds. There were no objections.

Item #4 (formerly item #5, "Discussion regarding FMCC/BOCES project as it relates to the Connection of BOCES to FMCC"): Dave Morrow, VP for Administration and Finance at FMCC, spoke in support of the "Connect Water to BOCES Building" project and of two new related sub-projects: the sidewalk project and lighting and underground communications conduit project. He stated that, as submitted, FMCC's request to use the BOCES contractor will conserve expenditures and help coordinate efforts on these projects. He also stated that the College is still in the investigative stages of developing the scope of the sub-projects.

The Chair and Committee stated their endorsement and support for using the BOCES contractor.

Supervisor Haak entered the Chamber at 7:09 PM.

Item #5 (formerly item #2, "Discussion regarding the Rules of Procedures of the Montgomery County Board of Supervisors"): In support of the proposed changes, Supervisors Mancini and Jonkerd made a motion and seconded, respectively, to move a draft Resolution to the full Board with a positive recommendation. There were no objections.

Item #6 (formerly item #3, "Discussion regarding Vacancy - Fulton-Montgomery Community College Board of Trustees"): Supervisor Schumann recommended that the Trustee search be extended, as there have been only three letters received so far. She also recommended setting a deadline date of submission.

Supervisor DiMezza objected, stating that the position was announced in the newspapers over a month ago, and enough time has been given for potential applicants to respond. He also stated that someone needs to be appointed by March 1st, 2006.

Supervisor DiMezza stated that he'll be unavailable to Chair the Personnel Committee meeting in two weeks, due to a conflict in scheduling.

Chairman Quackenbush stated that the item will need to be on the agenda for the next Full Board meeting, February 28, 2006. He also stated that the Education/Government Committee could hold a special meeting at 6:30 PM, prior to the Full Board Meeting, to make a decision on the appointment of a Trustee.

When polled, the Committee unanimously decided to make their Trustee candidate decision at the Education/Government Committee meeting on February 28, 2006 at 6:30 PM. Applicants will be accepted up to that time and date.

Item #7, Other: Supervisor Mancini nominated Supervisor Schumann as Minority Leader. She accepted the position.

Item #7, Other: Chairman McMahon stated that he has resigned from the Presidential Search Committee for FMCC. He's requesting another Supervisor to replace him on the Committee; someone who can attend regular meetings at SUNY in Albany. Supervisor Schumann has expressed an interest in being a Committee member.

Motion was made and seconded by Supervisors Jonker and Mancini, respectively, to adjourn the Committee meeting.

Chairman McMahon adjourned the Education/Government Committee meeting at 7:25 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 12068
COMMITTEE MEETING - ECONOMIC DEVELOPMENT/AGRICULTURE & PLANNING
7:15 PM, February 7, 2006

COMMITTEE MEETING DISCUSSION

Chairman Johnson presided over the meeting commencing at 7:26 PM.

Roll call indicated Committee members present included Supervisors Jonker, Mancini, Haak, Schumann, Dybas and Paton.

Additionally present were Supervisors Quackenbush, Greco, McMahon, Strevy, Cechnicki, Thomas and DiMezza. Supervisor Walters was absent.

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

1. Resolution Appointing Members - Economic Development Advisory Committee - Agriculture
2. Resolution Scheduling Agricultural District #1 Review Period
3. Resolution Authorizing Chairman to Sign Agreement- Empire Zone Administrative Services (Economic Development)
4. Resolution Authorizing Chairman to Sign Agreement- MVEDD (Economic Development)
5. Resolution Authorizing Chairman to Sign Administrative Agriculture Economic Development Funding Support - Cooperative Extension (Economic Development)
6. Resolution Authorizing Chairman to Sign Administrative and Staff Support Services Agreement - MCIDA (Economic Development)
7. Discussion regarding the consideration of the MCIDA to purchase a building in Amsterdam and enter into a lease agreement with Resource Center for Independent Living (RCIL).
8. Discussion Regarding RLF Application - Chief's Repair Lodge
9. Other

Item #1: Supervisors Schumann and Quackenbush made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections. Supervisors Schumann and Mancini made a motion and seconded, respectively, to insert in the RESOLVED clause the name "Russ Kelly" as Farm Bureau Representative. There were no objections. Two additional names will be recommended at the Full Board Meeting on February 28, 2006.

Item #2: Supervisors Quackenbush and McMahon made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections. To allow for a properly published public notice in the Courier and Recorder newspapers, the 30-day public review will begin on March 8, 2006, per the Clerk of the Board of Supervisors.

Item #3: Supervisors Haak and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Supervisor Schumann stated that the contract needs to be amended to read "\$10,000" in the last paragraph. There were no objections.

Item #4: Supervisors Jonker and Strevy made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Supervisor Haak stated that the contract needs to be amended to read "County Board of Supervisor's" and not "County Administrator's" in the second paragraph under the RECORDS clause. There were no objections.

Item #5: Supervisors Quackenbush and Paton made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Supervisors Schumann and Haak stated that that contract needs to be amended to read, under the TERM clause, the dates "January 1, 2006" and "December 31, 2006", and under the COMPENSATION AND REIMBURSEMENT clause, the figure "\$15,000" should be changed to "\$10,000". There were no objections.

Item #6: Supervisors Strevy and Haak made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #7: Mike Yevoli, EOD Director, presented a summary of the proposed loan to the MCIDA to purchase a vacant building in the City of Amsterdam and subsequently enter into a lease/purchase agreement with the Resource Center for Independent Living. The Supervisors were in general support of the loan.

Item #8: Mike Yevoli, EOD Director, spoke in support of the \$200,500 Revolving Loan Fund application, submitted by Chief's Repair Lodge. He's hoping to have a draft ready for the Finance Committee meeting on February 21, 2006.

Supervisors Dybas and Haak made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Johnson adjourned the Economic Development/Agriculture and Planning Committee meeting at 7:49 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY CNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY 12068
SPECIAL MEETING
6:50 PM, February 14, 2006

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for February 14, 2006 was called to order at 6:50 p.m. by chairman Quackenbush.

SALUTE TO THE FLAG

Supervisor Mancini led the Salute to the Flag.

ROLL CALL

Roll call indicated that Supervisors Quackenbush, Johnson, Greco, Paton, McMahon, Strevy, Haak, Dybas, Cechnicki, Schumann, Walters, Thomas, Jonker, Mancini and DiMezza were present.

STATEMENT OF PURPOSE OF MEETING

RESOLUTION AUTHORIZING EMERGENCY PURCHASE - HOT WATER UNIT- PUBLIC SAFETY FACILITY (PUBLIC WORKS)

The Board acknowledged Paul Clayburn, DPW Commission, who stated that Boiler #2 was leaking water into the combustion chamber, causing a malfunction.

He stated that he requested proposals from four vendors, and three responded. He summarized the proposals, including comparisons cost, warranty and the timeliness of boiler replacement.

The Board acknowledged Sheriff Mike Amato, who stated that in his opinion, this situation needs to be rectified immediately, due to the lack of water at the Public Safety Facility.

Supervisors Walters and Thomas stated that they support the proposal from Johnson Control because of their reputation and their immediate availability to replace the boiler.

RESOLUTION NO. 62 of 2006

DATED: February 14, 2006

RESOLUTION AUTHORIZING EMERGENCY PURCHASE - HOT WATER UNIT - PUBLIC SAFETY FACILITY
(PUBLIC WORKS)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Walters

WHEREAS, it is required to make an emergency purchase to repair the hot water unit at the Montgomery County Public Safety Facility,

RESOLVED, that the Public Works Commissioner is hereby authorized and directed to make arrangements for emergency repair to the hot water unit at the Public Safety Facility, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign contracts for services related to said repairs with _____, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingent Account \$_____

TRANSFER TO:

A-12-4-1620-00-4421 Property/Rnt/Lease/Repair \$_____

MOTION TO AMEND by Supervisor Thomas, seconded by Supervisor Walters, by adding the name "Johnson Controls" in the FURTHER RESOLVED clause, and by adding the figure "\$58,754" to both the TRANSFER FROM and the TRANSFER TO clauses, passed with Aye(1868). (2/14/2006)

RESOLUTION ADOPTED with Aye(1868). (2/14/2006)

Douglas Landon

Kimberly Sanborn

County Attorney

Clerk, Board of Supervisors

Clerk's note: Per Board discussion, a contributing factor to awarding the bid to Johnson Controls included the warranty information and the timeliness of boiler replacement.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor Haak, passed with Aye(1868).
Chairman Quackenbush adjourned the 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 12068
COMMITTEE MEETING - PUBLIC SAFETY
7:00 PM, February 14, 2006

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 7:11 PM.

Roll call indicated Committee members present included Supervisors Greco, Cechnicki, Jonker, Dybas, Haak and Schumann.

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

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

1. Discussion regarding EMS Coordinator/Deputy EMS Coordinators
2. Discussion regarding EMS Advisory Board
3. Resolution Appointing Members - Montgomery County Criminal Justice Coordinating Council (Youth Bureau/Alternative Community Services Department)
4. Resolution Authorizing Chairman to Sign Agreement - 2006 Annual Alternatives to Incarceration Performance Based Service Plan (Youth Bureau/Alternative Community Services Department)
5. Resolution Recommending the State Legislature Pass S.6396/A.9463 which would amend such sections of NYS Public Officer Law to permit Assistant District Attorneys of Montgomery County to reside in adjoining counties
6. Resolution Amending 2006 Operating Budget - Law Enforcement Programs (District Attorney)
7. Resolution Amending 2006 Operating Budget - Forfeiture Crime Proceeds (District Attorney)
8. Resolution Authorizing Chairman to Sign Agreement - Monroe County Sheriff - Jail Security Services - Rochester Psychiatric Center (Sheriff)
9. Resolution Appointing Members - Montgomery County Traffic Safety Board
10. Other

Chairman Thomas stated that all Discussion items will be entertained directly before the end of the Committee meeting.

Item #1 (formerly item #3, "Resolution Appointing Members - Montgomery County Criminal Justice Coordinating Council (Youth Bureau/Alternative Community Services Department)"): Supervisors Haak and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2 (formerly item #4, "Resolution Authorizing Chairman to Sign Agreement - 2006 Annual Alternatives to Incarceration Performance Based Service Plan (Youth Bureau/Alternative Community Services Department)"): Supervisors Dybas and Strevy made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. Supervisor Schumann abstained, due to her involvement with the Board _____. There were no other objections.

Item #3 (formerly item #5, "Resolution Recommending the State Legislature Pass S.6396/A.9463 which would amend such sections of NYS Public Officer Law to permit Assistant District Attorneys of Montgomery County to reside in adjoining counties"): Supervisors Haak and McMahon made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. Supervisor Dybas and Schumann objected. There was no discussion on this Resolution.

Item #4 (formerly item #6, "Resolution Amending 2006 Operating Budget - Law Enforcement Programs (District Attorney)"): Supervisors Jonker and Walters made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #5 (formerly item #7, "Resolution Amending 2006 Operating Budget - Forfeiture Crime Proceeds (District Attorney)"): Supervisors Schumann and Haak made a motion and seconded, respectively, to

move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #6 (formerly item #8, "Resolution Authorizing Chairman to Sign Agreement - Monroe County Sheriff - Jail Security Services - Rochester Psychiatric Center (Sheriff)": Supervisors Dybas and Strevy made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #7 (formerly item #9, "Resolution Appointing Members - Montgomery County Traffic Safety Board"): Supervisors Cechnicki and Haak made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #8 (formerly item #2, "Discussion regarding EMS Advisory Board"): Chairman Thomas stated that the draft Resolutions titled "RESOLUTION RE-ESTABLISHING THE APPOINTMENTS OF THE MONTGOMERY COUNTY EMS ADVISORY BOARD" and "RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY EMS ADVISORY BOARD (EMERGENCY MANAGEMENT)" reflect the changes in the representations of potential appointees.

Director Nestle summarized the representation changes to the Committee.

Supervisors Thomas and Dybas made a motion and seconded, respectively, to move the draft Resolutions to the full Board with a positive recommendation. There were no objections.

Director Nestle also stated that he feels that the new draft Resolution language should be similar to Resolution 193 of 2004 (i.e.. stating County Law #, etc.). There were no objections to his statement.

Supervisor DiMezza stated that the draft Resolution should be amended to state that Resolution 193 from 2004 is being rescinded. There were no objections.

Supervisor Haak stated that the RESOLVED and FURTHER RESOLVED clauses from Resolution 193 from 2004 should also be included in this draft Resolution. There were no objections.

Director Nestle stated that the appointee names will be presented for Resolution amendment at the full Board meeting on February 28, 2006.

Item #9 (formerly item #1, "Discussion regarding EMS Coordinator/Deputy EMS Coordinators"): Chairman Thomas stated that the position of "EMS Coordinator" hasn't been created by this Board of Supervisors in the past.

Chairman Thomas stated that, per County law, there must be a Resolution creating the position. He also stated that this Resolution should be brought before the full Board meeting on February 28, 2005.

Chairman Thomas and Supervisor Dybas made a motion and seconded, respectively, to sponsor the proposed Resolution and move it to the full Board with a positive recommendation. There were no objections.

Chairman Thomas stated that Director Nestle will be able to provide an appointee name also for that proposed Resolution on the night of the full Board meeting.

He also stated that the proposed Resolution must be entertained by the full Board prior to the EMS Advisory Board Resolution being entertained, so that the EMS Coordinator can be named on the latter Resolution.

Supervisor Cechnicki stated that he had been approached by Kyle Camp, Chief of the Rural Grove Fire Dept. Mr. Camp stated that he would like to be on the EMS Advisory Board.

***During the Full Board Meeting on Feb. 28, 2006, Supervisors Cechnicki and Mancini made a motion and seconded, respectively to amend the minutes in this section to read the following:

"Supervisor Cechnicki stated that he had been approached by the Chief of the Rural Grove Fire Dept. The Chief stated that Kyle Kamp that he would like to be on the Fire Advisory Board."***

Director Nestle stated that name changes will also be occurring on the EMS Advisory Board Resolution, and will be presented to the full Board at the full Board meeting in February.

Motion was made and seconded by Supervisors Jonker and Haak, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Thomas adjourned the Public Safety Committee meeting at 7:25 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 12068
COMMITTEE MEETING - HEALTH & HUMAN SERVICES/SOCIAL SERVICES
7:20 PM, February 14, 2006

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 7:26 PM.

Roll call indicated Committee members present included Supervisors DiMezza, Walters, Jonker, Schumann, Dybas and Paton.

Additional Supervisors present were Mancini, Johnson, Quackenbush, McMahon, Greco, Haak, Cechnicki and Thomas.

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

1. Resolution Reclassifying Position and Amending 2006 Operating Budget - Full-Time Principal Clerk (Public Health)
2. Resolution Authorizing Chairman to Sign Grant Agreement and Amending 2006 Operating Budget - Immunization Action Plan Grant (Public Health)
3. Resolution Authorizing Chairman to Sign Renewal Agreement - Transportation of Fulton County Veterans (Veterans Services)
4. Resolution Authorizing Chairman to Sign Agreement and Amending 2006 Operating Budget - Youth Engagement Services Program - FMS PIC (Social Services)
5. Resolution Authorizing Chairman to Sign Agreement and Amending 2006 Operating Budget - Community Solutions for Transportation Program - Mental Health Association of Fulton and Montgomery Counties (Social Services)
6. Resolution Authoring Chairman to Sign Agreements - Personal Care Services / Assisted Living Program (Social Services)
7. Resolution Authorizing Chairman to Sign Agreements - Certified Foster Family Boarding Homes (Social Services)
8. Other

Item #1: Supervisors Schumann and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Dybas and Paton made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisors Dybas and Paton made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #4: Supervisors DiMezza and Johnson made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #5: Supervisors Schumann and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #6: Supervisors Dybas and Johnson made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Paton and Haak made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

The motion was made and seconded by Supervisors DiMezza and Paton, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Strevy adjourned the Health & Human Services/Social Services Committee meeting at 7:32 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 12068
COMMITTEE MEETING - GENERAL SERVICES/PUBLIC WORKS/SOLID WASTE
7:30 PM, February 14, 2006

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:33 p.m.

Roll call indicated Committee members present included Supervisors Greco, Cechnicki, Mancini, Strevy, Johnson and Paton.

Additional Supervisors present were Supervisors Haak, McMahon, Thomas, Dybas, DiMezza, Jonker and Quackenbush. Supervisor Schumann was absent.

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

1. Resolution Authorizing Chairman to Sign Grant Agreement - NYS DOT-Section 5311 Capital Assistance (Board of Supervisors)
2. Resolution Approving 2006 Capital Projects - Road Reconstruction (Public Works)
3. Resolution Approving 2006 Capital Projects - Bridge Replacement (Public Works)
4. Resolution Approving 2006 Capital Projects - Equipment Replacement (Public Works)
5. Resolution Establishing Principal Account Clerk Position (Public Works)
6. Resolution Amending 2006 Operating Budget - Temporary Position (Public Works)
7. Other

Item #1: Supervisors Greco and Johnson made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors McMahon and Cechnicki made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisors McMahon and Mancini made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #4: Supervisors Mancini and Johnson made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #5: Supervisors Mancini and Cechnicki made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor DiMezza stated that he was unsure that this position should be established at this time.

Supervisor Thomas made a recommendation that the Resolution be moved to the Personnel Committee for additional consideration.

Supervisors Cechnicki and Greco made a motion and seconded, respectively, to move the Resolution to the Personnel Committee. There were no objections.

Item #6: Supervisors Johnson and Quackenbush made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Supervisors Mancini and Strevy made a motion and seconded, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Walters adjourned the General Services/Public Works/Solid Waste Committee meeting at 7:38 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 12068
COMMITTEE MEETING - PERSONNEL
7:00 PM, February 21, 2006

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present are Supervisors Johnson, McMahon, Mancini, Thomas, Greco and Walters were present.

Additional Supervisors present were Strevy, Quackenbush, Jonker, Haak and Schumann. Supervisors Cechnicki, Dybas and Paton were absent.

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

1. Tabled Resolution 50 of 2006 - Resolution Reappointing Economic Development Director
2. Discussion Regarding Employees Sick Leave Buy Out - Montgomery Meadows
3. Discussion Regarding Domestic Partners Health Insurance
4. Resolution Authorizing Chairman to Sign Memorandum of Agreement - CSEA - "On-Call" Pay for DPW employees
5. Discussion Regarding Position of Administrative Employee in the Board of Supervisors Office
6. Resolution Establishing Position - Full Time Senior Account Clerk Typist (Youth Bureau/ACSD)
7. Resolution Establishing Position - Full Time Clerk Typist (Veterans Services)
8. Resolution Establishing - Senior Account Clerk Typist (Board of Supervisors)
9. Other

Item #1: Chairman DiMezza stated that, after prior discussion of the Resolution with the Supervisors, the consensus was to appoint Mike Yevoli for a four year term. There were no objections.

The Committee would like to re-visit other departmental appointments, to determine if a specific employment term should be considered. Chairman DiMezza requested that Administrative Assistant Jacki Meola provide the Committee a list of those departmental appointments, for discussion at a future Personnel Committee meeting.

The Resolution was moved to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisor DiMezza stated that, should the Montgomery Meadows change hands, the Labor Management Committee proposes to "buy out" any left-over employee sick time at \$50/day. He stated this does not conflict with the existing Union contracts, and that the employees won't lose their vacation time and holiday pay, but personal time would be lost.

Supervisors DiMezza and Thomas made a motion and seconded, respectively, to move a draft Resolution regarding the "buy out" to the full Board with a positive recommendation.

Supervisor Schumann stated that she believes this decision is premature in light of the further discussion on the matter that will take place in the Finance Committee later that evening, and the possibility that fairness to other employees might come into question.

Supervisor Paton entered the Chamber at 7:06 PM.

Item #3: Chairman DiMezza stated that CSEA has reminded the County that there is currently no Domestic Partner Health Insurance option in place. He stated that the State of NY has already adopted the policy. Supervisors Schumann and Johnson made a motion and seconded, respectively, to move a draft Resolution supporting the insurance option to the full Board with a positive recommendation. There were no objections.

Item #4: Chairman DiMezza stated that this Resolution reflects an increase in the pay and expected service for on-call DPW workers from \$100 per week to \$130/140/150 per week for year 2006/2007/2008, respectively, and from two days to seven days.

Supervisors Thomas and Mancini made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #5: Supervisor McMahon stated that he feels that employment and position discussions and decisions are premature at this time for all positions within the Board of Supervisors office.

Chairman DiMezza stated that an Executive Session is needed to discuss agenda items #5, 6 7, 8, and matters leading to employment as well as the employment history of particular persons.

Pursuant to Section 105 (f) of NYS Open Meeting Law, the motion was made and seconded by Supervisor McMahon and Quackenbush, respectively, to enter into Executive Session to discuss matters leading to employment as well as the employment history of particular persons. Executive Session commenced at 7:25 PM.

Motion to adjourn the Executive Session was made and seconded by Supervisors Thomas and Strevy, respectively. Executive Session was adjourned at 7:52 PM.

As a result of Executive Session, agenda items #5, 6, 7 & 8 were not entertained by the Committee.

Item #6 (formerly item #9, "Other"): Add-on RESOLUTION ESTABLISHING PRINCIPAL ACCOUNT CLERKS POSITION (PUBLIC WORKS). Supervisor DiMezza stated that this position is an upgrade, as the employee has passed the Civil Service exam and has increased duties within the department.

Attorney Doug Landon stated that a FURTHER RESOLVED clause should be added to the Resolution stating that the original position is being eliminated. There were no objections.

The Resolution was moved to the full Board with a positive recommendation. There were no objections.

Supervisors Thomas and Mancini made a motion and seconded, respectively, to adjourn the Committee meeting.

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 12068
COMMITTEE MEETING - FINANCE
7:30 PM, February 21, 2006

COMMITTEE MEETING DISCUSSION

Chairman Haak presided over the meeting commencing at 7:56 PM.

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

Additional Supervisors present were Quackenbush, Johnson, Schumann, Walters, Jonker and Mancini. Absent were Supervisors Paton and Dybas.

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

1. Discussion Regarding Fee Schedule - Digital Tax Maps (Real Property Tax Service)
2. Resolution Correcting 2006 Town and County Tax Rolls - Various Parcels (Real Property Tax Service)
3. Resolution Establishing Claims Committee For Employment Discrimination Claims
4. Resolution Increasing Contribution and Amending 2006 Operating Budget - Montgomery County Soil and Water Conservation District (Board of Supervisors)
5. Discussion Regarding Fiscal Year 2007 Budget Timeline
6. Resolution Establishing Public Hearing on Introductory Local Law #3 of 2006 - A Local Law which Rescinds Local Law #4 of 2004 - A Local Law which Authorized the Private Sale of County-Owned Property and Related Assets, Not Needed for a County Purpose (Montgomery Meadows RHCF)
7. Resolution Accepting A Proposal for the Sale of the Montgomery Meadows Residential Health Care Facility - Highgate LTC Management, LLC
8. Other

Chairman Haak stated that he will be moving items around on the agenda as the Committee desires.

Item #1 (formerly item #2, "Resolution Correcting 2006 Town and County Tax Rolls - Various Parcels (Real Property Tax Service)") : Supervisors McMahon and Strevy made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2 (formerly item #3, "Resolution Establishing Claims Committee For Employment Discrimination Claims"): Supervisors Haak and DiMezza made a motion and seconded, respectively, to sponsor the Resolution and make the following amendments to the Resolution:

To add "Treasurer", "Auditor", "Chairman of the Board of Supervisors" and "Respective Committee Chairperson" to the EEOC Claims Committee. Also, to change the titles of "Personnel Director" to "Personnel Officer", "Administrative Assistant" to "Administrative Aid", and to delete the name "Mang Insurance Agency" from the Resolution. There were no objections.

The Resolution was moved to the full Board with a positive recommendation. There were no objections.

Supervisor Johnson left the Chamber at 8:10 PM.

Item #3 (formerly item #4, "Resolution Increasing Contribution and Amending 2006 Operating Budget - Montgomery County Soil and Water Conservation District (Board of Supervisors)": The Resolution was moved to the full Board with a positive recommendation.

Item #4 (formerly item #8, "Other"): Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NYSDOH/NYSOMH/NYSOMRDD - REIMBURSEMENT FOR "621 ELIGIBLES" PURUANT TO 1974 NEW YORK STATE CHAPTER LAW (SOCIAL SERVICES). Supervisors Strevy and Thomas made the motion and seconded, respectively, to sponsor the Resolution. Social Services Commissioner William Cranker explained the Resolution. The Resolution was moved to the full Board with a positive recommendation. There were no objections.

Item #5 (formerly item #8, "Other"): Add-on BOND RESOLUTION AUTHORIZING THE REPLACEMENT OF VARIOUS

VEHICLES AND EQUIPMENT. Supervisors Walters and DiMezza made the motion and seconded, respectively, to sponsor the Resolution and move it the full Board with a positive recommendation. There were no objections.

Item #6 (formerly item #8, "Other"): Add-on BOND RESOLUTION AUTHORIZING THE REPLACEMENT OF VARIOUS BRIDGES AND RECONSTRUCTION OF CERTAIN ROADS WITHIN THE COUNTY. Supervisors Walters and Thomas made the motion and seconded, respectively, to sponsor the Resolution and move it the full Board with a positive recommendation. There were no objections.

Item #7 (formerly item #1, "Discussion Regarding Fee Schedule - Digital Tax Maps (Real Property Tax Service)": Director Flo Staton, Real Property Tax, stated that recently the Tax office received a request under the Freedom of Information Act for a digital tax map, and that no fee schedule is in place for providing this service. She stated that the average fee charged by other counties are between one cent and five cents per parcel. Chairman Haak stated that Fulton County charges five cents per parcel.

Supervisor Walters stated that he supports five cents per parcel.

Supervisors DiMezza and Walters made the motion and seconded, respectively, to sponsor a draft Resolution authorizing a fee of five cents per parcel, with two stipulations: the whole municipality must be purchased, and the purchaser agrees not to resell to a third party.

The draft Resolution was moved to the full Board with a positive recommendation. There were no objections.

Item #8 (formerly item #5, "Discussion Regarding Fiscal Year 2007 Budget Timeline"): Chairman Haak presented the budget timeline to the Board, and stated that he and Chairman Quackenbush have worked diligently toward being able to finalize and adopting the budget by Nov. 28, 2006. There were no objections.

In relation to the two items left on the agenda regarding the Meadows, Supervisor DiMezza stated that an Executive Session is needed to discuss the proposed sale of real property.

Pursuant to Section 105 (h) of NYS Open Meeting Law, the motion was made and seconded by Supervisor DiMezza and Strevy, respectively, to enter into Executive Session to discuss the proposed sale of real property. Executive Session commenced at 8:25PM.

Motion to adjourn the Executive Session was made and seconded by Supervisors Schumann and Strevy, respectively. Executive Session was adjourned at 8:58 PM.

As a result of Executive Session, no action was taken.

Item #9 (formerly item #6, "Resolution Establishing Public Hearing on Introductory Local Law #3 of 2006 - A Local Law which Rescinds Local Law #4 of 2004 - A Local Law which Authorized the Private Sale of County-Owned Property and Related Assets, Not Needed for a County Purpose (Montgomery Meadows RHCF)": Supervisor DiMezza spoke in support of the Resolution. The Resolution, sponsored by Supervisor DiMezza, was seconded by Supervisor Thomas. The Resolution was moved to the full Board with a positive recommendation, amending that the Public Hearing be held at 6:40 PM on March 28, 2006. There were no objections.

Item #10 (formerly item # 7, "Resolution Accepting A Proposal for the Sale of the Montgomery Meadows Residential Health Care Facility - Highgate LTC Management, LLC"): The Resolution, sponsored by Supervisor DiMezza, was seconded by Supervisor Thomas. The Resolution will be amended to add a FURTHER RESOLVED clause stating that receivership will begin April 1st, 2006. The Resolution was moved to the full Board with a positive recommendation. There were no objections.

The motion was made and seconded by Supervisor Greco and Thomas, respectively, to adjourn the Finance Committee. Chairman Haak adjourned the Finance Committee meeting at 9:02 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 12068
COMMITTEE MEETING - EDUCATION/GOVERNMENT
6:00 PM, February 28, 2006

COMMITTEE MEETING DISCUSSION

Chairman McMahon presided over the meeting commencing at 6:04 PM.

Roll call indicated Committee members present included Supervisors Cechnicki, Dybas, Jonker, Paton and Mancini. Supervisor Schumann was absent.

Additional Supervisors present were Supervisors Greco, Strevy, Thomas, DiMezza and Quackenbush. Absent were Supervisors Walters, Johnson and Haak.

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

1. Resolution Approving 2006 Capital Projects (FMCC)
2. Resolution Authorizing FMCC to Administer and Manage Certain Capital Construction Projects (2006 FMCC Capital Projects)
3. Resolution Appointing Trustee - Fulton Montgomery Community College Board of Trustees
4. Other

Item #1: Per Chairman McMahon, Supervisors Cechnicki and Schumann had made a motion and seconded, respectively, to sponsor the Resolution at an earlier time.

The motion was made by the entire Committee to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors DiMezza and Mancini made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Chairman McMahon requested to enter into Executive Session to discuss the appointment of particular persons.

Pursuant to Section 105 (f) of NYS Open Meeting Law, the motion was made and seconded by Supervisor DiMezza and Mancini, respectively, to enter into Executive Session to discuss the appointment of particular persons. Executive Session commenced at 6:06 PM.

Supervisor Johnson entered Chamber at 6:09 PM.

Supervisor Cechnicki entered Chamber at 6:12 PM.

Motion to adjourn the Executive Session at 6:23 PM was made and seconded by Supervisors DiMezza and Mancini, respectively.

As a result of Executive Session, no action was taken.

Item #3: Supervisors McMahon and DiMezza made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation, unamended at this time. There were no objections.

Motion was made and seconded by Supervisors Jonker and Mancini, respectively, to adjourn the Committee meeting.

Chairman McMahon adjourned the Education/Government Committee meeting at 6:26 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 12068
PUBLIC HEARING
6:50 PM, February 28, 2006

INTRODUCTORY LOCAL LAW NO 2 OF 2006 - A LOCAL LAW ESTABLISHING 2006 SALARIES OF CERTAIN COUNTY OFFICIALS

PUBLIC HEARING DISCUSSION

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

Present were Supervisors Quackenbush, Johnson, Greco, McMahon, Strevy, Paton, Dybas, Cechnicki, Thomas, Jonker, Mancini, Haak, Walters and DiMezza. Absent was Supervisor Schumann.

The following notice was read:

NOTICE OF PUBLIC HEARING

INTRODUCTORY LOCAL LAW NO. 2 OF 2006 - A LOCAL LAW ESTABLISHING 2006 SALARIES OF CERTAIN 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, (Route 30-A) Broadway, Fonda, New York, at 6:50 p.m., Tuesday, February 28, 2006 for the purpose of holding a public hearing on the Introductory Local Law No. 2 of 2006 - A Local Law Establishing 2006 Salaries of Certain County Officials.

FURTHER NOTICE is hereby given that copies of said Introductory Local Law are available at the Office of the Montgomery County Administrator, County Annex Building, Park Street, Fonda, New York, where they 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 of Supervisors

DATED: January 25, 2006

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

No one spoke.

Chairman Quackenbush adjourned the public hearing at 6:51 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 12068
REGULAR MEETING
7:00 PM, February 28, 2006

CALL TO ORDER

Chairman Quackenbush called the Regular Meeting of the Montgomery County Board of Supervisors for Feb. 28, 2006 to order at 7:00 PM.

SALUTE TO THE FLAG

Supervisor Walters led the Salute to the Flag.

MOMENT OF SILENCE

Chairman Quackenbush called a moment of silence to observe the passing of Richard Schaffer, Staff Development Coordinator for Social Services, and Milford Lauer, Deputy Mayor of Hagaman.

ROLL CALL

Present were Supervisors Quackenbush, McMahon, Strevy, Dybas, Cechnicki, Walters, Thomas, Jonker, Mancini, Johnson, Paton, Greco, Haak and DiMezza. Supervisor Schumann was absent.

PRIVILEGE OF THE FLOOR

PRESENTATION

A. Public Comment

Chairman Quackenbush opened the floor for public comment at 7:01 PM.

Mickey Swartz, of GAVAC and St. Johnsville Ambulance, and Pam Van Alstine of Florida Fire Department and EMS Council, both requested that Resolution 80, RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY EMS ADVISORY BOARD (EMERGENCY MANAGEMENT) be tabled until the March full Board meeting, so that potential appointees would have extra time to consider placement.

Chairman Quackenbush adjourned the Privilege of the Floor at 7:03 PM.

OTHER

MOTION TO AMEND AGENDA by Supervisor McMahon, seconded by Supervisor Dybas, by moving Resolutions 79 and 110 to the top of the NEW BUSINESS section, and to add Resolutions 105, 106, 107, 108, 109 and 110 to the end of the NEW BUSINESS section, passed with Aye(1729). Supervisor Schumann was absent.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO AMEND MINUTES OF PREVIOUS SESSION (as stated in the Public Safety Committee Meeting minutes dated February 14, 2006) by Supervisor Cechnicki, seconded by Supervisor Mancini, passed with Aye(1729). Supervisor Schumann was absent.

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (Jan. 24, 2005 - Feb. 21, 2006) by Supervisor Cechnicki, seconded by Supervisor Mancini, passed with Aye (1729). Supervisor Schumann was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor DiMezza, seconded by Supervisor Greco, passed with Aye(1527). Supervisors Dybas and Cechnicki abstained. Supervisor Schumann was absent.

UNFINISHED BUSINESS

Supervisors DiMezza and Strevy made a motion and seconded, respectively, to move Resolution 50 off the table. There were no objections.

Supervisors Quackenbush and Jonker made a motion and seconded, respectively, to sponsor a draft Resolution to replace the original Resolution. The new draft Resolution lists all current County

appointments that are at the "Pleasure of the Board", for consideration for a term appointment.

Supervisor Dybas stated his objection to the new draft Resolution, as the appointment would be for four years when a future Supervisor (whose term would overlap) may not approve.

Supervisor Strevy stated that he would prefer that all appointees be at the pleasure of the board, and not four years.

Supervisors Quackenbush and Jonker withdrew their sponsorship of the new draft Resolution. No one picked it up. The draft Resolution was withdrawn.

Supervisor Haak stated that he provided each Board member with a statement from the Attorney General about this issue, saying that future Board members hands would be tied if an appointment of four years was pursued.

Supervisors Jonker and Quackenbush made a motion and seconded, respectively, to amend the original Resolution to read "December 31, 2007" instead of "pleasure of the Board" in the FURTHER RESOLVED clause.

Supervisor Haak stated that he would either prefer the wording "pleasure of the board" to remain, or that a two year term be considered, if a term is a must.

Supervisor Greco inquired whether there were any provisions for annual job performance reviews. Chairman Quackenbush replied "no".

Supervisors Greco and Thomas made a recommendation that exploring the possibility of annual performance evaluations could be brought before the appropriate Committee.

Chairman Quackenbush withdrew his sponsorship of the "two year term" amendment. No one picked it up. The amendment was withdrawn.

RESOLUTION NO. 50 of 2006

DATED: January 24, 2006

RESOLUTION REAPPOINTING ECONOMIC DEVELOPMENT DIRECTOR

Resolution by Supervisor: Schumann

Seconded by Supervisor: Thomas

WHEREAS, Resolution 118 of 1998 created the Department of Economic Opportunity and Development in Montgomery County, and

WHEREAS, said resolution provided for the position of Economic Development Director,

RESOLVED, that Michael J. Yevoli is hereby reappointed Economic Development Director at an annual base salary of \$55,432, and

FURTHER RESOLVED, that said appointment shall be at the pleasure of the Board.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Johnson, by striking in the FURTHER RESOLVED clause "at the pleasure of the board" and inserting "for a four year term terminating on December 31, 2009", was defeated with Aye(790). Supervisors Greco, Johnson, Mancini, DiMezza and Quackenbush voted Aye. Supervisors Schumann and Paton were absent. (1/24/2006)

MOTION TO TABLE, was defeated with Aye(793). Supervisors Johnson, Mancini, McMahon, Walters, Strevy, Quackenbush and Cechnicki voted Aye. Supervisors Schumann and Paton were absent. (1/24/2006)

MOTION TO TABLE by Supervisor Haak, seconded by Supervisor Jonker, passed with Aye(1259). Supervisors Dybas, Strevy and Thomas voted Nay. Supervisors Schumann and Paton were absent. (1/24/2006)

MOTION TO REMOVE FROM TABLE by Supervisor DiMezza, seconded by Supervisor Strevy, passed with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

MOTION TO AMEND by Supervisor Jonker, seconded by Supervisor Quackenbush, to strike "pleasure of the Board" in the FURTHER RESOLVED clause, and replace with "two year term", was defeated with Aye(644). Supervisors Greco, Dybas, Quackenbush, Jonker and Haak voted Aye. Supervisor Schumann was absent. (2/28/2006)

RESOLUTION ADOPTED with Aye(1510). Supervisor DiMezza voted Nay. Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

NEW BUSINESS

RESOLUTION NO. 79 of 2006

DATED: February 28, 2006

RESOLUTION RESCINDING RESOLUTION 193 OF 2004 AND RE-ESTABLISHING THE MONTGOMERY COUNTY EMS ADVISORY BOARD

Resolution by Supervisor: Thomas

Seconded by Supervisor: Dybas

WHEREAS, Resolution No. 193 of 2004 Established a Montgomery County EMS Advisory Board, and

WHEREAS, it has been recommended by the Public Safety Committee that Resolution 193 of 2004 be rescinded and the Montgomery County EMS Advisory Board be re-established to better reflect the needs of the EMS organizations and the Community,

RESOLVED, that Resolution 193 of 2004 is hereby rescinded, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors hereby re-establishes the Montgomery County EMS Advisory Board, in accordance with NYS County Law S223-b, whose duties shall include:

- cooperation with appropriate state agencies in relation to such programs for EMS training, EMS-related activities and mutual aid
- to act as an advisory body to the Board of Supervisors and to the Montgomery County EMS coordinator
- participation in such programs for EMS training, EMS-related activities and mutual aid and mutual aid programs in cases of emergencies in which the services of EMS providers would be used
- to perform such other duties as may be prescribed in relation to EMS training, EMS-related activities and mutual aid in cases of emergencies in which the services of EMS providers would be used, and

FURTHER RESOLVED, that the Montgomery County Emergency Management Officer shall act as a liaison officer between the Board of Supervisors and said advisory board and the EMS providers in the county and the officers and governing boards or bodies thereof, and

FURTHER RESOLVED, there shall be 21 appointments to said Board which shall consist of the following representation:

4 individuals representing the ambulance agencies in the County

1 individual representing medvac airlift services

8 individuals representing fire services from the County

1 individual representing St. Mary's Hospital

1 individual representing Amsterdam Memorial Hospital

1 individual representing Red Cross

1 individual representing the Public Safety Committee

1 individual representing Public Health

1 individual representing Montgomery County Sheriff's Office - E911 Coordinator

1 individual representative being the EMS Coordinator

1 individual appointment being a public-member-at-large, and

FURTHER RESOLVED, that appointments to said board shall be for a period of one year.

MOTION TO TABLE by Supervisor Quackenbush, seconded by Supervisor Haak, passed with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

The Supervisors discussed the applicants in regards to Resolution 110.

Supervisor Paton stated his support of Stacy J. Kimball.

Supervisor McMahon stated that the college has two major issues to face: financial issues and the upcoming Accrediting Commission review. He stated that the Supervisors should vote for the candidate with the most experience in these issues.

Several Supervisors stated that they support youthful enthusiasm and dedication over over-worked experience.

Supervisor Haak stated that he must abstain from voting because he wasn't in the prior Committee meeting which discussed this issue in Executive Session.

Pursuant to Section 105 (f) of NYS Open Meeting Law, the motion was made and seconded by Supervisor Haak and Jonker, respectively, to enter into Executive Session to discuss the appointment of a particular person, passed with Aye(976). Supervisors Dybas, McMahon, Strevy, Quackenbush, Paton and Cechnicki voted Nay. Supervisor Schumann was absent. Executive Session commenced at 7:35 PM.

Motion to adjourn the Executive Session at 7:46 PM was made and seconded by Supervisors Haak and Jonker, respectively.

As a result of Executive Session, no action was taken.

RESOLUTION NO. 110 of 2006

DATED: February 28, 2006

RESOLUTION APPOINTING TRUSTEE - FULTON MONTGOMERY COMMUNITY COLLEGE BOARD OF TRUSTEES

Resolution by Supervisor: McMahon

Seconded by Supervisor: DiMezza

WHEREAS, there is currently a vacancy on the Fulton-Montgomery Community College Board of Trustees of an unexpired term through June 30, 2011,

RESOLVED, that _____ is hereby appointed to the Fulton-Montgomery Community College Board of Trustees to fill an unexpired term through June 30, 2011.

MOTION TO AMEND by Supervisor Mancini, seconded by Supervisor Greco, to add the name "Michael A. DiMezza" in the RESOLVED clause, was defeated with Aye(923). Supervisors Greco, Johnson, Mancini, DiMezza, Walters, Thomas and Quackenbush voted Aye. Supervisors Dybas, McMahon, Strevy, Paton, Jonker and Haak abstained. Supervisor Schumann was absent. (2/28/2006)

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Strevy, to add the name "Michael J. Pepe" in the RESOLVED clause, was defeated with Aye(843). Supervisors Dybas, McMahon, Walters, Strevy, Thomas, Paton, Jonker and Cechnicki voted Aye. Supervisors DiMezza and Haak abstained. Supervisor Schumann was absent. (2/28/2006)

MOTION TO AMEND by Supervisor Cechnicki, seconded by Supervisor Strevy, to add the name "Kurt Semon" in the RESOLVED clause, was defeated with Aye(448). Supervisors Dybas, McMahon, Strevy and Cechnicki voted Aye. Supervisors Jonker and Haak abstained. Supervisor Schumann was absent. (2/28/2006)

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Strevy, to add the name "Michael J. Pepe" in the RESOLVED clause, was defeated with Aye(595). Supervisors Dybas, McMahon, Strevy, Paton and Cechnicki voted Aye. Supervisor DiMezza abstained. Supervisor Schumann was absent. (2/28/2006)

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Mancini, to add the name "Michael A. DiMezza" in the RESOLVED clause, passed with Aye(1134). Supervisor Cechnicki voted Nay. Supervisors Dybas, McMahon, Strevy and Paton abstained. Supervisor Schumann was absent. (2/28/2006)

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 63 of 2006**DATED:** February 28, 2006**RESOLUTION SUPPORTING THE EFFORTS OF THE CITY OF AMSTERDAM COMMON COUNCIL - DESIGNATION OF THE JOSEPH JACOBS MEMORIAL BRIDGE**

Resolution by Supervisor: Full Board

Seconded by Supervisor: Mancini

WHEREAS, by Resolution # 05/06-147 of the Common Council, the City of Amsterdam petitioned the State of New York for legislation designating the River Bridge, which spans the Mohawk River, the Joseph Jacobs Memorial Bridge, and

WHEREAS, Joseph Jacobs, who served as Corporation Counsel for the City of Amsterdam for over 25 years, was considered to be an asset to the City,

RESOLVED, the Montgomery County Board of Supervisors hereby supports the efforts to the City of Amsterdam Common Council in their request to the New York State Legislature to designate the River Bridge, the Joseph Jacobs Memorial Bridge.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 64 of 2006****DATED:** February 28, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDERS #1, #2 & #3 - STILSING ELECTRIC - INTEGRATED CAMPUS FIRE ALARM SYSTEM (FMCC)**

Resolution by Supervisor: Schumann

Seconded by Supervisor: Cechnicki

WHEREAS, by Resolution 251 of 2005, the Chairman of the Board of Supervisors was authorized and directed to sign an agreement with Stilsing Electric for the provision of services associated with the Integrated Campus Fire Alarm System Capital Project at Fulton-Montgomery Community College, and

WHEREAS, the Fulton County Planning Director and Project Design Engineer have recommended three changes proposed by Stilsing Electric in relation to said project, and

WHEREAS, Stilsing Electric has submitted estimates to complete said work,

RESOLVED, that the Chairman of the Board, upon review and approval of the County Attorney, is hereby authorized and directed to sign the following change orders with Stilsing Electric:

Original Contract Amount	\$ 240,570.00
Change Order No. 1 - Addition of Audio/Visual Devices	\$ 4,706.00
Change Order No. 2 - Corrections to the 2nd Floor Classroom	\$ 4,520.00
Change Order No. 3 - Corrections to the 1st Floor Classroom	\$ 3,222.00
Revised Contract Amount	<u>\$ 253,018.00</u>

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

RESOLUTION ADOPTED with Aye(1593). Supervisor Dybas voted Nay. Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 65 of 2006****DATED:** February 28, 2006**RESOLUTION APPOINTING MEMBERS - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE - AGRICULTURE**

Resolution by Supervisor: Schumann

Seconded by Supervisor: Quackenbush

WHEREAS, by Resolution 54 of 2004 the Board of Supervisors re-established a special advisory committee to develop and oversee implementation of programs to promote and market Montgomery County agricultural opportunities, and

WHEREAS, said committee provides general direction to any groups responsible for county-sponsored programs related to agricultural economic development, and

WHEREAS, said committee's membership is to be appointed by the Board of Supervisors, with membership to include:

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

, and

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

WHEREAS, all members of said advisory committee serve at the pleasure of the Board of Supervisors, and

WHEREAS, said advisory committee is to tender written quarterly reports to the Chairman of the Board of Supervisors, and

WHEREAS, there are currently vacancies in the membership of the Economic Development Advisory Committee - Agriculture representing:

Active Farmer
 Agribusiness Representative
 Farm Bureau Representative

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

 Russ Kelly Active Farmer
 Agribusiness Representative
 Farm Bureau Representative

MOTION TO AMEND by Supervisor Johnson, seconded by Supervisor Dybas, to add the names "Sue Keith" and "Scott Bowerman" as the Active Farmer and the Agribusiness Representative, respectively, in the RESOLVED clause, passed with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
 County Attorney

Kimberly Sanborn
 Clerk, Board of Supervisors

RESOLUTION NO. 66 of 2006

DATED: February 28, 2006

RESOLUTION SCHEDULING AGRICULTURE DISTRICT #1 REVIEW PERIOD

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: McMahon

WHEREAS, January 29, 2006, marked the anniversary date of Montgomery County Agriculture District #1 in the towns Canajoharie and Minden, and

WHEREAS, the Department of Agriculture and Markets has directed the Montgomery County Board of Supervisors to conduct an eight-year review of said District, pursuant to Article 25-AA and in the companion "Agricultural District Law: A Current Summary",

RESOLVED, that the Board of Supervisors hereby schedules a 30-day public review period for Agriculture District #1, commencing on March 8, 2006, notice of which shall be published in a newspaper having general circulation, and

FURTHER RESOLVED, that said notice shall identify the municipalities in which the district is found, the district's total area of approximately 58,673 acres and the locations where a map of the existing district shall be on file and open to public inspection, and

FURTHER RESOLVED, that all municipalities and landowners within said district may propose a modification of the district by filing such proposal with the Clerk of the Board of Supervisors within 30 days of the publication of the notice, and

FURTHER RESOLVED, that the Montgomery County Agriculture and Farmland Protection Board and Cornell Cooperative Extension of Fulton and Montgomery Counties hereby are directed to coordinate said review and prepare reports and recommendations, as required by law, for submission to the Board of Supervisors.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 67 of 2006

DATED: February 28, 2006

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

Resolution by Supervisor: Haak

Seconded by Supervisor: Jonker

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 \$10,000 to the City Controller.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 68 of 2006

DATED: February 28, 2006

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

Resolution by Supervisor: Jonker

Seconded by Supervisor: Strevy

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement 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, 2006 and ending on December 31, 2006.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 69 of 2006

DATED: February 28, 2006

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

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Paton

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 by the County Attorney, hereby is authorized and directed to sign an agreement with Cornell Cooperative Extension for provision of agriculture economic development services for 2006, in an amount not exceed \$10,000.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 70 of 2006

DATED: February 28, 2006

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

Resolution by Supervisor: Strevy

Seconded by Supervisor: Haak

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, 2006 and ending on December 31, 2006.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 71 of 2006

DATED: February 28, 2006

RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL (YOUTH BUREAU/ALTERNATIVE COMMUNITY SERVICES DEPARTMENT)

Resolution by Supervisor: Haak

Seconded by Supervisor: Dybas

WHEREAS, Article 13-A, Section 261, of NYS Executive Law calls for certain appointments to be made to the Montgomery County Criminal Justice Coordinating Council, and

WHEREAS, additional members beyond the specified appointments within the Executive Law are encouraged,

RESOLVED, that the appointments to the Montgomery County Criminal Justice Coordinating Council shall be as follows:

POSITION	NAME
County Court Judge	Honorable Felix J. Catena
Town Court Judge	Honorable Raymond Mars Town of Florida
Town Court Judge	Honorable Herbert Menge Town of Amsterdam
Town Court Judge	Honorable John A. Brookman Town of Glen

	President Montgomery County Magistrates Assoc.
Town Court Judge	Honorable Francis E. Avery, Town/Village of Canajoharie Vice President Magistrates Association
Town Court Judge	Honorable Jean Walters Town of Charleston
District Attorney	James E. Conboy
Legal Services Representative	William F. Martuscello Public Defender
Member of County Board of Supervisors Or Chairperson of Public Safety Committee	John B. Thomas
Director of Probation	Lucille Sitterly
Chief Administrative Officer	Thomas L. Quackenbush
Representative of local police agencies	Jeff Smith, Undersheriff
ATI Representative	Jennifer Petteys Youth Bureau/ACSD Director
Ex-Offender	Alecia Meyers
Crime Victim	Jean Karutis
Director of Community Services	James Gumaer
NYS Certified Alcohol and/or Substance Abuse Treatment Provider	Judy Devost, Director "The Lighthouse" Treatment Program for Women

(Additional Members)

POSITION	NAME
Corrections Administrator	Michael T. Franko
Executive Director, Foundation of St. Mary's Hospital	Al Turo
Vice-Chairman, Board of Supervisors	Thomas P. DiMezza
Director, Alcoholism and Substance Abuse Council of Hamilton, Fulton and Montgomery Counties	Ann Rhodes

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 72 of 2006

DATED: February 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2006 ANNUAL ALTERNATIVES TO INCARCERATION PERFORMANCE-BASED SERVICE PLAN (YOUTH BUREAU/ALTERNATIVE COMMUNITY SERVICES DEPARTMENT)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Strevy

WHEREAS, the Youth Bureau/Alternative Community Services 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, 2006 and ending on December 31, 2006, 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 was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 73 of 2006

DATED: February 28, 2006

RESOLUTION RECOMMENDING THE STATE LEGISLATURE PASS S.6396/A.9463 WHICH WOULD AMEND SUCH SECTIONS OF THE NYS PUBLIC OFFICERS LAW TO PERMIT ASSISTANT DISTRICT ATTORNEYS IN MONTGOMERY COUNTY TO RESIDE IN ADJOINING COUNTIES

Resolution by Supervisor: Haak

Seconded by Supervisor: McMahon

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, in order for the District Attorney to hire Assistant District Attorneys who reside in adjoining Counties, the New York State Legislature must amend the NYS Public Officers Law, and

WHEREAS, Resolution 365 of 2005 requested such amendment, and

WHEREAS, the NYS Legislature has drafted legislation (S.6396/A.9463) which would amend such sections of the NYS Public Officers Law to permit Assistant District Attorneys in Montgomery County to reside in adjoining counties,

RESOLVED, that the Montgomery County Board of Supervisors hereby supports and advocates for the passage of S.6396/A.9463 by the NYS Legislature.

RESOLUTION ADOPTED with Aye(1490). Supervisors Dybas and Strevy voted Nay. Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 74 of 2006

DATED: February 28, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - LAW ENFORCEMENT PROGRAMS (DISTRICT ATTORNEY)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Walters

WHEREAS, the District Attorney received legislative grant monies for illegal drug trafficking prevention in 2005, and

WHEREAS, the County of Montgomery by Resolution 110 of 2005 accepted said grant and the District Attorney was to utilize said grant monies to pay for law enforcement personnel involved in this program, and

WHEREAS, said monies were not expended in 2005, and inadvertently only partially carried over during the 2006 budget process, and

WHEREAS, expenditure of the Law Enforcement Program line item requires an amendment to the 2006 Operating Budget, and

WHEREAS, there are outstanding expenditures due and owing to law enforcement agencies,

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

2006 Operating Budget as follows:

TRANSFER FROM:

TRANSFER TO:

A-25-4-1165-00-4522 DA/Law Enforcement Programs \$23,500.00

MOTION TO AMEND by Supervisor Haak, seconded by Supervisor Greco, to add the account number, name and amount as follows in the TRANSFER FROM clause:

"A-01-4-1990-00-4400 Contingent Account, \$23,500", passed with Aye(1478). Supervisors Dybas and Jonker voted Nay. Supervisor Schumann was absent. (2/28/2006)

RESOLUTION ADOPTED with Aye(1478). Supervisors Dybas and Jonker voted Nay. Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 75 of 2006

DATED: February 28, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - FORFEITURE CRIME PROCEEDS (DISTRICT ATTORNEY)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Haak

WHEREAS, the District Attorney has received forfeiture crime proceeds relating to drug sales in the amount of \$11,548.00, and

WHEREAS, the District Attorney would utilize said forfeiture monies to pay for law enforcement agencies' needs,

RESOLVED, that the Montgomery County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

INCREASE REVENUES:

A-25-3-2626 Forftr Cr Proc Rest \$11,548

INCREASE APPROPRIATIONS:

A-25-4-1165-00-4522 DA/Law Enforcement Programs \$11,548

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 76 of 2006

DATED: February 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SECURITY SERVICES - MONROE COUNTY SHERIFF'S OFFICE (SHERIFF)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Strevy

WHEREAS, the Sheriff has recommended entering into a four-year agreement which provides for security arrangements by the Monroe County Sheriff's Office for the inmates of the Montgomery County Jail who are housed at the Central New York Psychiatric Center, and

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 Monroe 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, 2006 through December 31, 2010 at the rate of \$125 per day.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 77 of 2006

DATED: February 28, 2006

RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY TRAFFIC SAFETY BOARD

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Haak

WHEREAS, Article 43, Section 1673, of NYS Vehicle and Traffic Law, regulates the membership of the Montgomery County Traffic Safety Board, and

WHEREAS, the law states that the members of the Traffic Safety Board be appointed by the Board of Supervisors as the governing body of this County, and

WHEREAS, if the appointed member is unable to attend any meeting, they will be allowed to appoint a designee to attend on their behalf, but will not change the original members appointment status,

RESOLVED, that the following appointments along with their corresponding terms to be served on the Montgomery County Traffic Safety Board shall be as follows:

POSITION	NAME	TERM EXPIRATION
Sheriff	Michael J. Amato	12/31/08
Chief of Police, City of Amsterdam	Thomas V.N. Brownell	12/31/07
Lieutenant, Montgomery County Sheriff's Office	Burton Wilson	12/31/08
Traffic Safety Deputy, Montgomery County Sheriff's Office	Raymond Waldynski	12/31/07
Stop-DWI Coordinator	Jennifer Petteys	12/31/08
Director, Montgomery County Office for the Aging	Eileen Broyles	12/31/07
Alcoholism and Substance Abuse Council of Hamilton, Fulton & Montgomery Counties	Margaret Clark	12/31/08
Montgomery County Public Health	Suzanne Wells	12/31/07
County Board of Supervisors, Chair of Public Safety Committee	John B. Thomas	12/31/08
Alcoholism and Substance Abuse Council of Hamilton, Fulton and Montgomery Counties	Betsy Reksc	12/31/07
Chief of Police, Village of Canajoharie	William Beevers	12/31/08
Captain, New York State Police	William Sprague	12/31/07
TRIO Program Director, Fulton-Montgomery Community College	Jean Karutis	12/31/08
Commissioner, Montgomery County Dept. of Public Works	Paul Clayburn	12/31/07
Constituent, Town of Amsterdam	Richard Furman	12/31/06
Constituent, City of Amsterdam	Evelyn Bianchi	12/31/06
Constituent, City of Amsterdam	John Bianchi	12/31/06

Constituent, Village of Canajoharie	Susan Everett	12/31/06
Constituent, Town of Root	JoAnne Tinc	12/31/06
Constituent, Town of Palatine	Miles Frasier	12/31/06

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 78 of 2006

DATED: February 28, 2006

RESOLUTION ESTABLISHING THE POSITION OF AND MAKING APPOINTMENT FOR A MONTGOMERY COUNTY EMS COORDINATOR (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Dybas

WHEREAS, it is the desire of the Montgomery County Board of Supervisors to establish the position of a Montgomery County EMS Coordinator in accordance with NYS County Law 223-b, and

WHEREAS, it has been recommended that said appointment be made at the recommendation of the Emergency Management Director for a two-year term,

RESOLVED, that the Montgomery County Board of Supervisors hereby establishes the position of Montgomery County EMS Coordinator, and

FURTHER RESOLVED, that this is a volunteer position, with no pay, which will answer to the Emergency Management Director, and

FURTHER RESOLVED, that said Coordinator will act in accordance with NYS County Law 223-b and be responsible for the appointment of his/her deputies, and

FURTHER RESOLVED, that Carrie Newkirk is hereby appointed EMS Coordinator for a term to expire on December 31, 2007

MOTION TO TABLE by Supervisor Haak, seconded by Supervisor Johnson, passed with Aye(1487). Supervisors Thomas and Quackenbush voted Nay. Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 80 of 2006

DATED: February 28, 2006

RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY EMS ADVISORY BOARD (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Dybas

WHEREAS, Resolution No. 193 of 2004 created a Montgomery County EMS Advisory Board, and

WHEREAS, Resolution No. _____ of 2006 re-established appointments made to said Board,

RESOLVED, that the Montgomery County Board of Supervisors hereby makes the following appointments to the Montgomery County EMS Advisory Board:

APPOINTEE	REPRESENTING	TERM EXPIRATION
Steve Kuck	Ambulance Service - SAVAC	December 31, 2006
William Washburn	Ambulance Service - Mid-County	December 31, 2006
	Ambulance Service - Rural Metro	December 31, 2006
Tom Pasquarelli	Ambulance Service - GAVAC	December 31, 2006
Al Nadler	Fire Departments - 211/214/218/223	December 31, 2006
Robert Furman	Fire Departments - 216/217	December 31, 2006
Chad Hanchett	Fire Departments - 206/209/219	December 31, 2006
Mark DeLaFayette	Fire Departments - 208/210	December 31, 2006
Patty Prime	Fire Departments - 215/220/224	December 31, 2006
Don Wagner	Fire Departments - 212/222	December 31, 2006

Michael Whitty	Fire Departments - 207/AFC	December 31, 2006
Eric Hendricks	Fire Departments - 213/221	December 31, 2006
Robert Quist	St Mary's Hospital	December 31, 2006
Mickey Swartz	Medvac Airlift Services	December 31, 2006
_____	Amsterdam Memorial Hospital	December 31, 2006
_____	Red Cross	December 31, 2006
_____	Public Safety Committee	December 31, 2006
_____	Public Health	December 31, 2006
_____	Sheriff's Department - E911 Coord	December 31, 2006
_____	EMS Coordinator	December 31, 2006
_____	Public-Member-At-Large	December 31, 2006

MOTION TO AMEND by Supervisor Cechnicki, seconded by Supervisor Quackenbush, by adding the Resolution number "79" in the second WHEREAS clause, passed with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

MOTION TO TABLE by Supervisor Haak, seconded by Supervisor Strevy, passed with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 81 of 2006

DATED: February 28, 2006

RESOLUTION RECLASSIFYING POSITION AND AMENDING 2006 OPERATING BUDGET - FULL-TIME ACCOUNT CLERK TYPIST (PUBLIC HEALTH)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

WHEREAS, the Public Health Director has recommended a reclassification of the current part-time Principal Clerk position to a full-time Account Clerk Typist position,

RESOLVED, that the position of full-time Account Clerk Typist hereby is established in the Public Health Department, with a base annual salary of \$22,520.00, and

FURTHER RESOLVED, that the position of part-time Principal Clerk hereby is abolished, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget, as follows:

INCREASE:

Revenue:

A-16-3-3401-00	Public Health State Aid	\$13,037
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Appropriations:

A-16-4-4010-00.1110	Public Health	
(new)	Account Clerk Typist - F/T	\$13,037

TRANSFER FROM:

A-16-4-4010-00.1120	Public Health	
(704)	Principal Clerk - P/T	\$ 9,483
A-16-4-4010-00-4431	Professional Services	\$ 997

TRANSFER TO:

A-16-4-4010-00.1110	Public Health	
(new)	Account Clerk Typist - F/T	\$ 9,483
A-10-4-9001-00-8810	FICA	\$ 997

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 82 of 2006

DATED: February 14, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT AND AMENDING 2006 OPERATING BUDGET - IMMUNIZATION ACTION PLAN GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Paton

WHEREAS, Montgomery County has been awarded an Immunization Action Plan Grant for the period beginning April 1, 2006 and ending on March 31, 2007,

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 2006 Operating Budget, as follows:

INCREASE:**Appropriations:**

A-16-4-4010-03	Public Health Grant	
.4408	Office Supplies	\$ 100.00
.4438	Misc. Supporting Svcs.	\$ 50.00
.4445	Medical Supplies	\$ 505.00
.4470	Travel Related Exp.	\$ 250.00
.4471	Mileage	\$ 250.00

Revenues:

A-16-3-3401-03	State Aid - Grant	\$ 1155.00
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RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 83 of 2006

DATED: February 28, 2006

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

Resolution by Supervisor: Dybas

Seconded by Supervisor: Paton

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, 2006, 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(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 84 of 2006

DATED: February 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2006 OPERATING BUDGET - COMMUNITY SOLUTIONS FOR TRANSPORTATION PROGRAM - MENTAL HEALTH ASSOCIATION OF FULTON AND MONTGOMERY COUNTIES (SOCIAL SERVICES)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

WHEREAS, the NYS Office of Temporary and Disability Assistance has allocated \$42,161 funding to Montgomery County Department of Social Services to continue transportation programs and services, and

WHEREAS, the Commissioner of Social Services has made recommendation that the County enter into an agreement with Mental Health Association in Fulton and Montgomery counties for the provision of said transportation programs,

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 contracting of services with Mental Health Association in Fulton and Montgomery Counties for the provision of a transportation program in an amount not to exceed \$42,161, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

INCREASE:

REVENUE:

A-18-3-4610-00 Federal Aid DSS Admin. \$42,161

APPROPRIATIONS:

A-18-4-6010-00.4462 DSS Administration
TANF Services \$42,161

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 85 of 2006

DATED: February 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NYSDOH/NYSOMH/NYSOMRDD - REIMBURSEMENT FOR '621 ELIGIBLES' PURSUANT TO 1974 NEW YORK STATE CHAPTER LAW (SOCIAL SERVICES)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Thomas

WHEREAS, the New York State Department of Health (DOH), New York State Office of Mental Retardation and Developmental Disabilities (OMRDD), the New York State Department of Mental Health (OMH) and the Department of Social Services of Montgomery County (the County) collectively agree that the County is due reimbursement for certain 621 eligibles from October 1, 1996 through September 30, 2005 in the amount of \$136,764, and

WHEREAS, the Commissioner of Social Services has recommended to enter into such 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 such agreement.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 86 of 2006

DATED: February 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2006 OPERATING BUDGET - YOUTH ENGAGEMENT SERVICES PROGRAM - FMS PIC (SOCIAL SERVICES)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Johnson

WHEREAS, the NYS Office of Temporary and Disability Assistance has allocated \$100,000 funding to Montgomery County Department of Social Services to support the development of partnership with a community-based organization for the provision of services to at-risk in-school and out-of-school youth, and

WHEREAS, the Commissioner of Social Services has made recommendation that the County enter into

an agreement with the Fulton, Montgomery and Schoharie Counties Private Industry Council, Inc. for the provision of said youth 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 appropriate documents related to the contracting of services with the Fulton, Montgomery and Schoharie Counties Private Industry Council, Inc. for the provision of a youth engagement services program in the amount not to exceed \$100,000, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

INCREASE:

REVENUE:

A-18-3-4610-00 Federal Aid DSS Admin. \$100,000

APPROPRIATIONS:

A-18-4-6010-00.4462 DSS Administration
TANF Services \$100,000

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 87 of 2006

DATED: February 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - PERSONAL CARE SERVICES/ASSISTED LIVING PROGRAM (SOCIAL SERVICES)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Johnson

WHEREAS, the Social Service District, pursuant to Title XIX of the United States Social Security Act and Title 18 NYCRR, Section 505, may authorize Personal Care Services and Assisted Living Program Services to be provided to Medical Assistance recipients who the Social Service District has determined to be eligible to receive these services, and

WHEREAS, the Social Service District is authorized under Social Service Law, Section 365 and Title 18 NYCRR, Section 505, to enter into written agreements for said services for which reimbursement is available pursuant to Title XIX of the Federal Social Security Act, and

WHEREAS, the Commissioner of Social Services has made recommendation 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 Care Services and Assisted Living Programs.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 88 of 2006

DATED: February 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - CERTIFIED FOSTER FAMILY BOARDING HOMES (SOCIAL SERVICES)

Resolution by Supervisor: Paton

Seconded by Supervisor: Haak

WHEREAS, children placed in the care and custody of the Commissioner of Social Services as a result of abuse, neglect, maltreatment or voluntary surrender require out-of-home placement in Certified Foster Family Boarding Homes, and

WHEREAS, these foster homes are certified by the New York State Office of Children and Family

Services (OCFS), and

WHEREAS, maximum state reimbursable rates are established by OCFS,

RESOLVED, the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to enter into agreements with said Foster Family Boarding Homes.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 89 of 2006

DATED: February 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT AND AMENDING 2006 OPERATING BUDGET - SECTION 5311 CAPITAL PROJECT - NYS DOT (BOARD OF SUPERVISORS)

Resolution by Supervisor: Greco

Seconded by Supervisor: Johnson

WHEREAS, the County of Montgomery has been approved for a grant of funds by the New York State Department of Transportation, pursuant to Section 5311, Title 49, United States Code, for a project described as "the purchase of one thirty foot bus - estimated cost of \$105,000", and

WHEREAS, the total cost of the project will be split, 80% by the Federal funding, 10% by State funding, and 10% local funds, and

WHEREAS, the local portion will be provide by the County's Third Party Provider, Brown Coach, for use of said equipment to run the Mass Transportation program as outlined in the Agreement, and

WHEREAS, the County of Montgomery and the State of New York are entering into an Agreement which authorizes the undertaking of the Project and payment of the Federal and State Shares for the 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:

- 1) Any and all Agreements between the County of Montgomery and the State of New York for the above named Project;
- 2) Any and all Agreements between the County of Montgomery and any third party subcontractors necessary to complete the Project, if appropriate;
- 3) Any Municipality/Vendor Contracts for the purchase and/or installation of vehicles and/or equipment; and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors certifies through this Resolution that the estimated local share of at least 10% of the total project cost, as described in the federal Section 5311 Project application, is committed to this Project, and

FURTHER RESOLVED, that said 10% share will be reimbursed to the County by Brown's Coach, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

INCREASE REVENUES:

A-01-3-4589	Federal Aid - Other Transportation - Bus	\$ 84,000
A-01-3-3589	State Aid - Transportation	\$ 10,500
A-01-3-1789	Other Transportation Income	\$ 10,500

INCREASE APPROPRIATIONS:

A-01-4-5630-00-2230	Bus Operations - Motor Vehicle Equipment	\$105,000
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RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 90 of 2006

DATED: February 28, 2006

RESOLUTION APPROVING 2006 CAPITAL PROJECTS - ROAD RECONSTRUCTION (PUBLIC WORKS)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Cechnicki

WHEREAS, the Commissioner of Public Works has recommended reconstruction of Old Trail Road and Flat Creek Road,

RESOLVED, that the Board of Supervisors hereby approves the reconstruction of Old Trail Road and Flat Creek Road as 2006 Capital Projects, at a cost not to exceed \$883,200, and

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

RESOLUTION ADOPTED with Aye(1593). Supervisor Dybas voted Nay. Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 91 of 2006

DATED: February 28, 2006

RESOLUTION APPROVING 2006 CAPITAL PROJECTS - BRIDGE REPLACEMENT (PUBLIC WORKS)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Mancini

WHEREAS, the Commissioner of Public Works has recommended that three bridge replacement projects be undertaken during 2006,

RESOLVED, that the Board of Supervisors hereby approves the replacement of Spring Street, B.I.N. 3309680, in the Town of Minden; Cranes Hollow Road, B.I.N. 3310310, in the Town of Amsterdam, and Cranes Hollow Road, B.I.N. 3310250, in the Town of Amsterdam, as Capital Projects at a cost not to exceed \$1,729,200, and

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

RESOLUTION ADOPTED with Aye(1593). Supervisor Dybas voted Nay. Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Haak presented to the Supervisors a list of equipment to be replaced that Resolution 92 should specify.

Supervisors Walters and McMahon stated that the statement "various equipment" in the WHEREAS clause should not be changed, so that equipment can be substituted, if necessary.

Supervisor DiMezza confirmed that when bonding, equipment is interchangeable.

RESOLUTION NO. 92 of 2006

DATED: February 28, 2006

RESOLUTION APPROVING CAPITAL PROJECT - EQUIPMENT REPLACEMENT (PUBLIC WORKS)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Johnson

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 2006 Capital Project, at a cost not to exceed \$460,000, 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.

MOTION TO AMEND by Supervisor Haak, seconded by Supervisor Quackenbush, in the RESOLVED clause to

strike the words "various equipment" and insert the following equipment:

"a 1996 Ford Pickup,
a 1995 International 10-wheel Dump,
a 1995 Larson 5.1 cylinder Sander,
a 1994 Dyna-Pac Vibratory Roller,
a 1987 International 10 wheel Dump,
a 1984 Ford Tractor with broom, and
a 1996 woodchuck woodchipper",

and to add in the passed with Aye(998). Supervisors Greco, McMahon, Walters, Strevy, Thomas, Paton and Cechnicki voted Nay. Supervisor Schumann was absent. (2/28/2006)

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 93 of 2006

DATED: February 28, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - TEMPORARY POSITION (PUBLIC WORKS)

Resolution by Supervisor: Johnson

Seconded by Supervisor: Quackenbush

WHEREAS, the Commissioner of Public Works has requested a budget amendment to allow for the temporary appointment of a Motor Equipment Operator 1 (ME01),

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget, as follows:

TRANSFER From:

D-12-4-5110-00.1110 (144) Maint. Roads & Bridges Highway Labor \$18,700.00

TRANSFER TO:

D-12-4-5110-00.1130 (19) Maint. Roads & Bridges ME01 Temp. \$18,700.00

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 94 of 2006

DATED: February 28, 2006

RESOLUTION ESTABLISHING PRINCIPAL ACCOUNT CLERK'S POSITION (PUBLIC WORKS)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Cechnicki

WHEREAS, the Commissioner of Public Works has recommended establishment of a Principal Account Clerk's position,

RESOLVED, that a Principal Account Clerk's position hereby is established, effective March 6, 2006, and

FURTHER RESOLVED, that the County Treasurer is authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

D 12 4 5010 00 1110 (41) Sr. Acct. Clerk Typist	\$21,823.32
D 12 4 5110 00 1110 (144) Highway Labor	\$ 1,225.50

TRANSFER TO:

D 12 4 5010 00 1110 (147) Principal Account Clerk Typist	\$23,048.82
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,and

FURTHER RESOLVED, that the position of Senior Account Clerk Typist in said department is hereby eliminated.

RESOLUTION ADOPTED with Aye(1549). Supervisors Thomas and Haak voted Nay. Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Paul Clayburn, Public Works Commissioner, clarified Resolution 95.

RESOLUTION NO. 95 of 2006

DATED: February 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT-- C.S.E.A - ON-CALL PAY - DPW WORKERS (PERSONNEL)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Mancini

WHEREAS, certain D.P.W. employees are required to be "on call" for a whole week, and

WHEREAS, the "on call" pay for D.P.W. employees who are "on call" has not been increased in several years, and

WHEREAS, the "on call" pay for D.P.W. employees is less than other County employees who are "on call" for the whole week, and

RESOLVED, that the "on call" pay for D.P.W. employees who are "on call" for a week be increased as follows:

Effective 1/1/2006 \$130.00 per week

Effective 1/1/2007 \$140.00 per week

Effective 1/1/2008 \$150.00 per week

FURTHER RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to sign said Memorandum of Agreement, which would be in effect retroactive to 1/1/2006.

RESOLUTION ADOPTED with Aye(1364). Supervisors Strevy, Paton and Jonker voted Nay. Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Treasurer Shawn Bowerman clarified the Resolution, stating that the estimated cost for the sick time buy-out would be approximately \$75,000, as of 2-3 months ago. When asked what the insurance part of the Resolution would cost, no estimate was available.

Attorney Doug Landon reminded the Board that the Resolution is setting policy, not cost.

Supervisors DiMezza and Thomas made a motion and seconded, respectively, to amend the Resolution by striking the words "in excess of 30 years" in the second WHEREAS clause, and replacing them with "a period of 30 years or longer".

Attorney Landon stated that additional language on the Resolution should be edited, also, such as adding in the WHEREAS clause the words "for all employees of said facility" after the word "time", and to also add the sick time rate of \$50/day, and that provisions would be in effect at such a time when the County no longer owns or operates the facility within the body of the Resolution.

The consensus of the Supervisors was to table the Resolution so it can be revisited in appropriate Committee so the language can be corrected, to prevent any possible misinterpretation of the Resolution and Memorandum of Agreement.

Supervisors DiMezza and Thomas withdrew their amendment, so the Resolution could be tabled.

RESOLUTION NO. 96 of 2006

DATED: February 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - CSEA - EXIT STRATEGY FOR EMPLOYEES OF THE MONTGOMERY MEADOWS RESIDENTIAL HEALTH CARE FACILITY

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Thomas

WHEREAS, the Montgomery County Board of Supervisors has agreed to sell the Montgomery Meadows Residential Health Care Facility, and

WHEREAS, it has been recommended by the Personnel Committee, in order to retain employees through out the transition of the Facility, that the County provide an exit strategy for the employees of said Facility in relation to the buy out of sick time and also providing certain benefits in regard to health insurance for those who have been employed with the County in excess of 30 years, when the sale of the facility is finalized,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County's Labor Attorney, is hereby authorized and directed to sign a Memorandum of Agreement with CSEA, Local 829 outlining certain benefits that will be provided to the employees of the Montgomery Meadows Residential Health Care Facility when the sale of the facility is complete.

MOTION TO TABLE by Supervisor McMahon, seconded by Supervisor Dybas, passed with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 97 of 2006

DATED: February 28, 2006

RESOLUTION CORRECTING 2006 TOWN AND COUNTY TAX ROLLS - VARIOUS PARCELS (REAL PROPERTY TAX SERVICE)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Strevy

WHEREAS, various property owners have filed Applications for Corrected Tax Roll, pursuant to Section 554 of the Real Property Tax Law, with the Real Property Tax Director, alleging errors on the 2006 Tax Roll, and

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

RESOLVED, that the 2006 Tax Roll hereby is ordered corrected, as follows:

APPLICANT:	SBL:	CORRECTION:
Hill & Markes Realty, Inc Edson Street, PO Box 7 Amsterdam, NY 12010	56.-1-31 Town of Amsterdam	Apply an Empire Development Zone Exemption of \$85,000

,and

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

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

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

FURTHER RESOLVED, that said County Director shall mail Notices of Approval of Application to the applicants and the County Auditor shall submit a monthly report, setting forth all corrections and/or refunds processed, to the Board of Supervisors, and

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

FURTHER RESOLVED, that the said officers having charge of the tax rolls hereby are ordered and

directed to immediately collect corrected tax , and

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

FURTHER RESOLVED, that said Treasurer is directed to notify, prior to May 1, 2006 the appropriate districts that any relevy cancelled by this resolution will not be returned.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 98 of 2006

DATED: February 28, 2006

RESOLUTION ESTABLISHING A FEE SCHEDULE FOR DIGITAL TAX MAPS (REAL PROPERTY TAX SERVICE)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: walters

WHEREAS, Montgomery County currently does not have a fee schedule for the selling of digital tax maps, and

WHEREAS, the Real Property Tax Service Director has recommended that a per parcel fee schedule be established for the selling of digital tax maps on request, and

RESOLVED, that the Montgomery County Board of Supervisors authorizes the County Department of Real Property Tax Service to implement a fee schedule for the selling of digital tax mapping, effective April 1, 2006, and

FURTHER RESOLVED, said fee schedule shall be set at \$.05 per parcel with the minimum amount of parcels provided by municipality, and

FURTHER RESOLVED, that the purchaser shall be required to sign an agreement, which has been approved by the County Attorney, stating that the purchased maps will not be re-sold to a third party.

MOTION TO AMEND by Supervisor Strevy, seconded by Supervisor Haak, to strike the word "Municipality" in the FURTHER RESOLVED clause and insert the words "Town, City or Village", passed with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 99 of 2006

DATED: February 28, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - INCREASING CONTRIBUTION - MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT (BOARD OF SUPERVISORS)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Cechnicki

WHEREAS, it has been recommended that the County increase its contribution to the Montgomery County Soil and Water Conservation District to assist with costs associated with a new full time position for a Resource Conservation Specialist who will complete Nutrient Management Plans for farmers in Montgomery County,

RESOLVED, that the Montgomery County Board of Supervisors hereby approves an increase in its contribution to the Montgomery County Soil and Water Conservation District from \$55,000 to \$60,000, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-01-1990-00-4400 Contingent Account \$5,000

TRANSFER TO:

A-01-8710-00-4576 Soil Conservation District \$5,000

RESOLUTION ADOPTED with Aye(1593). Supervisor Dybas voted Nay. Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 100 of 2006**DATED:** February 28, 2006**RESOLUTION ESTABLISHING CLAIMS COMMITTEE FOR EMPLOYMENT DISCRIMINATION CLAIMS**

Resolution by Supervisor: Haak

Seconded by Supervisor: DiMezza

WHEREAS, NYMIR, the County's general liability insurance carrier, has recommended the County establish a claims committee to review and monitor claims made against the County with either the United States Equal Employment Opportunities Commission and the New York State Division of Human Rights,

RESOLVED, that there is hereby created an EEOC Claims Committee consisting of the Administrative Aide to the Board of Supervisors, Purchasing Agent, Treasurer, Auditor, Chairperson of the Board of Supervisors, respective Committee Chairperson, Personnel Officer, County Attorney, the County's labor attorney, and a representative of the County's general liability insurance broker, and

FURTHER RESOLVED, that such committee shall meet on a regular basis to review such claims and make such recommendations and reports necessary and appropriate to the Board of Supervisors and department heads; and

FURTHER RESOLVED, all department heads and employees shall give their full cooperation to such committee in the performance of its duties.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Jonker questioned the possibility that Resolution 101 is in violation of Article 2, Sections 2.1 and 3.5 of the purchase agreement.

Supervisor Dybas questioned if the Resolution also goes against the Federal Constitution's Article 1, Section 10.

Attorney Doug Landon stated that the Resolution is specifically establishing a public hearing.

RESOLUTION NO. 101 of 2006**DATED:** February 28, 2006**RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW #3 OF 2006 - A LOCAL LAW WHICH REPEALS LOCAL LAW #4 OF 2004 - WHICH AUTHORIZED THE PRIVATE SALE OF COUNTY-OWNED PROPERTY & RELATED ASSETS, NOT NEEDED FOR A COUNTY PURPOSE -MONTGOMERY MEADOWS**

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Thomas

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 3 of 2006 - A Local Law which Repeals Local Law No. 4 of 2004 - which Authorized the Private Sale of County-Owned Property and Related Assets, Not Needed for County Purpose (Montgomery Meadows Residential Health Care Facility),

RESOLVED, that Introductory Local Law No. 3 of 2006 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 Repeals Local Law #4 of 2004 - which Authorized the Private Sale of County-Owned Property and Related Assets, Not Needed for a County Purpose (Montgomery Meadows Residential Health Care Facility)"

Be it enacted by the Board of Supervisors of the County of Montgomery as follows:

SECTION 1. The Local Law which authorized the private sale of County-owned property and related

assets, not needed for a County purpose (Montgomery Meadows Residential Health Care Facility) is hereby repealed.

SECTION 2. This Local Law shall take effect when all applicable statutory requirements for its passage and adoption have been fully complied with and it has been filed in the Office of the Secretary of State.

, and

FURTHER RESOLVED, that said public hearing shall be held March 28, 2006 at 6:40 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(1431). Supervisors Dybas, Cechnicki and Haak voted Nay. Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 102 of 2006

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

DATED: February 28, 2006

RESOLUTION ACCEPTING A PROPOSAL FOR THE SALE OF THE MONTGOMERY MEADOWS RESIDENTIAL HEALTH CARE FACILITY - HIGHGATE LTC MANAGEMENT, LLC AND AUTHORIZING THE CHAIRMAN TO SIGN AGREEMENT - RECEIVERSHIP - MONTGOMERY MEADOWS

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Thomas

WHEREAS, the Purchasing Agent solicited proposals for assumption/purchase of the operation and certain assets of the Montgomery Meadows Residential Health Care Facility (RFP 02-04), and

WHEREAS, the Montgomery County Board of Supervisors met with the four responders to said RFP to discuss their intentions for assumption/purchase, and

WHEREAS, by Resolution 201 of 2004 the Montgomery County Board of Supervisors agreed to divest the County of the Montgomery Meadows Residential Health Care Facility to a provider to be determined at a future date, and

RESOLVED, that the Montgomery County Board of Supervisors hereby accepts the proposal as submitted by Highgate LTC Management, LLC, as attached hereto and made part of this resolution, for the purchase and acquisition of the Montgomery Meadows Residential Health Care Facility operation, real property and related assets, and

FURTHER RESOLVED, that 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 Highgate LTC Management, LLC for receivership of the operation of the Montgomery Meadows Residential Health Care Facility to be effective April 1, 2006 or as soon thereafter as is practicable.

RESOLUTION WITHDRAWN BY SPONSOR (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 103, at the request of Supervisor Strevy, Public Works Commissioner Paul Clayburn gave the Board an update on the last year's projects.

RESOLUTION NO. 103 of 2006

DATED: February 28, 2006

BOND RESOLUTION-MONTGOMERY COUNTY, NY, 2/28/06; AUTHORIZING REPLACEMENT-VARIOUS BRIDGES & RECONSTRUCTION OF CERTAIN ROADS WITHIN COUNTY, ESTIMATED COST \$2,612,400; APPROPRIATING SAID AMOUNT & AUTHORIZING ISSUANCE OF \$2,612,400 IN 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 bridges and reconstruction of certain roads within the County, all as more particularly described in Resolutions No. __ and __ of 2006, dated February 28, 2006 (collectively, the "Prior

Resolutions"); and

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

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

SECTION 1

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

(a) The replacement of three (3) bridges (Spring Street B.I.N. 3309680 in the Town of Minden, Cranes Hollow Road B.I.N. 33100310 in the Town of Amsterdam and Cranes Hollow Road B.I.N. 3310250 in the Town of Amsterdam (the "BIN Bridges")), the maximum aggregate cost thereof being hereby estimated to be \$1,729,200.00, appropriating said amount therefor and authorizing the issuance of \$1,729,200.00 serial bonds to finance such costs;

(b) The reconstruction of Old Trail Road and Flat Creek Road within the County (the "Road Reconstruction"), the maximum cost thereof being hereby estimated to be \$883,200.00, appropriating said amount therefor and authorizing the issuance of \$883,200.00 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) BIN Bridges - twenty (20) years pursuant to Section 11.00(a)(10) of the Law.

(b) 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 \$2,612,400.00 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 she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any other order or rule of the State Comptroller applicable to the sale of municipal bonds.

SECTION 11

All costs and expenses in connection with the acquisition and development of the objects and purposes set forth in Section 1 above, and the financing thereof by the sale of bonds, including but not limited to, the fees and expenses of bond counsel, financial advisors, underwriters feasibility consultants, counsel for the County and other professionals, shall be paid to the extent permitted by law from the proceeds of the sale of such bonds.

SECTION 12

The validity of the bonds authorized by this bond resolution and of any notes issued in anticipation of said bonds may be contested only if:

- (a) Such obligations are authorized for any object or purpose for which the County is not authorized to expend money; or
- (b) The provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) Such obligations are authorized in violation of the provisions of the constitution.

SECTION 13

This resolution shall be published in full in the designated official newspapers of the County for such purpose, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Law.

SECTION 14

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

SECTION 15

This resolution shall take effect immediately.

MOTION TO AMEND by Supervisor walters, seconded by Supervisor Haak, to add Resolution numbers "90" and "91" in the WHEREAS clause, passed with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

RESOLUTION ADOPTED with Aye(1593). Supervisor Dybas voted Nay. Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 104 of 2006

DATED: February 28, 2006

BOND RESOLUTION MONTGOMERY, COUNTY, NY, DATED 2/28/06, AUTHORIZING REPLACEMENT- VARIOUS VEHICLES & EQUIPMENT; ESTIMATED COST - \$460,000; APPROPRIATING SAID AMOUNT & AUTHORIZING THE ISSUANCE OF \$460,000 SERIAL BONDS TO FINANCE SAID COST

Resolution by Supervisor: walters

Seconded by Supervisor: DiMezza

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. ____ of 2006 dated February 28, 2006 (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 two (2) ten-wheel dump trucks (the "10-wheel Trucks"), the maximum aggregate cost thereof being hereby estimated to be \$236,000, appropriating said amount therefor and authorizing the issuance of \$236,000 serial bonds to finance such costs;
- (b) The cost of acquisition of one (1) Sander (the "Sander"), the maximum aggregate cost thereof being hereby estimated to be \$11,500, appropriating said amount therefor and authorizing the issuance of \$11,500 serial bonds to finance such costs;
- (c) The cost of acquisition of one (1) Vibratory Roller (the "Roller"), the maximum cost thereof being hereby estimated to be \$113,000, appropriating said amount therefor and authorizing the issuance of \$113,000 serial bonds to finance such costs;
- (d) The cost of acquisition of one (1) Tractor with broom (the "Tractor"), the maximum aggregate cost thereof being hereby estimated to be \$47,000, appropriating said amount therefor and authorizing the issuance of \$47,000 serial bonds to finance such costs;
- (e) The cost of acquisition of one (1) Woodchipper (the "Woodchipper"), the maximum aggregate cost thereof being hereby estimated to be \$36,000, appropriating said amount therefor and authorizing the issuance of \$36,000 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 \$16,500, appropriating said amount therefor and authorizing the issuance of \$16,500 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) Sander - 5 years pursuant to Section 11.00(a)(32) of the Law.

- (c) Roller - 15 years pursuant to Section 11.00(a)(28) of the Law.
- (d) Tractor - 15 years pursuant to Section 11.00(a)(28) of the Law.
- (e) Woodchipper - 5 years pursuant to Section 11.00(a)(32) of the Law.
- (f) Standard Truck - 5 years pursuant to Section 11.00(a)(29) of the Law.

SECTION 3

The plan of financing includes the issuance of \$460,000.00 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 she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any other order or rule of the State Comptroller applicable to the sale of municipal bonds.

SECTION 11

All costs and expenses in connection with the acquisition and development of the objects and purposes set forth in Section 1 above, and the financing thereof by the sale of bonds, including but not limited to, the fees and expenses of bond counsel, financial advisors, underwriters feasibility consultants, counsel for the County and other professionals, shall be paid to the extent permitted by law from the proceeds of the sale of such bonds.

SECTION 12

The validity of the bonds authorized by this bond resolution and of any notes issued in anticipation of said bonds may be contested only if:

- (a) Such obligations are authorized for any object or purpose for which the County is not authorized to expend money; or
- (b) The provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) Such obligations are authorized in violation of the provisions of the constitution.

SECTION 13

This resolution shall be published in full in the designated official newspapers of the County for such purpose, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Law.

SECTION 14

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

SECTION 15

This resolution shall take effect immediately.

MOTION TO AMEND by Supervisor Walters, seconded by Supervisor DiMezza, by adding the Resolution number "92" in the WHEREAS clause, passed with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 105 of 2006

DATED: February 28, 2006

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 2 OF 2006 - A LOCAL LAW ESTABLISHING 2006 SALARIES OF CERTAIN COUNTY OFFICIALS

Resolution by Supervisor: Greco

Seconded by Supervisor: Johnson

WHEREAS, on January 24, 2006 a proposed Local Law for the County of Montgomery County entitled "A Local Law Establishing 2006 Salaries of Certain County Officials" was presented to the Board of

Supervisors for consideration, and

WHEREAS, on January 24, 2006 Resolution 57 of 2006 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 28th day of February, 2006 at the time and place appointed, and

WHEREAS, said public hearing has been held,

RESOLVED, that Introductory Local Law No. 2 of 2006 entitled "A Local Law Establishing 2006 Salaries of Certain County Officials" hereby is adopted and is incorporated as follows:

"A Local Law Establishing the 2006 Salaries of Certain 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:

Title	Salary
County Auditor - P/T	\$26,750
Budget Officer	\$10,000

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, 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(1560). Supervisors Strevy and Cechnicki voted Nay. Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Haak stated that he was requested by members of the Planning Board to officially change the name of the "Agriculture and Development Committee" be changed to "Agriculture Planning and Development Committee" in article 5, rule 41.5 of the Standing Rules of Procedure of the Montgomery County Board of Supervisors. There were no objections.

RESOLUTION NO. 106 of 2006

DATED: February 28, 2006

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

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, the Montgomery County Board of Supervisors adopted their Standing Rules of Procedure by Resolution 11 of 2006, and

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

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

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

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Emergency Management Director Gary Nestle stated that in Resolution 107 (and also referring to Resolution 21 of 2006), he would like to add the name James Suidy as Member at Large, and that Keith Rackowski replaces Pam Van Alstine as representing Florida's Fire Dept. There were no objections.

RESOLUTION NO. 107 of 2006

DATED: February 28, 2006

RESOLUTION APPOINTING MEMBER - MONTGOMERY FIRE ADVISORY BOARD

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Quackenbush

WHEREAS, Resolution 21 of 2006 provided appointments to the Montgomery County Fire Advisory Board, and

WHEREAS, the Rural Grove Fire Department has requested that Kyle Kamp of 308 Flat Creek Road, Sprakers be appointed to said Board to represent the Department,

RESOLVED, that Kyle Kamp, 308 Flat Creek Road, Sprakers, is hereby appointed to the Montgomery County Fire Advisory Board representing the Rural Grove Fire Department, and

FURTHER RESOLVED, that said appointment shall take effect immediately and continue through December 31, 2006

MOTION TO AMEND by Supervisor Thomas, seconded by Supervisor Haak, to add at the end of the RESOLVED clause the following: "that James Suidy will be the Member at Large, and that Keith Rackowski replaces Pamela Van Alstine as representative of Florida", passed with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 108 of 2006

DATED: February 28, 2006

RESOLUTION AUTHORIZING FMCC TO ADMINISTER AND MANAGE CERTAIN CAPITAL CONSTRUCTION PROJECTS (2006 FMCC CAPITAL PROJECTS)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Mancini

WHEREAS, the 2006 Capital Plan at Fulton-Montgomery Community College identifies a "Connections Water/Sewer & BOCES Building" project, and

WHEREAS, said Capital Plan has been approved by the Montgomery County Board of Supervisors, and funding was provided for in the 2006 Operating Budget, and

WHEREAS, in order to complete work quicker and more efficiently, the College has requested permission to administer and manage tow small components of said Project,

RESOLVED, the Montgomery County Board of Supervisors hereby authorizes Fulton-Montgomery Community College to administer and mange the following capital construction projects at FMCC:

- | | Estimated Cost |
|--|----------------|
| | ----- |
| 1. Construction of a new sidewalk | \$16,200 |
| 2. Installation of light and underground conduit to connect FMCC & BOCES Buildings | \$ 6,800 |

, 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(1593). Supervisor Dybas voted Nay. Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 109 of 2006

DATED: February 28, 2006

RESOLUTION APPROVING 2006 CAPITAL PROJECTS (FMCC)

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Schumann

WHEREAS, there have been various capital projects recommended at Fulton-Montgomery Community College, and

WHEREAS, the Master Steering Committee has made recommendation for certain projects to be completed in 2006, and

WHEREAS, by adoption of the 2006 Operating Budget, the Montgomery County Board of Supervisors appropriated \$153,250 to provide for said projects, and

WHEREAS, SUNY requires not only appropriation of funding for capital projects, but also a resolution outlining those projects to be completed,

RESOLVED, that the Montgomery County Board of Supervisors hereby approves the following Capital Projects for 2006:

Project	Montgomery County Share
1. Student Services Design Building/Rad Tech	\$ 37,500
2. Connect Water to BOCES Building	\$ 15,125
3. Technology Upgrade - Servers/Smart Classrooms	\$ 27,500
4. Water Infiltration & Pool Repair	\$ 59,375
5. Studies - Asbestos & Traffic/Pedestrian	\$ 13,750

	\$153,250

, 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(1593). Supervisor Dybas voted Nay. Supervisor Schumann was absent. (2/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

EXECUTIVE SESSION

Pursuant to Section 105 (f) of NYS Open Meeting Law, the motion was made and seconded by Supervisor DiMezza and Mancini, respectively, to enter into Executive Session to discuss the employment history of a particular person, passed with Aye(1729). Supervisor Schumann was absent. Executive Session commenced at 9:06 PM.

Motion to adjourn the Executive Session at 9:24 PM was made and seconded by Supervisors DiMezza and McMahon, respectively, passed with Aye(1729). Supervisor Schumann was absent.

As a result of Executive Session, no action was taken.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor DiMezza, passed with Aye(1729). Supervisor Schumann was absent.

Meeting adjourned at 9:24 PM by Chairman Quackenbush.

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
7:00 PM, March 7, 2006

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:04 p.m.

Roll call indicated that Supervisors Johnson, Greco, Paton, McMahon, Strevy, Haak, Dybas, Walters, Thomas, Jonker, Mancini and DiMezza were present. Supervisors Cechnicki and Schumann were absent.

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

1. Discussion regarding the Montgomery Meadows - Amsterdam Memorial Hospital
2. other

Item #1: Pursuant to Section 105 (f) of NYS Open Meeting Law, MOTION TO ENTER EXECUTIVE SESSION by Supervisor DiMezza, seconded by Supervisor Mancini, to discuss the financial history of a corporation, passed with Aye(1663). Supervisors Schumann and Cechnicki were absent. Executive Session commenced at 7:09 PM.

MOTION TO EXIT EXECUTIVE SESSION by Supervisor Dybas, seconded by Supervisor Haak, was defeated with Aye(232). Supervisors Greco, Johnson, Mancini, DiMezza, McMahon, Walters, Strevy, Thomas, Quackenbush, Paton and Jonker voted Nay. Supervisors Schumann and Cechnicki were absent.

Executive Session continued.

MOTION TO EXIT EXECUTIVE SESSION by Supervisor Strevy, seconded by Supervisor Haak, passed with Aye(1444). Supervisor DiMezza voted Nay. Supervisors Schumann and Cechnicki were absent. Executive Session adjourned at 7:20 PM.

As a result of Executive Session, no action was taken.

Don Massey, Executive Director of Amsterdam Memorial Hospital introduced several Board Members, Physicians and Hank John, Financial Consultant from AMH. He stated that AMH is a not-for-profit organization, has a good working relationship with the Dept. of Health, and runs a skilled nursing facility. He stated that 100% of County-run Nursing Homes state-wide are losing money.

Mr. John, Consultant, stated that AMH submitted a proposal for receivership of the Montgomery Meadows Nursing Home approximately two years ago, and are still interested in pursuing said receivership. He also stated that if ownership of the Meadows is pursued, AMH would pay the County on an amortized payment schedule over a period of seven years. He said that an overall plan must be in place to resolve current issues first, but an application for CON could take place possibly as soon as two months from now, and that dialog needs to move forward between the County, AMH and the Dept. of Health, especially in light of the recent resignation of the Meadows Administrator Dan Mumpton.

Responding to a query by Supervisor Dybas, Chairman Quackenbush stated that the original response to the RFP and the final revised proposal from 2004 are located in the Board of Supervisor's office, and that every Supervisor will receive a copy of said documents in a timely manner.

In response to a question from Supervisor DiMezza, Consultant John stated that all employees of the Meadows would receive competitive salaries, and the level of patient care would remain superior should AMH take receivership or ownership.

Responding to a query by Supervisor Jonker, Attorney Doug Landon stated that, in general, service contracts are tethered to the entity paying for the service. He also stated that all current service contracts contain a 30 or 60-day escape clause for termination, should receivership and/or ownership of the Meadows change.

Chairman Quackenbush stated that a Full Board Meeting will be held Tuesday, March 14 to further discuss the issue.

Item #2, Other: Pursuant to Section 105 (h) of NYS Open Meeting Law, MOTION TO ENTER EXECUTIVE SESSION by Supervisor Strevy, seconded by Supervisor Walters, to discuss the proposed sale or lease of real property, passed with Aye(1663). Supervisors Schumann and Cechnicki were absent. Executive Session commenced at 8:08 PM.

MOTION TO EXIT EXECUTIVE SESSION by Supervisor Dybas, seconded by Supervisor Haak, passed with Aye(1663). Supervisors Schumann and Cechnicki were absent. Executive Session adjourned at 8:18 PM.

As a result of Executive Session, no action was taken.

Item #2, Other:

Supervisor DiMezza stated that he has been contacted by a woman interested in the position of Meadows Administrator. He stated the importance of moving forward with filling the position, as well as the EOD Director position.

Supervisor Quackenbush stated that two Resolutions are needed for hiring an interim EOD Director, and for entering into a contract for an interim Administrator for the Meadows.

Supervisor Dybas stated that resumes should be pursued for both positions.

Chairman Quackenbush stated that a Full Board Meeting will be held Tuesday, March 21 to further discuss the issues and vote on the two Resolutions stated.

MOTION TO ADJOURN by Supervisor Haak, seconded by Supervisor DiMezza, passed with Aye(1663). Supervisors Schumann and Cechnicki were absent. Meeting adjourned at 8:27 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
6:45 PM, March 14, 2006

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 6:48 p.m.

Roll call indicated that Supervisors Johnson, Greco, Paton, McMahon, Strevy, Haak, Dybas, Walters, Thomas, Jonker, Mancini and Schumann were present. Supervisors Cechnicki and DiMezza were absent.

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

1. Discussion regarding the Montgomery Meadows - Amsterdam Memorial Hospital
2. Discussion regarding Vacant Position - Director of Economic Opportunity and Development
3. Discussion regarding Personnel - Various Positions
4. Other

Chairman Quackenbush stated that agenda item #2 will be entertained first while waiting for personnel representing Amsterdam Memorial Hospital to appear for an item #1 discussion.

Item #1 (formerly item #2, "Discussion regarding Vacant Position - Director of Economic Opportunity and Development"): Chairman Quackenbush stated that the purpose of tonight's discussion is to decide how the County will move forward. Supervisors McMahon and Johnson made a motion and seconded, respectively, to draft a Resolution appointing Ken Rose as EOD Director.

The Board recognized Ken Rose, current Economic Development Specialist, who spoke about the needs of the department, and that he supports the hiring of a "Senior Planner" and "Part-time Financial Assistant".

Supervisors Johnson and Schumann made a motion and seconded, respectively, to draft a Resolution to add a "Senior Planner" position in the EOD Department. There were no objections to move the draft Resolution to the full Board with a positive recommendation.

Supervisors Johnson and Thomas made a motion and seconded, respectively, to draft a Resolution to add a "Part-Time Financial Assistant" position (the potential candidate being Jeanine Smith) in the EOD Department. This position would replace the "Economic Development Specialist" position. Supervisor Schumann objected to the timing of the draft Resolution, stating that the EOD Director should be hired first and foremost.

Supervisor Walters also stated his support of hiring a new Director first and foremost.

Supervisor Johnson spoke in support of potential candidate Jeanine Smith and her abilities to juggled different appointments at this time.

Supervisors Johnson and Thomas withdrew their sponsorship of the "Part-Time Financial Assistant" position Resolution, after continued Board discussion about prematurely creating the position.

Item #2 (formerly item #1, "Discussion regarding the Montgomery Meadows - Amsterdam Memorial Hospital"): Attorney Doug Landon disseminated a copy of AMH's Memorandum of Understanding to the Supervisors present.

Chairman Quackenbush stated that, based on his discussions with the Dept. of Health, receivership is possible.

Executive Director Massey from Amsterdam Memorial Hospital praised the efforts of the County and AMH as they work together to permit a timely purchase of the Meadows, and stated his anticipation of support from the Dept. of Health.

Attorney Landon clarified that the County would not be responsible for the Meadows expenses during the 10 year amortization payment schedule. He also stated that the Memorandum of Understanding would need to be revised on some levels.

Supervisor McMahon stated that he feels that an ad hoc committee should be formed to examine and investigate the options that have been presented by AMH.

Responding to a query by Supervisor Jonker, Attorney Landon stated that a public hearing would be required for the sale of the Meadows. He also stated that responding to the Memorandum of Understanding does not constitute a signing of a contract at this time.

Supervisor Dybas stated that since a contract is already in place with The Providers, caution must be paramount at this point, to avoid potential litigation. He stated a decision must be made on what to do with the current contract first.

Supervisor Walters and Schumann stated that they would like to see the discussion and action move forward with receivership with AMH.

Attorney Landon confirmed that he will examine the Memorandum of Understanding and propose changes.

Supervisors Walters and Strevy made a motion and seconded, respectively, to draft a Resolution (entering into an Memorandum of Understanding with AMH) and to move the draft Resolution to the full Board with a positive recommendation. All Supervisors were in agreement except Supervisors Dybas and Jonker, who are cautious about the current contract with The Providers.

When queried by Chairman Quackenbush, Attorney Landon stated that the necessary 45 day waiting period could begin on the day the Memorandum of Understanding is executed, which would be shortly after the Full Board Meeting on March 28, 2006.

Item #3: Director Dwight Thompson, Veteran's Services, spoke in support of the draft "RESOLUTION ESTABLISHING POSITION - CLERK TYPIST (VETERAN SERVICE)".

Supervisors Greco and Johnson made a motion and seconded, respectively, to sponsor the draft resolution and move it to the full Board with a positive recommendation. There were no objections.

Director Jennifer Petteys, Youth Bureau, spoke in support of draft "RESOLUTION ESTABLISHING POSITION - FULL TIME SENIOR ACCOUNT CLERK TYPIST (YOUTH BUREAU/ACSD)".

Supervisors Greco and Johnson made a motion and seconded, respectively, to sponsor the draft Resolution and move it to the full Board with a positive recommendation. There were no objections.

Supervisor Dybas stated his concern for the spending which is now occurring.

Regarding draft "RESOLUTION ESTABLISHING POSITION - SENIOR ACCOUNT CLERK TYPIST (BOARD OF SUPERVISORS)", Chairman Quackenbush clarified that the position is an upgrade of the current Clerk Typist position, and potential candidates would be solicited internally and externally. He stated that the position requires a Civil Service Exam.

Supervisors Jonker and Johnson made a motion and seconded, respectively, to sponsor the draft Resolution and move it to the full Board with a positive recommendation.

Supervisor Walters stated that more discussion is needed in general before decisions (regarding personnel in the Board of Supervisor's office) can be made.

Chairman Quackenbush stated that he feels the Board of Supervisors office is running well, and supports the upgrade of the current Clerk Typist position.

Jacki Meola, Administrative Aide in the Board of Supervisors, stated her support of the Clerk Typist position being upgraded based on the current and predicted future needs of the Department.

Item #4 Other: Regarding the Nursing Home Interim Administrator position, Chairman Quackenbush asked the Board how to proceed.

Supervisor Dybas stated that the entire Board should be involved in the search.

Chairman Quackenbush recommends that the Chairman of the Health & Human Services Committee & Personnel Committee must be involved in the search process.

Supervisor McMahon stated that the only logical choice he sees is Karen Woodcock, who is an experienced Nursing Home Administrator.

Administrative Aide Meola stated that, according to Personnel Officer Richard Baia, there are six potentially qualified candidates for the position.

Chairman Quackenbush called a Meeting of the whole in Chambers to discuss the issue further on Saturday, March 18, 2006 at 10:00 AM. There were no objections.

Clerk of the Board note: On 3/15/06, the Meeting of the whole was changed from 10:00 AM to 8:00 AM.

MOTION TO ADJOURN by Supervisor Schumann, seconded by Supervisor Jonker, passed with Aye(1583). Supervisors DiMezza and Cechnicki were absent. Meeting was adjourned at 8:04 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 12068
COMMITTEE MEETING - HEALTH & HUMAN SERVICES
7:15 PM, March 14, 2006

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 8:07 PM.

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

Additional Supervisors present were Supervisors Mancini, Greco, Thomas, Walters, Johnson, Haak and Quackenbush. Absent was Supervisor Cechnicki.

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

1. Resolution Authorizing Chairman to Sign Agreements - Youth Programs (Youth Bureau)
2. Resolution Authorizing Chairman to Sign Agreement - Dietary Management Services - St. Mary's Hospital (Montgomery Meadows)
3. Other

Item #1: Supervisors Walters and McMahon made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Dybas and Mancini made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. Attorney Landon will amend the Contract to add an escape clause, should the Meadows be sold. There were no objections.

Item #3, Other: Add-on "RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ST. MARY'S HOSPITAL - PSYCHIATRIC SERVICES REIMBURSEMENT (COMMUNITY SERVICES/MENTAL HEALTH). Supervisors Dybas and Mancini made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3, Other: Chairman Strevy spoke on the security coverage at Building 7, where there is one stand-alone Deputy. He stated that there will be a meeting on Monday, March 20, 2006 to discuss the issue of perhaps adding another Deputy, with funding shared between respective departments. Expected attendees at the meeting will be County Clerk Helen Bartone, Social Services Commissioner William Cranker, Probation Director Lucille Sitterly and CSEA President Eddie Russo. The goal is to hopefully make the proposed position(s) budget-neutral.

Motion was made and seconded by Supervisors Jonker and Dybas, respectively, to adjourn the Committee meeting.

Chairman Strevy adjourned the Health & Human Services Committee meeting at 8:12 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 - PUBLIC SAFETY
7:20 PM, March 14, 2006

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 8:12 PM.

Roll call indicated Committee members present included Supervisors Greco, Jonker, Dybas, Haak and Schumann. Supervisor Cechnicki was absent.

Additional Supervisors present were Johnson, Strevy, Quackenbush, Mancini, McMahon and Paton. Supervisor DiMezza was absent.

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

1. Discussion Regarding Tabled Resolutions:

Resolution 78 of 2006 - Resolution Establishing the Position of
and Making Appointment for a Montgomery County EMS Coordinator
(Emergency Management)

Resolution 79 of 2006 - Resolution Rescinding Resolution 193 Of
2004 and Re-Establishing the Montgomery County EMS Advisory Board

Resolution 80 of 2006 - Resolution Appointing Members - Montgomery
County EMS Advisory Board (Emergency Management)

2. Resolution Appointing Members - Montgomery County Fire Advisory Board

3. Discussion Regarding Grant Applications - Sheriff's Office

4. Other

Item #1: Supervisors Schumann and Jonker made a motion and seconded, respectively, to remove all Resolutions off the table for discussion and editing.

Supervisor Dybas recommended moving all the Resolutions to full Board with a positive recommendation.

Regarding Resolution 79, Supervisor Haak stated that allocations from around the County have changed. The appointments will consist of eight individuals representing fire services, 8 individuals representing ambulance services, one individual representing MedVac, one individual representing St. Mary's Hospital, one individual representing Public Health, one individual representing the E911 Coordinator and one individual representing the EMS Coordinator.

Chairman Thomas stated that EMS Advisory Board appointments in Resolution 80 will be forthcoming at the Full Board meeting.

Supervisor Walters expressed his frustration on the continued changes being made and how long it has taken to move the Resolutions forward.

The Board's consensus was to move the tabled Resolutions to the full Board for further discussion and decision.

Item #2: Supervisors Jonker and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3: The Sheriff's Office would like permission to apply for two grants supporting the BUNY and TRACS programs. Chairman Thomas stated that the projects would be budget neutral. If the grants are received, a Resolution will be forthcoming to accept said grants. The Board is in support of the projects and the pursuit of the Grants.

Motion was made and seconded by Supervisors Jonker and Dybas, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Thomas adjourned the Public Safety Committee 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 MEETING - GENERAL SERVICES
7:30 PM, March 14, 2006

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 8:25 PM.

Roll call indicated Committee members present included Supervisors Greco, Johnson, Mancini, Paton and Strevy. Absent was Supervisor Cechnicki.

Additional Supervisors present were Quackenbush, McMahon, Thomas, Jonker and Mancini. Absent were Supervisors Schumann, Haak and Dybas.

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

1. Resolution Awarding Bid - Force Main Repair - Montgomery County Sanitary District #1
2. Resolution Establishing Commercial Rate Structure - Montgomery County Sanitary District #1
3. Discussion Regarding PowerPoint Presentation - Data Processing
4. Resolution Amending 2006 Operating Budget - State/Federal Aid - Emergency Disaster (Public Works)
5. Resolution Authorizing Chairman to Sign Agreement - Engineering Services - Earth Tech, Inc. (Public Works)
6. Resolution Awarding Bid No. 02-06 - Various Materials (Public Works)
7. Discussion Regarding Fire Training Center
8. Discussion Regarding National Animal Identification System
9. Discussion Regarding MOSA Update
10. Other

Supervisor Haak, Schumann and Dybas left the Chamber prior to the start of the Committee meeting.

Item #1: Chairman Walters stated that bids will be opened on Friday, March 24, 2006, and that the necessary amendments will be offered at the Full Board meeting on March 28, 2006. Supervisors Strevy and Quackenbush made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #2: Supervisors Strevy and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #3: Data Processing Director Deb Bain stated that she will hold a PowerPoint presentation at the next Full Board meeting, introducing the new Supervisors to the Data Processing Department. There were no objections.

Item #4: Supervisors Johnson and Mancini made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #5: Supervisors Strevy and Johnson made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation.

Item #6: Supervisors Paton and Mancini made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. Public Works Commissioner Paul Clayburn stated that he still needs to solicit bids for sand.

Item #7: Public Works Commissioner Paul Clayburn gave the Supervisors an update on the status of the site that was contaminated with diesel fuel. He stated that DEC is performing additional investigative work to determine a more accurate volume that needs to be remediated. He will continue to keep the Supervisors updated on the situation.

Item #8: Chairman Walters gave a summary of the National Institute for Animal Agriculture's National Animal Identification System (NAIS) Program, which would require the registration of all animal owners and tagging of livestock. He stated that the NY Ag Market is in support of the NAIS, in light of recent animal diseases such as Mad Cow and Bird Flu.

Supervisors McMahon and Walters made a motion and seconded, respectively, to move a draft Resolution to the full Board stating that the County will oppose the legislation. This Resolution would, in effect, shelter small farmers and non-farming animal owners from the negative consequences of NAIS.

Attorney Landon stated that language for an opposing draft Resolution was included in the packet of information on NAIS which the Supervisors all received.

Item #9: Olga Podmajerksi, MOSA Board rep., gave a history and update to the new Supervisors of the current status of debt within MOSA, as well as the status of personnel in the MOSA Solid Waste Management Authority.

Chairman Walters recommended that the new Supervisors attend the MOSA Board meetings to learn more about MOSA.

Motion was made and seconded by Supervisors Strevy and Greco, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Walters adjourned the Public Safety 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 OF THE WHOLE
8:00 AM, March 18, 2006

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 8:00 AM.

Roll call indicated that Supervisors Strevy, Thomas, Jonker and DiMezza were present. Supervisors Cechnicki, Johnson, Greco, Paton, McMahon, Haak, Dybas, Walters, Mancini, and Schumann were absent.

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

1. Interviews - Nursing Home Administrator - Montgomery Meadows
2. Other

Chairman Quackenbush stated that a quorum is not present, so hiring decisions cannot be made today. Personnel Officer Rich Baia was also present at the meeting.

Item #1: Clerk of the Board's note: The interview schedule is as follows:

8:00 - Sandra Zaleski
8:30 - Barbara Clements
8:45 - Paul Mier*
9:00 - Brian Chamberlin

*This candidate left the building before being interviewed.

The Supervisors present held the three interviews.

Supervisor Dybas entered into Chamber at 8:11 AM.

Chairman Quackenbush left the Chamber at 9:00 AM.

At 9:00 AM, Vice-Chairman DiMezza chaired the Committee meeting, as the meeting continued.

Supervisor Dybas stated that he supports the hiring of Ms. Zaleski first, then Mr. Chamberlin if Ms. Zaleski isn't available. All Supervisors present concur.

The proposed salary for Ms. Zaleski is \$500/day per diem. There were no objections.

Personnel Officer Baia stated that he will put together a Resolution for Tuesday's Special Meeting (March 21, 2006) to enter into an agreement with Ms. Zaleski.

Supervisors Jonker and Thomas made a motion and seconded, respectively, to adjourn the meeting. The Committee of the Whole was adjourned at 9:34 AM by Vice-Chairman DiMezza.

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, March 21, 2006

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for March 21, 2006 was called to order at 7:00 p.m. by Chairman Quackenbush.

SALUTE TO THE FLAG

Chairman Quackenbush led the salute to the Flag.

ROLL CALL

Roll call indicated that Supervisors Quackenbush, Paton, McMahon, Strevy, Haak, Dybas, Cechnicki, Schumann, Walters, Thomas, Jonker, Mancini and DiMezza were present. Supervisors Greco and Johnson were absent.

STATEMENT OF PURPOSE OF MEETING

A. Resolutions Pertaining to Filling the Vacant Nursing Home Administrator Position

B. Other

Personnel Officer Rich Baia clarified Resolution 126 to the Board.

RESOLUTION NO. 111 of 2006

DATED: March 21, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AN AGREEMENT FOR AN INTERIM LICENSED MEADOWS ADMINISTRATOR (MONTGOMERY MEADOWS)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Jonker

WHEREAS, the Administrator of the Montgomery County Meadows has resigned and his last day of work is March 24, 2006, and

WHEREAS, there must be a licensed Administrator, who has responsibility to maintain the operations of the facility,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Theresa Creedon as interim Meadows Administrator effective March 25, 2006 at an hourly rate of \$75.00 and not to exceed 24 hours per week, and

FURTHER RESOLVED, that said agreement shall be for a 3-month period with an extension, if needed, not to exceed 3 extra months.

FURTHER RESOLVED, that the Director of Nursing is hereby appointed Interim Administrator at a salary of \$_____ effective March 25, 2006 until a replacement is appointed

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Dybas, in the first RESOLVED clause by inserting the word "licensed" after the word "interim", and in the last FURTHER RESOLVED clause by inserting the words "\$75,000 annually" after the words in the indicated blank, passed with Aye(1592). Supervisors Greco and Johnson were absent. (3/21/2006)

RESOLUTION ADOPTED with Aye(1592). Supervisors Greco and Johnson were absent. (3/21/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

OTHER

Item A: Chairman Quackenbush stated that the RESOLUTION APPOINTING NURSING HOME ADMINISTRATOR (MONTGOMERY MEADOWS) will be amended at the full Board meeting on March 28, 2006. The Board will be making a full-time appointment at that meeting.

Item B: Chairman Quackenbush gave a brief summary of the meeting held with the Dept. of Health on Tuesday afternoon, March 21, 2006. Present at the meeting were Supervisors Quackenbush, Dybas, Haak, DiMezza, Administrative Aide Jacki Meola, County Attorney Doug Landon and representatives of The Providers.

Chairman Quackenbush stated that the DOH has given the Providers until April 24, 2006, to provide financial information to the state to move the application to buy the facility forward.

After The Providers submits the information, they will be able to meet with the state Public Health Council May 18, 2006 for final approval.

Supervisor Strevy stated that he would like to see the County continue in discussions with Amsterdam Memorial Hospital, and reminded the Board that The Provider's purchase contract was declared in default by letter.

Supervisor Dybas stated that he recommends continuing discussions with Amsterdam Memorial Hospital, tabling the two related Resolutions at the full Board meeting on March 28, 2006, and to go forth with the Public Hearing on the same date. There were no objections.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor DiMezza, seconded by Supervisor McMahon, passed with Aye(1592). Supervisors Greco and Johnson were absent. The Meeting was adjourned at 7:35 PM by Chairman Quackenbush.

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
7:15 PM, March 21, 2006

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 7:36 PM.

Roll call indicated Committee members present are Supervisors McMahon, Mancini, Thomas, and Walters were present. Supervisors Johnson and Greco were absent.

Additional Supervisors present were Strevy, Quackenbush, Cechnicki, Paton, Jonker, Haak and Schumann. Supervisor Dybas was absent.

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

1. Resolution Ratifying Memorandum of Agreement Between the County of Montgomery and Montgomery County Local 82 of Correction Supervisors and Authorizing Chairman to Sign Contract for the Period January 1, 2004 - December 31, 2008
2. Discussion Regarding Montgomery County Local 82 Sheriff's Deputies Negotiations
3. Other

Item #1: Supervisors Schumann and Thomas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: Chairman DiMezza requested to enter into Executive Session to discuss contract collective negotiations.

Pursuant to Section 105 (e) of NYS Open Meeting Law, the motion was made and seconded by Supervisor Thomas and McMahon, respectively, to enter into Executive Session to discuss collective negotiations. There were no objections. Executive Session commenced at 7:40 PM.

Motion to adjourn the Executive Session was made and seconded by Supervisors Thomas and Schumann, respectively. There were no objections. Executive Session was adjourned at 7:51 PM.

As a result of Executive Session, no action was taken.

Supervisors Mancini and Thomas made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman DiMezza adjourned the Personnel Committee meeting at 7:53 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 - FINANCE
7:30 PM, March 21, 2006

COMMITTEE MEETING DISCUSSION

Chairman Haak presided over the meeting commencing at 7:56 PM.

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

Additional Supervisors present were Quackenbush, Paton, Schumann, Walters, Jonker and Mancini. Absent were Supervisors Johnson and Dybas.

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

1. Resolution in Support of Preserving Counties' Role in the Future of Off Track Betting
2. Resolution Amending 2006 Operating Budget - NYS DOT STOA 2005-06 Clean Up (Board of Supervisors)
3. Resolution Awarding Bid No. 01-06 - Uniforms & Footwear (Sheriff)
4. Resolution Awarding Bid No. 03-06 - 7-Passenger Van (Social Services)
5. Resolution Amending 2006 Operating Budget - Full-Time Principal Account Clerk Typist (Auditing)
6. Resolution Authorizing Chairman to Sign Revolving Loan Fund Agreement - MCIDA/RCIL (Economic Development)
7. Other

Chairman Haak stated that agenda item #6 will be stricken from the agenda, as that Resolution needs additional work. He also stated that there will be an add-on draft "RESOLUTION RETAINING SERVICES OF ROEMER, WALLENS & MINEAUX - HUD RESPONSE".

Item #1: Supervisors Thomas and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Thomas and Cechnicki made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisors McMahon and Thomas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #4: Supervisors Strevy and DiMezza made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #5: Supervisors Thomas and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #6 (formerly item #7, Other, draft "RESOLUTION RETAINING SERVICES OF ROEMER, WALLENS & MINEAUX - HUD RESPONSE"): Mike Yevoli, EOD Director, recommended that the County enter into an agreement with Roemer, Wallens & Mineaux, as their services are needed in regards to the 1997 audit of the County's Small Cities program. The firm will assist with the completion and subsequent response to HUD. He also stated that Elena DeFio (from Roemer, Wallens & Mineaux) would be available to work on the research project with him, which should take approximately two days.

Supervisors DiMezza and McMahon made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

The motion was made and seconded by Supervisor DiMezza and Jonker, respectively, to adjourn the Finance Committee. Chairman Haak adjourned the Finance Committee meeting at 8:00 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
6:40 PM, March 28, 2006

INTRODUCTORY LOCAL LAW NO 3 OF 2006 - A LOCAL LAW WHICH REPEALS LOCAL LAW #4 OF 2004 - WHICH AUTHORIZED THE PRIVATE SALE OF COUNTY-OWNED PROPERTY & RELATED ASSETS, NOT NEEDED FOR A COUNTY PURPOSE - MONTGOMERY MEADOWS

PUBLIC HEARING DISCUSSION

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

Present were Supervisors Quackenbush, Johnson, Greco, McMahon, Strevy, Paton, Dybas, Schumann, Thomas, Jonker, Mancini, Walters and DiMezza. Absent were Supervisor Cechnicki and Haak.

The following notice was read:

NOTICE OF PUBLIC HEARING

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, March 28, 2006 for the purpose of holding a public hearing on INTRODUCTORY LOCAL LAW NO. 3 OF 2006 - A LOCAL LAW WHICH REPEALS LOCAL LAW NO. 4 OF 2004 - WHICH AUTHORIZED THE PRIVATE SALE OF COUNTY-OWNED PROPERTY & RELATED ASSETS, NOT NEEDED FOR A COUNTY PURPOSE

FURTHER NOTICE is hereby given that copies of said Introductory Local Law No. 3 of 2006 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 Quackenbush asked whether anyone from the public wished to speak.

No one spoke.

Chairman Quackenbush adjourned the public hearing at 6:51 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, March 28, 2006

CALL TO ORDER

Chairman Quackenbush called the Regular Meeting of the Montgomery County Board of Supervisors for March 24, 2006 to order at 7:00 PM.

SALUTE TO THE FLAG

Supervisors Dybas led the Salute to the Flag.

ROLL CALL

Present were Supervisors Quackenbush, McMahon, Strevy, Dybas, Walters, Thomas, Jonker, Mancini, Haak, Johnson, Greco, and Schumann. Supervisors Cechnicki, DiMezza and Paton were absent.

Supervisors DiMezza and Paton entered the Chamber at 7:04 pm.

PRIVILEGE OF THE FLOOR

PRESENTATION

A. Presentation - Data Processing Department

The Data Processing Department, led by their Director, Deborah Bain, gave a PowerPoint presentation detailing the operations of the department.

B. Presentation - Barry McNamara, President - Benetech

Mr. McNamara, President of Benetech, the County's Insurance Broker, gave the Board a brief update about the status of the recent changes in the Health Insurance Plan and some cost savings achieved and also stated that information regarding a Canadian Drug Plan would be forthcoming.

B. Public Comment

Chairman Quackenbush opened the floor for public comment at 7:29 PM.

There were no speakers.

Chairman Quackenbush adjourned the Privilege of the Floor at 7:30 PM.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (February 28 - March 21, 2006) by Supervisor DiMezza, seconded by Supervisor Johnson, passed with Aye(1802). Supervisor Cechnicki was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Dybas, seconded by Supervisor DiMezza, passed with Aye(1802). Supervisor Cechnicki was absent.

UNFINISHED BUSINESS

RESOLUTION NO. 78 of 2006

DATED: February 28, 2006

RESOLUTION ESTABLISHING THE POSITION OF AND MAKING APPOINTMENT FOR A MONTGOMERY COUNTY EMS COORDINATOR (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Dybas

WHEREAS, it is the desire of the Montgomery County Board of Supervisors to establish the position of a Montgomery County EMS Coordinator in accordance with NYS County Law 223-b, and

WHEREAS, it has be recommended that said appointment be made at the recommendation of the Emergency Management Director for a two-year term,

RESOLVED, that the Montgomery County Board of Supervisors hereby establishes the position of Montgomery County EMS Coordinator, and

FURTHER RESOLVED, that this is a volunteer position, with no pay, which will answer to the Emergency Management Director, and

FURTHER RESOLVED, that said Coordinator will act in accordance with NYS County Law 223-b and be responsible for the appointment of his/her deputies, and

FURTHER RESOLVED, that Carrie Newkirk is hereby appointed EMS Coordinator for a term to expire on December 31, 2007

MOTION TO TABLE by Supervisor Haak, seconded by Supervisor Johnson, passed with Aye(1487). Supervisors Thomas and Quackenbush voted Nay. Supervisor Schumann was absent. (2/28/2006)

MOTION TO REMOVE FROM TABLE by Supervisor Thomas, seconded by Supervisor Schumann, passed with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Speaking in regard to Resolution 79, Supervisor Haak stated that the amendment that he was offering was a result of a very long meeting between EMS providers and although everyone may not have left happy they were at least satisfied with the new makeup of the EMS Advisory Board.

RESOLUTION NO. 79 of 2006

DATED: February 28, 2006

RESOLUTION RESCINDING RESOLUTION 193 OF 2004 AND RE-ESTABLISHING THE MONTGOMERY COUNTY EMS ADVISORY BOARD

Resolution by Supervisor: Thomas

Seconded by Supervisor: Dybas

WHEREAS, Resolution No. 193 of 2004 Established a Montgomery County EMS Advisory Board, and

WHEREAS, it has been recommended by the Public Safety Committee that Resolution 193 of 2004 be rescinded and the Montgomery County EMS Advisory Board be re-established to better reflect the needs of the EMS organizations and the Community,

RESOLVED, that Resolution 193 of 2004 is herby rescinded, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors hereby re-establishes the Montgomery County EMS Advisory Board, in accordance with NYS County Law S223-b, whose duties shall include:

- cooperation with appropriate state agencies in relation to such programs for EMS training, EMS-related activities and mutual aid
- to act as an advisory body to the Board of Supervisors and to the Montgomery County EMS coordinator
- participation in such programs for EMS training, EMS-related activities and mutual aid and mutual aid programs in cases of emergencies in which the services of EMS providers would be used
- to perform such other duties as may be prescribed in relation to EMS training, EMS-related activities and mutual aid in cases of emergencies in which the services of EMS providers would be used, and

FURTHER RESOLVED, that the Montgomery County Emergency Management Officer shall act as a liaison officer between the Board of Supervisors and said advisory board and the EMS providers in the county and the officers and governing boards or bodies thereof, and

FURTHER RESOLVED, there shall be 21 appointments to said Board which shall consist of the following representation:

4 individuals representing the ambulance agencies in the County

1 individual representing medvac airlift services

- 8 individuals representing fire services from the County
- 1 individual representing St. Mary's Hospital
- 1 individual representing Amsterdam Memorial Hospital
- 1 individual representing Red Cross
- 1 individual representing the Public Safety Committee
- 1 individual representing Public Health
- 1 individual representing Montgomery County Sheriff's Office - E911 Coordinator
- 1 individual representative being the EMS Coordinator
- 1 individual appointment being a public-member-at-large, and

FURTHER RESOLVED, that appointments to said board shall be for a period of one year.

MOTION TO TABLE by Supervisor Quackenbush, seconded by Supervisor Haak, passed with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

MOTION TO REMOVE FROM TABLE by Supervisor Thomas, seconded by Supervisor Haak, passed with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

MOTION TO AMEND by Supervisor Haak, seconded by Supervisor Jonker, to delete the third FURTHER RESOLVED clause and replace in its stead the following:

FURTHER RESOLVED, that there shall be 21 appointments to said Board which shall consist of the following representation:

- 8 individuals from the ambulance agencies in the County
- 8 individuals representing the fire departments in the County
- 1 individual representing medvac airlift services
- 1 individual representing St. Mary's Hospital
- 1 individual representing Public Health
- 1 individual representing Montgomery County Sheriff's Office - E911 Coordinator
- 1 individual representative being the EMS Coordinator

passed with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Strevy questioned if the names being offered coincided with the change in the make-up of the Board as amended in Resolution 79. Emergency Management Director, Gary Nestle, stated that they did coincide with the new makeup.

Supervisor Strevy also asked for longer terms for the appointments made to the EMS Advisory Board as the makeup of the Board has been such a controversial issue for so long. Supervisors Thomas agreed but said that he had been in contact with the many agencies that make up the EMS Advisory Board and they all assured him that their appointments will be timely next year.

RESOLUTION NO. 80 of 2006

DATED: February 28, 2006

RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY EMS ADVISORY BOARD (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Dybas

WHEREAS, Resolution No. 193 of 2004 created a Montgomery County EMS Advisory Board, and

WHEREAS, Resolution No. _____ of 2006 re-established appointments made to said Board,

RESOLVED, that the Montgomery County Board of Supervisors hereby makes the following appointments to the Montgomery County EMS Advisory Board:

APPOINTEE	REPRESENTING	TERM EXPIRATION
Steve Kuck	Ambulance Service - SAVAC	December 31, 2006
William Washburn	Ambulance Service - Mid-County	December 31, 2006
	Ambulance Service - Rural Metro	December 31, 2006
Tom Pasquarelli	Ambulance Service - GAVAC	December 31, 2006
Al Nadler	Fire Departments - 211/214/218/223	December 31, 2006
Robert Furman	Fire Departments - 216/217	December 31, 2006
Chad Hanchett	Fire Departments - 206/209/219	December 31, 2006
Mark DeLafayette	Fire Departments - 208/210	December 31, 2006
Patty Prime	Fire Departments - 215/220/224	December 31, 2006
Don Wagner	Fire Departments - 212/222	December 31, 2006
Michael Whitty	Fire Departments - 207/AFC	December 31, 2006
Eric Hendricks	Fire Departments - 213/221	December 31, 2006
Robert Quist	St Mary's Hospital	December 31, 2006
Mickey Swartz	Medvac Airlift Services	December 31, 2006
	Amsterdam Memorial Hospital	December 31, 2006
	Red Cross	December 31, 2006
	Public Safety Committee	December 31, 2006
	Public Health	December 31, 2006
	Sheriff's Department - E911 Coord	December 31, 2006
	EMS Coordinator	December 31, 2006
	Public-Member-At-Large	December 31, 2006

MOTION TO AMEND by Supervisor Cechnicki, seconded by Supervisor Quackenbush, by adding the Resolution number "79" in the second WHEREAS clause, passed with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

MOTION TO TABLE by Supervisor Haak, seconded by Supervisor Strevy, passed with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

MOTION TO REMOVE FROM TABLE by Supervisor Thomas, seconded by Supervisor Dybas, passed with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

MOTION TO AMEND by Supervisor Thomas, seconded by Supervisor Strevy, to strike the RESOLVED clause and replace in its stead the following:

APPOINTEE	REPRESENTING	TERM EXPIRATION
Kyle Haak	Ambulance Service - SAVAC	December 31, 2006
Pam VanAlstyne	Ambulance Service - SAVAC	December 31, 2006
William Washburn	Ambulance Service - Mid-County	December 31, 2006
William Blanchard	Ambulance Service - Mid-County	December 31, 2006
Thomas P. Pasquarelli, Jr.	Ambulance Service - GAVAC	December 31, 2006
Kimberley Nikolaus	Ambulance Service - GAVAC	December 31, 2006
Steve Kuck	Ambulance Service - Rural Metro	December 31, 2006
Mathew Wood	Ambulance Service - Rural Metro	December 31, 2006
Al Nadler	Fire Departments - 211/214/218/223	December 31, 2006
Robert Furman	Fire Departments - 217/217	December 31, 2006
Chad Hanchett	Fire Departments - 206/209/219	December 31, 2006
Mark DeLafayette	Fire Departments - 208/210	December 31, 2006
Patty Prime	Fire Departments - 215/220/224	December 31, 2006
Don Wagoner	Fire Departments - 212/222	December 31, 2006
Michael Whitty	Fire Departments - 207/AFC	December 31, 2006
Eric Hendricks	Fire Departments - 213/221	December 31, 2006
Mickey Swartz	Medvac Airlift Services	December 31, 2006
Robert Quist	St. Mary's Hospital	December 31, 2006
Kim Conboy	Montgomery County Public Health	December 31, 2006
Twila Dopp	E911 Coordinator - Sheriff's Dept.	December 31, 2006
Carrie Newkirk	EMS Coordinator	December 31, 2006

passed with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Speaking in regard to Resolution 96, Supervisor Dybas questioned the cost to the County should the exit strategy in Resolution 96 be implemented. Treasurer Bowerman responded that he would not know the exact until the actual time that the employees cease to be employed by Montgomery County but as of the right now, the cost is estimated to be \$65,000 - \$75,000. Supervisor Strevy questioned if this was a yearly cost and it was indicated that it was a one-time cost for the sick time pay out. The on-going piece would be in relation to the retiree health insurance which was estimated to impact 5 employees.

Supervisor Schumann questioned if this was the proper timing for this resolution, as she is of the opinion that as the sale of the Meadows proceeds, the County may want to offer something different as an exit strategy.

Supervisor Haak questioned the wording of the resolution "own and/or operate" and how that would play out in a receivership. Attorney Landon stated that this benefit would become payable when the employee ceases to be employed by the County.

Supervisor DiMezza stressed that this should be considered an agreement with the Union pertaining to this particular situation only.

RESOLUTION NO. 96 of 2006

DATED: February 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - CSEA - EXIT STRATEGY FOR EMPLOYEES OF THE MONTGOMERY MEADOWS RESIDENTIAL HEALTH CARE FACILITY

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Thomas

WHEREAS, the Montgomery County Board of Supervisors has agreed to sell the Montgomery Meadows Residential Health Care Facility, and

WHEREAS, it has been recommended by the Personnel Committee, in order to retain employees through out the transition of the Facility, that the County provide an exit strategy for the employees of said Facility in relation to the buy out of sick time and also providing certain benefits in regard to health insurance for those who have been employed with the County in excess of 30 years, when the sale of the facility is finalized,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County's Labor Attorney, is hereby authorized and directed to sign a Memorandum of Agreement with CSEA, Local 829 outlining certain benefits that will be provided to the employees of the Montgomery Meadows Residential Health Care Facility when the sale of the facility is complete.

MOTION TO TABLE by Supervisor McMahon, seconded by Supervisor Dybas, passed with Aye(1729). Supervisor Schumann was absent. (2/28/2006)

MOTION TO REMOVE FROM TABLE by Supervisor Thomas, seconded by Supervisor Strevy, passed with Aye(1663). Supervisor Schumann voted Nay. Supervisor Cechnicki was absent. (3/28/2006)

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor DiMezza, to strike the entire text of the resolution and replace with the following:

WHEREAS, the Montgomery County Board of Supervisors has determined that the county shall cease operating and/or liquidate the Montgomery Meadows Residential Health Care Facility, and

WHEREAS, it has been recommended by the Personnel Committee that in order to retain employees throughout the transition of the facility the county develop an exit strategy for employees of the facility regarding buyout of sick time and providing continued health insurance for long term employees,

RESOLVED, that upon such time as the county ceases to own and/or operate the facility the county will buy out accumulated sick time of those employed by the county at the facility as of the final date the county owns and/or operates the facility at a rate of \$50 per day, and

FURTHER RESOLVED, that upon such time as the county ceases to own and/or operate the facility county will provide certain continued health insurance benefits to those employed by the county at the facility as of the final date the county owns and/or operates the facility who have been employed by the county for 30 years or longer, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the county's labor attorney, is hereby authorized and directed to sign a memorandum of agreement with CSEA, Local 829, providing for the above referenced benefits upon such time as the county ceases to own and/or operate the facility.

passed with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

RESOLUTION ADOPTED with Aye(1706). Supervisor Haak voted Nay. Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

NEW BUSINESS

RESOLUTION NO. 112 of 2006

DATED: March 28, 2006

RESOLUTION ESTABLISHING POSITION - CLERK TYPIST (VETERANS SERVICE)

Resolution by Supervisor: Greco

Seconded by Supervisor: Johnson

WHEREAS, it has been recommended by the Veterans Director that a full time clerical position be established in the Veterans Department,

RESOLVED, the Montgomery County Board of Supervisors hereby establishes a full-time clerk typist position in the Veterans Department, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400	Contingent Account	\$ 7,500
A-19-4-6510-00-1110(1355)	Sr. Account Clerk Typist	\$ 8,000

ADD AND TRANSFER TO:

A-19-4-6510-00-1110(203)	Clerk Typist	\$15,500
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MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Mancini, to strike the FURTHER RESOLVED clause and replace in its stead the following:

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400	Contingent Account	\$ 6,452
A-19-4-6510-00-1110(1355)	Sr. Account Clerk Typist	\$ 9,070

ADD AND TRANSFER TO:

A-19-4-6510-00-1110(203)	Clerk Typist	\$15,522
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passed with Aye(1699). Supervisor Strevy voted Nay. Supervisor Cechnicki was absent. (3/28/2006)

RESOLUTION ADOPTED with Aye(1277). Supervisors Schumann, Dybas, Strevy and Paton voted Nay. Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Schumann questioned the Department Heads of Youth Bureau/ACSD and Veterans who currently share a Senior Account Clerk Typist as to the reasoning behind creating a Senior Account Clerk Typist Full-time in the Youth/ACSD Department versus only a Clerk Typist Full-time in the Veterans Department. Dwight Thompson, Veterans Director, indicated that the job duties of the Youth/ACSD Department having four areas of jurisdiction, may be a little more complex, whereas the Veterans Department, though in need of a Full-time person, does not necessarily need a skill level of a Senior Account Clerk Typist.

RESOLUTION NO. 113 of 2006

DATED: March 28, 2006

RESOLUTION ESTABLISHING POSITION - FULL TIME SENIOR ACCOUNT CLERK TYPIST (YOUTH BUREAU/ACSD)

Resolution by Supervisor: Greco

Seconded by Supervisor: Johnson

WHEREAS, it has been recommended by the Youth Bureau/ACSD Director that a full-time clerical position be established in the Youth Bureau/ACSD Department,

RESOLVED, that the Montgomery County Board of Supervisors hereby establishes a full-time senior account clerk typist position in the Youth Bureau/ACSD Department, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400	Contingent Account	\$ 9,000
A-21-4-7310-00-1110(1356)	Senior Account Clerk Typist	\$10,000

TRANSFER TO:

A-21-4-7310-00-1110(201)	Senior Account Clerk Typist	\$19,000
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MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Jonker, to strike the FURTHER RESOLVED clause and replace in its stead the following:

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400	Contingent Account	\$10,843
A-21-4-7310-00-1110(1356)	Senior Account Clerk Typist	\$ 9,070

TRANSFER TO:

A-21-4-7310-00-1110(201)	Senior Account Clerk Typist	\$19,913
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passed with Aye(1699). Supervisor Strevy voted Nay. Supervisor Cechnicki was absent. (3/28/2006)

RESOLUTION ADOPTED with Aye(1277). Supervisors Schumann, Dybas, Strevy and Paton voted Nay. Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Johnson made motion and Supervisor Strevy seconded respectively to adjust the salary level from \$28,500 to \$24,891.

Supervisor Dybas questioned the reasoning behind the amendment and Supervisor Johnson responded that it was to bring the salary in line with what a Senior Account Clerk Typist is paid in the bargaining unit.

Supervisor Schumann questioned what the current County Practice as to what the differences in salary are between bargaining and non-bargaining. Rich Baia, Personnel Officer, responded by stating that typically it has always been that Non-bargaining employees are paid more than bargaining as the non-bargaining positions are by appointment and there would not be any job security as would be the case in a bargaining position.

After the amendment to Resolution 114 failed, Supervisor Schumann indicated that she would be supporting the original resolution but in light of the discussion regarding the amendment it was clear that the Board should review its policies regarding the pay scales of bargaining vs. non-bargaining.

RESOLUTION NO. 114 of 2006

DATED: March 28, 2006

RESOLUTION ESTABLISHING POSITION - SENIOR ACCOUNT CLERK TYPIST (BOARD OF SUPERVISORS)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Johnson

WHEREAS, it has been recommended that the clerical position in the Board of Supervisors Office be upgraded to a higher skill level to provide for better efficiency in the office,

RESOLVED, that the position of Senior Account Clerk Typist is hereby established in the Board of

Supervisors Office, and

FURTHER RESOLVED, that said position will work for the Board of Supervisors and is supervised by the Administrative Aide to the Board of Supervisors,

FURTHER RESOLVED, that said position is in the non-bargaining confidential management class with an annual base salary of \$28,500, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400	Contingent Account	\$ 4,000
A-01-4-1010-00-1110(139)	Clerk Typist	\$17,000

TRANSFER TO:

A-01-4-1010-00-1110(226)	Senior Account Clerk Typist	\$21,000
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MOTION TO AMEND by Supervisor Johnson, seconded by Supervisor Strevy, to strike in the second FURTHER RESOLVED clause the salary figure of \$28,500 and replace with \$24,891 and also to reduce the amount to be transferred from the contingent account from \$4,000 to the amount necessary to provide for sufficient funding for said salary change through December 31, 2006 was defeated with Aye(882). Supervisors Greco, Johnson, Mancini, DiMezza, Strevy and Paton voted Aye. Supervisor Cechnicki was absent. (3/28/2006)

RESOLUTION DEFEATED with Aye(920). Supervisors Greco, Schumann, Dybas, Mancini, Quackenbush, Jonker and Haak voted Aye. Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 115 of 2006

DATED: March 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - YOUTH PROGRAMS (YOUTH BUREAU)

Resolution by Supervisor: Walters

Seconded by Supervisor: McMahon

WHEREAS, the Montgomery County Youth Bureau has made available funds through its Outreach Program, and

WHEREAS, various youth programs have submitted requests for said funds, and

WHEREAS, the Montgomery County Youth Bureau has reviewed said requests,

RESOLVED, that the Montgomery County Youth Board of Directors does hereby recommend to the Board of Supervisors the funding of 2006 Outreach Programs as stated below:

PROGRAM	RECOMMENDED FUNDING
Alcoholism & Substance Abuse Council (Choices Conference)	\$ 600.00
Amsterdam Cal Ripken Baseball	300.00
Amsterdam High School (After Ball Party)	500.00
Amsterdam Sea Rams (Community Group Swim Team)	500.00
Association of American University Women (Sister-to-Sister Summit)	500.00
Canajoharie Central School (After Prom Party)	500.00
Canajoharie Little League	300.00
Canajoharie Youth Football (Youth Football)	300.00

Fonda-Fultonville Central School (After Prom Party)	500.00
Fort Hunter Free Library (Summer Reading Program)	750.00
Fort Plain 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
Margaret Reaney Memorial Library (Books to Go)	300.00
Schoharie River Center (Archaeology Field School)	500.00
	\$ 8,000.00

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 116 of 2006

DATED: March 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - DIETARY MANAGEMENT SERVICES - ST. MARY'S HOSPITAL (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Mancini

WHEREAS, the Nursing Home Administrator has recommended renewing an agreement with St. Mary's Hospital for their dietary services at the Montgomery Meadows,

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 of Amsterdam for the provision of Dietary Management Services, and

FURTHER RESOLVED, that said agreement shall be for a one-year period effective March 1, 2006 through February 28, 2007 at a cost not to exceed \$73,250.

RESOLUTION ADOPTED with Aye(1706). Supervisor Haak abstained. Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Speaking in regard to Resolution 117, Supervisor Schumann questioned whether or not it was in the agreement with St. Mary's Hospital to reimburse the County for costs related to the retirement of Dr. Jajor as a County Employee.

RESOLUTION NO. 117 of 2006

DATED: March 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ST. MARY'S HOSPITAL - PSYCHIATRIC SERVICES REIMBURSEMENT (COMMUNITY SERVICES/MENTAL HEALTH)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Mancini

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. Jajoor, is the Mohawk Valley Psychiatric Center in Utica, and

WHEREAS, Montgomery County and St. Mary's Hospital are desirous of maintaining Dr. Jajoor 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. Jajoor 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, and

FURTHER RESOLVED, that said agreement shall be in effect for a one-year period from January 1, 2006 through December 31, 2006.

RESOLUTION ADOPTED with Aye(1706). Supervisor Haak abstained. Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Schumann and Dybas questioned the costs associated with this award. It was clarified that the costs associated with this project are coming out of the Sanitary District's fund balance, not the general fund.

RESOLUTION NO. 118 of 2006

DATED: March 28, 2006

RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY FIRE ADVISORY BOARD

Resolution by Supervisor: Jonker

Seconded by Supervisor: Dybas

WHEREAS, Resolution 21 of 2006 and Resolution 107 of 2006 provided appointments to the Montgomery County Fire Advisory Board, and

WHEREAS, the Amsterdam Fire Department and the Glen Fire Department have requested that new appointments be made to said Board to represent the Department,

RESOLVED, that the Montgomery County Board of Supervisors hereby appoints the following to the Montgomery County Fire Advisory Board:

APPOINTEE

REPRESENTING

Richard DePasquale	321 Locust Avenue, Amsterdam	Amsterdam Fire Department
Dale Furman	Ingersoll Road, Fultonville	Glen Fire Department

, and

FURTHER RESOLVED, that said appointments shall take effect immediately and continue through December 31, 2006.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 119 of 2006

DATED: March 28, 2006

RESOLUTION AWARDING BID - WILLET STREET FORCE MAIN REPAIR (MONTGOMERY COUNTY SANITARY DISTRICT #1)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Quackenbush

WHEREAS, the Willett Street force main in the Montgomery County Sanitary District #1 needs to be repaired, and

WHEREAS, the Sanitary District Board of Directors has gone to bid for this service and

WHEREAS, bids were opened on Friday March 24, 2006 at 11:00am, and

RESOLUTION AMENDING 2006 OPERATING BUDGET - STATE/FEDERAL AID - EMERGENCY DISASTER (PUBLIC WORKS)

Resolution by Supervisor: Johnson

Seconded by Supervisor: Mancini

WHEREAS, the Fiscal Officer has been notified that the State Emergency Management Office will be processing a payment to Montgomery County in the amount of \$27,015.35 for Severe Storms and Flooding of April 2-4, 2005, and

WHEREAS, the Federal share is \$22,439.80 and the State share is \$4,575.55 for a total payment of \$27,015.35, and

WHEREAS, \$10,008.75 has been designated for engineering services for the Hughes Road ongoing project, and

WHEREAS, \$17,006.60 represents partial payment of upfront money to perform work on Auriesville Road and Old Sharon Road

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget as follows:

INCREASE:

Revenue:

D-12-3-3960-00	State Aid Emergency Disaster	\$ 4,575.55
D-12-3-4960-00	Federal Aid Emergency Disaster	\$22,439.80

Appropriation:

D-12-4-5110-00.4448	Const. & Maint. Supplies	\$27,015.35
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RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 122 of 2006**DATED:** March 28, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ENGINEERING SERVICES - EARTH TECH, INC. - 2006 BRIDGE PROGRAM (PUBLIC WORKS)**

Resolution by Supervisor: Strevy

Seconded by Supervisor: Johnson

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 91 of 2006, has approved the 2006 Bridge Program, including engineering services, and

WHEREAS, the funding for said program was approved, by adoption of Resolution No. 103 of 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 an agreement with Earth Tech, Inc., of Albany, for provision of engineering services for the 2006 Bridge Program, and

FURTHER RESOLVED, that said services shall be provided at a cost not to exceed \$179,200.

RESOLUTION ADOPTED with Aye(1666). Supervisor Dybas voted Nay. Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 123 of 2006**DATED:** March 28, 2006**RESOLUTION AWARDDING BID NO. 02-06 - VARIOUS MATERIALS (PUBLIC WORKS)**

Resolution by Supervisor: Paton

Seconded by Supervisor: Mancini

WHEREAS, the Purchasing Agent was authorized to solicit bids for various materials for the

Department of Public works, and

WHEREAS, said bids were opened February 27, 2006, 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. 02-06, 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

Rifenburg Construction, Inc.
159 Brick Church Road
Troy, NY 12180

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.
Mamaroneck, NY 10543-2923

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

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

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

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 + Haul 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

Callanan Industries, Inc.
P.O. Box 15097
Albany, NY 12212

A-82 HOT IN-PLACE ASPHALT RECYCLING

Highway Rehab Corp.

2258 Route 22
Brewster, NY 10509

A-87-2 AERAIL BUCKET TRUCK

Altec Industries, Inc.
250 Laird St.
Plains, PA 18705

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Strevy explained that he was voting no on Resolution 124 because he felt that the County should keep their options open in regards to the sale of the Meadows. He stated that if one potential buyer was not able to follow through with the sale, working concurrently with another provider would only be a benefit to moving ownership to someone else other than the County.

RESOLUTION NO. 124 of 2006

DATED: March 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF UNDERSTANDING - AMSTERDAM MEMORIAL HEALTHCARE (MONTGOMERY MEADOWS)

Resolution by Supervisor: Walters

Seconded by Supervisor: Strevy

WHEREAS, it is the desire of the Montgomery County Board of Supervisors to enter into a Memorandum of Understanding with Amsterdam Memorial Healthcare Systems to explore options available to transfer ownership and/or operation of the Montgomery Meadows Residential Healthcare Facility,

RESOLVED, 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 Amsterdam Memorial Healthcare to explore options available to transfer ownership and/or operation of the Montgomery Meadows Residential Healthcare Facility.

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Quackenbush, passed with Aye(1467). Supervisor Strevy voted Nay. Supervisors Dybas and Haak abstained. Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

It was suggested that Resolution 125 be Full Board. Supervisor Dybas stated no.

Supervisor Schumann discussed the option of the Director giving up the car and cell phone allowance afforded to the previous Director and offered an amendment to remove that funding from the Operating Budget. Supervisor Haak seconded the amendment.

Supervisors DiMezza expressed his support for keeping the car and cell phone allowance.

Supervisor Schumann stated that it has been traditional when filling a vacancy of a Department Head that there has always been a reduction of either salary and/or benefits in some way as a cost-savings measure.

Supervisor Walters expressed his opposition to removing the allowances.

Supervisor Strevy stated that it was his impression that there would be a search for a new Economic Development Director.

Chairman Quackenbush recognized the previous discussion, but felt that it was his impression that it would be Ken Rose who would fill the vacant position.

Supervisor Johnson expressed her support for appointing Ken Rose without a search and also her support of continuing with the car and cell phone allowances.

Supervisor Dybas expressed his support for Ken Rose and the allowances, but was in line with Supervisor Strevy in conducting a search to fill the vacancy.

Supervisor McMahon stated that Ken was the only person with the experience to step in and do the job.

Supervisor DiMezza stated that he supports Ken Rose's appointment and stated that he is a bright young man who will serve the County well in that capacity. He stated that there was no need to go out for a search.

Chairman Quackenbush referred back to the amendment to remove the cell phone and car allowance. Supervisor Schumann withdrew her amendment.

Supervisor Thomas referred to previous appointments that were from within without going out for a search and made specific reference to the Data Processing Director.

RESOLUTION NO. 125 of 2006

DATED: March 28, 2006

RESOLUTION APPOINTING ECONOMIC OPPORTUNITY AND DEVELOPMENT DIRECTOR

Resolution by Supervisor: McMahan

Seconded by Supervisor: Johnson

WHEREAS, Resolution 118 of 1998 created the Department of Economic Opportunity and Development in Montgomery, and

WHEREAS, said resolution provided for the position of Economic Development Director,

RESOLVED, that Kenneth F. Rose is hereby appointed Economic Development Director at an annual base salary of \$55,432 effective April 3, 2006, and

FURTHER RESOLVED, that said appointment shall be at the pleasure of the Board.

RESOLUTION ADOPTED with Aye(1666). Supervisor Dybas voted Nay. Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

The Board Offered Ken Rose their congratulations.

Speaking in regard to Resolution 126, Supervisor Strevy asked if it was understood that the Economic Development Director would now be in charge of Planning, as there has been some confusion in the past since the previous Planning Department was eliminated.

Chairman Quackenbush stated that since the Senior Planner was funded in the Economic Development Department it was his impression was that the EOD Director was in charge of the planning function.

Supervisor McMahan asked who this Senior Planner was going to serve and what kind of functions would that consist of.

Chairman Quackenbush referred to EOD Director, Ken Rose. Mr. Rose spoke of the previous Planning Department in which there were three professional planners on staff, with only one Senior Planner on staff, that person would be available to offer advice or technical assistance to planning boards throughout Montgomery County but it is not possible to provide the previous level of service with only one Senior Planner.

Supervisor Strevy discussed the lack of fringes being accounted for on the Resolution.

Supervisor DiMezza stated that those benefits are in the Personnel Budget.

Supervisor Walters questioned the Treasurer regarding the amount of money left in the Contingency Fund. The Treasurer was not able to provide a figure at this time based on the multiple resolutions utilizing contingency funds this evening.

Supervisors Haak stated that he had been following the amount of Contingency being used thus far and provided an estimated figure of \$453,714, assuming that this resolution and Resolution 132 passes.

Supervisor Strevy stated his support for utilizing the Contingency Fund for this position and asked the other Supervisors for their support as well.

RESOLUTION NO. 126 of 2006

DATED: March 28, 2006

RESOLUTION ESTABLISHING POSITION - SENIOR PLANNER (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Johnson

Seconded by Supervisor: Schumann

WHEREAS, the position of Sr. Planner was not funded in the 2006 Operating Budget within the Economic Opportunity and Development Department,

RESOLVED, that the position of Senior Planner be re-established in the 2006 Budget,

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A 01-4 1990-00-4400 Contigent Account \$21,737

TRANSFER TO:

A 24-1 6430-00-1110 (689) Senior Planner \$21,737

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Speaking in regard to Resolution 127, EOD Director stated that he met with our Attorneys in relation to this report and since our response was going to be a fairly detailed report they had suggested that there be a "Further Resolved" clause to this resolution to provide for final review of said report by the County Attorney.

RESOLUTION NO. 127 of 2006

DATED: March 28, 2006

RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN AN AGREEMENT RETAINING THE SERVICES OF ROEMER, WALLENS & MINEAUX - HUD CDBG AUDIT RESPONSE (EOD)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: McMahon

WHEREAS, on March 14, 1997 the US Department of Housing and Urban Development District Inspector General for Audit issued a report of its review of Montgomery County's operations pertaining to Small Cities Development Block Grant Program for the period January 1, 1993 to July 31, 1996, and

WHEREAS, the Department of Housing and Urban Development and other local, state and federal authorities initiated a criminal investigation of the activities undertaken by the administrator of the program during that period, and

WHEREAS, Montgomery County initiated several actions following the issuance of the report to address and correct the findings and recommendations identified, and

WHEREAS, the subject audit has been removed from under investigation and the resolution of the audit findings must now be resumed, and

WHEREAS, Roemer, wallens and Mineaux was retained for various enforcement actions and other legal services by Montgomery County during and following the issuance of the subject report, and

WHEREAS, in order to respond adequately to the report's findings and recommendations, it is recommended that the County retain the services of Roemer, wallens and Mineaux to assist with the preparation of the audit report and related matters, and

RESOLVED that the Chairman, following review and approval of the County Attorney, is hereby authorized to enter into an agreement with Roemer, wallens and Mineaux to assist in preparation of the HUD CDBG audit report and related matters.

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

FURTHER RESOLVED, that the Chairman, following review and approval of the County Attorney, is hereby authorized to submit to the Department of Housing and Urban Development Montgomery County's response to the 1997 HUD Audit Report.

passed with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 128 of 2006**DATED:** March 21, 2006**RESOLUTION IN SUPPORT OF PRESERVING COUNTIES' ROLE IN THE FUTURE OF OFF TRACK BETTING**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

WHEREAS, The State's contract with the New York Racing Association to run Aqueduct, Belmont and Saratoga racetracks is expiring at the end of 2007; and

WHEREAS, New York State leaders have created an Ad Hoc Committee on the Future of Racing (the Committee) to assist in developing the Request for Proposal (RFP) process for companies wishing to bid on operating the state's thoroughbred racing franchise; and

WHEREAS, the Committee has stated that one of the Requests for Proposals (RFPs) could merge the current Off Track Betting Corporation (OTB) structure into the racing franchise operations, which would impact the financial and operational relationship that counties have with OTBs; and

WHEREAS, over the past 30 years, 43 counties have received more than \$3 billion in revenue from New York's OTB Corporations that have been used to offset local tax increases; and

WHEREAS, this revenue has already decreased as a result of the introduction of Video Lottery Terminals (VLTs), and policy changes that have shifted more and more OTB revenues away from counties; and

WHEREAS, counties are more than by-standers in any decision that affects OTBs and horse racing in New York State,

RESOLVED, that Montgomery County Board of Supervisors believes counties must be represented on any committee that proposes changing the financial and operational relationship between counties and OTB Corporations; and

FURTHER RESOLVED, that counties' stake in the future of horse racing and OTB Corporations in New York State be preserved; and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors shall forward copies of this Resolution to Governor George E. Pataki, the New York State Legislature, the New York State Association of Counties and all others deemed necessary and proper.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 129 of 2006**DATED:** March 28, 2006**RESOLUTION AMENDING 2006 OPERATING BUDGET - NYS DOT STOA 2005-06 CLEAN UP (BOARD OF SUPERVISORS)**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Cechnicki

WHEREAS, the County has been notified by New York State Department of Transportation that it will receive \$6,597.84, which is Montgomery County's share of the balances that were distributed from the 2005-06 State Transit Operating Assistance, and

WHEREAS, said payment will be passed through to Brown's Coach, the County's third party provider for mass transportation, and

WHEREAS, the 2006 Operating Budget does not provide for the receipt or disbursement of said payment,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

INCREASE REVENUES:

A-01-3-3594	Mass Transportation	\$6,597.84
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INCREASE APPROPRIATIONS:

A-01-4-5630-00-4401	Bus Operations - Sec 18B - Mass Transport	\$6,597.84
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RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 130, Sheriff Mike Amato spoke in support of awarding the bid to Rosen's Uniforms of Albany.

RESOLUTION NO. 130 of 2006

DATED: March 28, 2006

RESOLUTION AWARDING BID NO. 01-06 - UNIFORMS & FOOTWEAR (SHERIFF)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Thomas

WHEREAS, the Purchasing Agent was authorized to solicit bids for uniforms and footwear for the Sheriff's Office and Jail, and

WHEREAS, said bids were opened on February 15, 2006,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 01-06 to Rosen's Uniforms of Albany, NY.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 131 of 2006

DATED: March 28, 2006

RESOLUTION AWARDING BID NO. 03-06 - 7-PASSENGER VAN (SOCIAL SERVICES)

Resolution by Supervisor: Strevy

Seconded by Supervisor: DiMezza

WHEREAS, the Purchasing Agent was authorized to solicit bids for a 7-passenger van for the Social Services Department, and

WHEREAS, said bids were opened on March 8, 2006,

RESOLVED, that the Board of Supervisors hereby awards BID No. 03-06 to Joe Basil Chevrolet, Inc. of Depew, NY for a Chevrolet Uplander Mini-Van for a total price delivered of \$15,168.00.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 132 of 2006

DATED: March 28, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - FULL TIME PRINCIPAL ACCOUNT CLERK TYPIST (AUDITING)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

WHEREAS, a item currently exists in the County Auditing Departments budget for a full time Principal Account Clerk Typist, the County Auditor recommends transferring funds to fill said vacancy, and

RESOLVED, that the full time Principal Account Clerk Typist position be funded from the current Senior Account Clerk Typist position within the Audit Department, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget, as follows:

Transfer To:

A-30-4-1320-00-1110 (1330) Principal Acct Clerk Typist \$20,717.15

Transfer From:

A-30-4-1320-00-1110-(26) Senior Acct. Clerk Typist \$19,605.78
A-01-4-1990-00-4400 Contingent Account \$ 1,111.37

RESOLUTION ADOPTED with Aye(1143). Supervisors Schumann, DiMezza, McMahon and Quackenbush voted Nay. Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 133 of 2006**DATED:** March 28, 2006

RESOLUTION RATIFYING MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF MONTGOMERY AND MONTGOMERY COUNTY LOCAL 82 OF CORRECTION SUPERVISORS AND AUTHORIZING CHAIRMAN TO SIGN CONTRACT FOR THE PERIOD OF JANUARY 1, 2004 - DECEMBER 31, 2008.

Resolution by Supervisor: Schumann

Seconded by Supervisor: Thomas

WHEREAS, negotiations for a successor employment agreement to the contract with Montgomery County Local 82 of Correction Supervisors have been conducted, with the parties reaching a Memorandum of Agreement for Full-time employees, and

WHEREAS, the membership of Montgomery County Local 82 of Correction Supervisors has ratified the Memorandum of Agreement, and

RESOLVED, that the Montgomery County Board of Supervisors hereby ratifies and approves the Full-time Memorandum of Agreement between the County of Montgomery County and Montgomery County Local 82 of Correction Supervisors, as attached 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 a Full-time contract, incorporating said Memorandum of Agreement, with Correction Supervisors for the period of January 1, 2004 - December 31, 2008.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

The majority of the Board feels that, regarding Resolution 134, the NAIS will be a hardship on the small farmer and/or homesteader. The opinions have not changed since this issue was discussed in Committee on March 14, 2006.

RESOLUTION NO. 134 of 2006**DATED:** March 28, 2006

RESOLUTION EXPRESSING OPPOSITION TO PROPOSED NATIONAL ANIMAL IDENTIFICATION SYSTEM

Resolution by Supervisor: McMahon

Seconded by Supervisor: Walters

WHEREAS, it has been proposed that a mandatory National Animal Identification System (NAIS) be instituted in the United States, and

WHEREAS, the Montgomery County Board of Supervisors is concerned that implementation of such a system could be unduly burdensome and costly to small farmers,

RESOLVED, that the Montgomery County Board of Supervisors hereby expresses its opposition to the institution of a mandatory National Animal Identification System (NAIS) in the United States, and

FURTHER RESOLVED that the Clerk of the Board of Supervisors is directed to forward copies of this resolution to federal and state officials representing Montgomery County.

RESOLUTION ADOPTED with Aye(1226). Supervisors Schumann, DiMezza and Jonker voted Nay.

Supervisor Strevy abstained. Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 135 of 2006

DATED: March 28, 2006

RESOLUTION APPOINTING NURSING HOME ADMINISTRATOR (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: DiMezza

WHEREAS, Daniel H. Mumpton was appointed Nursing Home Administrator of the Montgomery Meadows Residential Health Care Facility by Resolution 103 of 2005, and

WHEREAS, Daniel H. Mumpton has resigned the position of Nursing Home Administrator of the Montgomery Meadows Residential Health Care Facility effective 3/24/06, and

RESOLVED, that _____ hereby is appointed Montgomery Meadows Nursing Home Administrator at an annual base salary of \$_____ effective 3/25/06 to serve at the pleasure of the Board.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Thomas,

to insert in the RESOLVED clause "Barbara T. Clements" and "\$75,000" respectively

and to strike in the RESOLVED clause the date of 3/25/06 and replace with 4/10/06,

passed with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (3/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

EXECUTIVE SESSION

Pursuant to Section 105 (d) of NYS Open Meeting Law, the motion was made and seconded by Supervisor Quackenbush and Strevy, respectively, to enter into Executive Session to discuss the proposed litigation. Executive Session commenced at 8:37PM.

Motion to adjourn the Executive Session was made and seconded by Supervisors DiMezza and Greco, respectively. There were no objections. Executive Session was adjourned at 8:59 PM.

As a result of Executive Session, no action was taken.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Haak, seconded by Supervisor Dybas, passed with Aye(1802). Supervisor Cechnicki was absent. Meeting adjourned at 8:59 PM by Chairman Quackenbush.

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
7:00 PM, April 11, 2006

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 7:00 PM.

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

Additional Supervisors present were Supervisors Mancini, Greco, Thomas, Cechnicki, McMahon, Johnson, Haak and Quackenbush.

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

1. Discussion Regarding Montgomery County Office for the Aging/Fort Plain Senior Center
2. Resolution Authorizing Chairman to Sign Agreement - Jo-Ann Clear - Accounting and Fiscal Consulting Services (Mental Health)
3. Other

Item #1 (formerly item #2, "Resolution Authorizing Chairman to Sign Agreement - Jo-Ann Clear - Accounting and Fiscal Consulting Services (Mental Health)": Jim Gumaer, Director of Mental Health, spoke in support of the services to be provided by Jo-Ann Clear.

Supervisor Dybas stated that he would like to amend the second FURTHER RESOLVED clause to read as follows: "FURTHER RESOLVED that the contract may be renewed if there are Federal salary sharing funds available and with no increase in the total value of the contract exceeding the amount of Federal salary sharing funds available, and". There were no objections.

Supervisors Jonker and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2 (formerly item #1, "Discussion Regarding Montgomery County Office for the Aging/Fort Plain Senior Center"): Marianne McPhee and Terri Moynihan spoke regarding the dispute between FPSC and Prestige, the Senior Center's meal provider. They stated that the Senior Center/OFA and Prestige are currently in contract negotiations. However, the Senior Center would like to provide their own meals on Fridays and during certain special events. Prestige is in objection of that, as they view themselves as the sole providers of meals. Prestige has since unexpectedly pulled out of contract negotiations and pulled out of providing meal services. Meals are now being paid for out of FPSC pocket. The FPSC also feels that OFA has not been supportive or sympathetic of the situation.

Supervisor Johnson and Chairman Strevy stated that they feel that this is an internal issue between Prestige and OFA.

Chairman Quackenbush stated that since meals are being paid out-of-pocket, it should be deducted from Prestige's contract.

Chairman Dybas stated that he feels the money should be leveraged, but that both sides of the story need to be heard.

Chairman Strevy stated that a separate meeting would be appropriate between all parties. Supervisor Dybas agreed to coordinate that meeting on Friday, April 14, 2006.

Motion was made and seconded by Supervisors Mancini and Jonker, respectively, to adjourn the Committee meeting.

Chairman Strevy adjourned the Health & Human Services Committee meeting at 7:22 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
7:15 PM, April 11, 2006

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:23 PM.

Roll call indicated Committee members present included Supervisors Cechnicki, Johnson, Mancini, Paton and Strevy. Absent was Supervisor Greco.

Additional Supervisors present were Quackenbush, McMahon, Haak, Dybas, Thomas, and Jonker. Absent were Supervisors Schumann and DiMezza.

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

1. Resolution Awarding Bid 04-06 - Tandem Roller (Public Works)
2. Resolution Awarding Bid 05-06 - (2) Tractors with Angle Brooms (Public Works)
3. Resolution Authorizing Chairman to Sign Agreement - Unifirst Corporation - Uniform Services (Public Works)
4. Other

Item #1: Supervisor Dybas stated that the Resolution should be amended to show account line items. There were no objections. An amendment will be offered at the full Board meeting to insert the necessary line items.

Supervisors Mancini and Paton made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisor Dybas stated that the Resolution should be amended to show account line items. There were no objections. An amendment will be offered at the full Board meeting to insert the necessary line items.

Supervisors Mancini and Paton made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisors Paton and Cechnicki made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #4 Other: Add-on "RESOLUTION AUTHORIZING CHAIRMAN TO SIGN A CONTRACT FOR SHARED SERVICES ON BEHALF OF THE COUNTY OF MONTGOMERY". Chairman Walters stated that the State of Emergency would be determined by authorized public safety officials.

Supervisors Cechnicki and Haak made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Supervisor DiMezza entered Chamber at 7:31 PM.

Item #4 Other: Chairman Walters presented to the Board a memo from Public Works Commissioner Paul Clayburn regarding traffic line painting.

Commissioner Clayburn stated that an additional \$23,000 is needed due to the increased cost of materials and fuel for the paint trucks. He stated that the Capital Projects account has supplemented the striping in the past. However, this year, a total of \$105,350 is needed to complete all the striping. All funding is available except for \$16,488.60 that is still needed to complete the striping on specified roads. The \$16,488.60 cannot be taken from Capital Projects due to the nature of the specified roads.

Supervisors DiMezza and Cechnicki made a motion and seconded, respectively, to draft a Resolution proposing that the difference (\$16,488.60) be transferred from the Fund Balance's Contingency Account to the Striping line item in D Fund, #D 3310-00-4465. There were no objections.

Motion was made and seconded by Supervisors DiMezza and Strevy, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Walters adjourned the Public Safety Committee meeting at 7:39 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 - PUBLIC SAFETY
7:20 PM, April 11, 2006

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 7:39 PM.

Roll call indicated Committee members present included Supervisors Greco, Cechnicki, Jonker, Dybas and Haak. Supervisor Schumann was absent.

Additional Supervisors present were Quackenbush, Johnson, Paton, McMahon, Strevy, Walters, Mancini and DiMezza.

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

1. Discussion Regarding recent policy decision prohibiting arresting State Troopers from performing prosecutorial responsibilities in local justice courts relating to traffic infractions and its impact on the District Attorney's Office
2. Discussion Regarding State Legislation that would provide for a Credit Against Personal Income Tax for Volunteer Firefighters and Members of Volunteer Ambulance Corps
3. Resolution Adopting Exposure Control Plan (Emergency Management)
4. Resolution Authorizing Chairman to Sign Grant Agreement - NYS Department of State - Community Projects Appropriation Contract (Emergency Management)
5. Resolution Amending 2006 Operating Budget - NYS Office of Homeland Security - Law Enforcement Terrorism Prevention Grant (Sheriff)
6. Resolution Transferring Funds - E911 Reserve Account (Sheriff)
7. Other

Item #1 (formerly item #3, "Resolution Adopting Exposure Control Plan (Emergency Management)": Supervisors Walters and DiMezza made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2 (formerly item #4, "Resolution Authorizing Chairman to Sign Grant Agreement - NYS Department of State - Community Projects Appropriation Contract (Emergency Management)": Supervisors Walters and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3 (formerly item #5, "Resolution Amending 2006 Operating Budget - NYS Office of Homeland Security - Law Enforcement Terrorism Prevention Grant (Sheriff)": Supervisors Haak and Strevy made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #4 (formerly item #6, "Resolution Transferring Funds - E911 Reserve Account (Sheriff)": Supervisors Haak and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #5 (formerly item #1, "Discussion Regarding recent policy decision prohibiting arresting State Troopers from performing prosecutorial responsibilities in local justice courts relating to traffic infractions and its impact on the District Attorney's Office)": Supervisor DiMezza stated that if the prosecutorial responsibilities are removed from the arresting State Troopers, the responsibility will fall on the shoulders of the District Attorney, thereby tripling their workload. He stated that, for example, the DA's office doesn't have the manpower or time to do necessary background checks needed. He also stated that if the State Police cannot afford the extra overtime manpower hours in court, a \$5 surcharge could be added to all tickets to help pay for the overage.

Supervisors Strevy and DiMezza made a motion and seconded, respectively, to draft a Resolution opposing the recent policy decision and to move it to the full Board with a positive recommendation. There were no objections.

Supervisor DiMezza stated that once the Resolution is passed in the full Board meeting, it should be forwarded to the Superintendent, legislatures, NYSAC, and other organizations for statewide immediate attention. There were no objections.

Item #6 (formerly item #2, "Discussion Regarding State Legislation that would provide for a Credit Against Personal Income Tax for Volunteer Firefighters and Members of Volunteer Ambulance Corps"): Supervisor Thomas stated that this won't hurt municipalities and is more fair than flat percentage.

Supervisors Thomas and Haak made a motion and seconded, respectively, to draft a Resolution in support of the stated legislation, and move it to the full Board with a positive recommendation. There were no objections.

Motion was made and seconded by Supervisors Dybas and Haak, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Thomas adjourned the Public Safety 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 - PERSONNEL
7:00 PM, April 18, 2006

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present are Supervisors McMahon, Mancini, Thomas, Johnson, Greco and Walters were present.

Additional Supervisors present were Strevy, Dybas, Quackenbush, Cechnicki, Paton, Jonker, and Haak. Supervisor Schumann was absent.

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

1. Resolution Authorizing Chairman to Sign Intergovernmental Agreement for Local Deployment Pursuant to the Emergency Management Assistance Compact (Emergency Management)
2. Resolution Adopting the National Incident Management System (NIMS) - Emergency Management
3. Resolution Authorizing Montgomery County to Offer Health, Dental and Vision Insurance for Domestic Partners
4. Discussion Regarding Administrative Employee/Administrator - Board of Supervisors' Office
5. Discussion Regarding Clerical Staffing - Board of Supervisors' Office
6. Other

Item #1: Supervisors Thomas and Mancini made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Supervisor Paton entered chamber at 7:01 PM.

Item #2: Emergency Management Director Gary Nestle spoke in support of the Resolution and stated that every municipality and town employee (i.e. Clerk, Tax Collectors, truck drivers, etc.) must be in compliance by Sept. 30, 2006, and that future grant applications won't be approved if compliance isn't met. In response to a query, he stated that Homeland Security will be providing all funding for the necessary training.

Supervisors Thomas and Walters made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisors Haak and Johnson made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #4: Chairman Quackenbush stated that he met with the Chairs of the various Committees regarding the position of a County Administrator. He stated that continued positive communication between the Board of Supervisors, Department Heads and Committee Chairs are paramount for the County to continue running smoothly. He stated that the current Committee structure is working well, and feels that no change is needed at this time. He recommends that an analysis be made of the current Committee structure in December to determine if the Administrator position should be revisited.

Supervisors McMahon and DiMezza stated that they also believe that the current County structure is well working.

Supervisor DiMezza stated that he also supports a Senior Clerk Typist position in the Board of Supervisor's office.

Supervisor Walters stated that he supports a full-time Clerk of the Board (in lieu of an Administrator), and urges that this issue be resolved as soon as possible. He stated that he's in full support of the current Committee structure in play.

Supervisor Greco stated that he feels the job description for Senior Clerk Typist should be revised to include computer skills. In response to that comment, Personnel Officer Rich Baia stated that the current job description is for illustrative purposes only, and can be revised for any Department, as it is a non-bargaining position.

Supervisor Strevy and Cechnicki stated that they would like a full-time County Administrator, as stated in previous meetings.

Chairman DiMezza stated that he's not sure what an Administrator would do to fill his/her time, as most related duties have been streamlined into various departments. He feels that the Administrator would spend most of his/her time overseeing the Chairmen.

Supervisor Strevy stated that employing a professional Administrator would be a positive step forward, and duties now delegated to various departments could be returned to an Administrator.

Supervisor Haak stated that in the past, there hasn't been a positive working relationship between any former Administrator and the Board of Supervisors.

Chairman DiMezza stated that he would like to see this matter put to rest. There were no objections.

Item #5: Supervisors DiMezza and Johnson made a motion and seconded, respectively, to sponsor a draft Resolution establishing a Senior Clerk Typist in the Board of Supervisor's office and move it to the full Board with a positive recommendation. There were no objections.

Supervisor Greco stated that he feels the job description should be updated to include additional computer skills.

Chairman DiMezza asked that the job description will be updated and made available for consideration at the full Board meeting, and that during the interview process, candidates would be considered for hire if they possess the necessary computer skills.

Item #6: Personnel Officer Baia stated that the currently vacant Senior Planner position in EOD has had no qualified applicants. He stated that there is an applicant qualified as a Planner. EOD has requested that the position be downgraded to Planner, along with the salary, as appropriate.

Supervisors Thomas and Quackenbush made a motion and seconded, respectively, to sponsor a draft Resolution downgrading the Senior Planner position in EOD to Planner and move it to the full Board with a positive recommendation. There were no objections.

Supervisors Thomas and Walters made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman DiMezza adjourned the Personnel Committee meeting at 7:33 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
7:15 PM, April 18, 2006

COMMITTEE MEETING DISCUSSION

Chairman Haak presided over the meeting commencing at 7:34 PM.

Roll call indicated Committee members present included Supervisors DiMezza, Cechnicki, McMahon, Strevy, Greco and Thomas.

Additional Supervisors present were Quackenbush, Paton, Johnson, Dybas, Walters, Jonker and Mancini. Absent was Supervisor Schumann.

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

1. Resolution Authorizing Chairman to Sign Agreement - Local Emergency Management Assistance Participation Agreement (LEMPG) - Emergency Management
2. Resolution Awarding Bridge Replacement Contract (Public works)
3. Discussion Regarding Tax Installment Payment Plan
4. Other

Item #1: Supervisors Thomas and Walters made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisor Walters stated that the winning bid was from Slate Hill Construction of Warners, NY, for \$1,493,032.97. Supervisors Walters and Mancini made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisor Strevy stated that a tax installment payment plan presents a new set of complicated challenges for the Treasurer, but that the taxpayers need some kind of relief sooner rather than later.

County Attorney Doug Landon stated that Real Property Tax Law provides the County the flexibility with setting up an installment payment plan if desired. The Board will need to determine due dates, rates of interest, penalties, etc. He stated that there are provisions for Towns and Villages to pursue the same scenario, if desired.

Supervisor Walters stated that an installment plan would be difficult to enforce, and under the current system, knowing your taxes are due the end of March should be enough for appropriate preparations and action of payment. He feels that those taxpayers already feeling the crunch (mainly the elderly) will not benefit from this scenario in the long run.

Supervisor DiMezza stated that, under his direction, Treasurer Shawn Bowerman sent an email of inquiry to all other Treasurers in the state.

Supervisor DiMezza stated that he supports a five-payment plan for January through May, and supports waiting for Treasurer Bowerman's report on the email responses he receives.

Treasurer Bowerman stated that the County has a sizeable Fund Balance now, but that would be in jeopardy three or four years down the road. He believes that there are no Counties following the same quarterly payment plan that the City of Amsterdam has. He stated that he will report to the Board the responses he receives from other Treasurers. He stated that he predicts more foreclosures than usual, and that based on the current system, 88% of all the taxes in the Towns/Villages have been collected.

Supervisor McMahon stated that additional interest fees and penalties would be added to unpaid multiple payments, which wouldn't help a taxpayer in financial straits to begin with. He also stated that this system would be more work for the local Town Clerks or Treasurers.

Supervisor Thomas stated that he doesn't support multiple payment plan.

Item #4: Chairman Haak 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 Strevy and seconded by Supervisor Quackenbush. Executive Session began at 7:58 PM.

Supervisors Dybas and Cechnicki made a motion and seconded, respectively, to adjourn Executive

Session. The Executive Session was adjourned at 8:09 PM.

As a result of the Executive Session, Attorney Landon will be writing a Resolution (sponsored and seconded by Supervisors Haak and Cechnicki, respectively) requesting \$2500 to proceed with settlement proceedings. The Resolution will moved to the full Board meeting with a positive recommendation. There were no objections.

The motion was made and seconded by Supervisor Cechnicki and Greco, respectively, to adjourn the Finance Committee. Chairman Haak adjourned the Finance Committee meeting at 8:10 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
REGULAR MEETING
7:00 PM, April 25, 2006

CALL TO ORDER

Chairman Quackenbush called the Regular Meeting of the Montgomery County Board of Supervisors for April 25, 2006 to order at 7:00 PM.

SALUTE TO THE FLAG

Supervisor Mancini led the Salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors Quackenbush, Johnson, Greco, Paton, McMahon, Strevy, Haak, Dybas, Schumann, Walters, Thomas, Jonker and Mancini were present. Supervisors Cechnicki and DiMezza were absent.

PRIVILEGE OF THE FLOOR

PRESENTATION

A. Presentation - "Youth Week Proclamation" - The Benevolent and Protective Order of Elks. Chairman Quackenbush and Supervisor Dybas made the proclamation on behalf of BPOE Lodge 101 of Amsterdam and Lodge 2621 of Ft. Plain/Canajoharie. Vic Sperduto, Exalted Ruler of Lodge 101 and Steve Heiser, Past Exalted Ruler of Lodge 2621 were present to receive the Proclamation, honoring the junior citizens of our Communities in Montgomery County for their many contributions to public service.

B. Public Comment

Chairman Quackenbush opened the floor for public comment at 7:03 PM.

There were no speakers.

Chairman Quackenbush gave an update on the Providers/Montgomery Meadows issue. He stated that The Providers have submitted all the financial statements required by the D.O.H., and are anticipating to be at the D.O.H.'s May 18, 2006, meeting.

Chairman Quackenbush adjourned the Privilege of the Floor at 7:05 PM.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (March 28 - April 18, 2006) by Supervisor Greco, seconded by Supervisor Mancini, passed with Aye(1583). Supervisors DiMezza and Cechnicki were absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Dybas, seconded by Supervisor McMahon, passed with Aye(1583). Supervisors DiMezza and Cechnicki were absent.

UNFINISHED BUSINESS

Resolution 124 was not removed from the table, and died.

RESOLUTION NO. 124 of 2006

DATED: March 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF UNDERSTANDING - AMSTERDAM MEMORIAL HEALTHCARE (MONTGOMERY MEADOWS)

Resolution by Supervisor: Walters

Seconded by Supervisor: Strevy

WHEREAS, it is the desire of the Montgomery County Board of Supervisors to enter into a

Memorandum of Understanding with Amsterdam Memorial Healthcare Systems to explore options available to transfer ownership and/or operation of the Montgomery Meadows Residential Healthcare Facility,

RESOLVED, 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 Amsterdam Memorial Healthcare to explore options available to transfer ownership and/or operation of the Montgomery Meadows Residential Healthcare Facility.

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Quackenbush, passed with Aye(1467). Supervisor Strevy voted Nay. Supervisors Dybas and Haak abstained. Supervisor Cechnicki was absent. (3/28/2006)

THERE WAS NO MOTION TO REMOVE FROM TABLE, THEREFORE, THE RESOLUTION DIED. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

OTHER

MOTION TO AMEND AGENDA by Supervisor Dybas, seconded by Supervisor Haak, to entertain add-on Resolution 156 at the end of the NEW BUSINESS section, passed with Aye(1583). Supervisors DiMezza and Cechnicki were absent.

NEW BUSINESS

RESOLUTION NO. 136 of 2006

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

DATED: April 25, 2006

RESOLUTION ADOPTING EXPOSURE CONTROL PLAN (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Walters

Seconded by Supervisor: DiMezza

WHEREAS, the Montgomery County Department of Emergency Management has updated the Montgomery County Exposure Control Plan (Bloodborne Pathogens Standard 29 CFR Part 1910.1030), and

WHEREAS, all effected departments have reviewed said plan with minor changes, and

WHEREAS, the Safety and Security Committee has adopted said plan,

RESOLVED, that the Montgomery County Board of Supervisors hereby adopts said attached plan.

RESOLUTION ADOPTED with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 137 of 2006

DATED: April 25, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DEPARTMENT OF STATE - COMMUNITY PROJECTS APPROPRIATION CONTRACT (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Walters

Seconded by Supervisor: Dybas

WHEREAS, the Montgomery County Emergency Management Office has been notified that Montgomery County as been awarded another \$25,000 special state legislative grant that is for emergency response planning, equipment and supplies, and

WHEREAS, the Emergency Management Officer has requested acceptance of said funding,

RESOLVED, that the Montgomery County Board of Supervisors does hereby accept the special state legislative grant funding (Community Projects Appropriation Contract #M050938) in the amount of \$25,000 to be utilized by the Emergency Management Office for the purpose of emergency response planning, equipment and supplies, 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 documents, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

INCREASE:

REVENUE

A-02-3-3960 Emergency Disaster Assistance/State \$25,000.00

APPROPRIATIONS

A-02-4-3640-00.4449 Special Supplies & Materials \$25,000.00

RESOLUTION ADOPTED with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 138 of 2006

DATED: April 25, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN INTERGOVERNMENTAL AGREEMENT FOR LOCAL DEPLOYMENT PURSUANT TO THE EMERGENCY MANAGEMENT ASSISTANCE COMPACT (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Mancini

WHEREAS, the Department of Emergency Management wishes to participate in the Intergovernmental Agreement for Local Deployment pursuant to the Emergency Management Assistance Compact (EMAC), and

WHEREAS, EMAC is a bonifide system that is supposed to deter just anyone from assisting and it clearly outlines the chain of command from the Federal Government down to the local government and it establishes a system of allocating and designating resources under NIMS, and

WHEREAS, in case of emergency, this agreement authorizes other counties to come and assist our county or designated individuals from this county would assist another county state-wide, and

WHEREAS, if this county is deployed, there are reimbursements available through the New York State Emergency Management office,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, is hereby authorized and directed to sign the Intergovernmental Agreement for Local Deployment Pursuant to the Emergency Management Assistance Compact.

RESOLUTION ADOPTED with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 139 of 2006

DATED: April 25, 2006

RESOLUTION ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Thomas

Seconded by Supervisor: walters

WHEREAS, in Homeland Security Presidential Directive (HSPD)-5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for federal, state, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity, and

WHEREAS, the collective input and guidance from all federal, state, local and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS, and

WHEREAS, it is necessary that all federal, state, local and tribal emergency management agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels

of incident management, and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that federal, state, local, and tribal organizations utilize standardized terminology, standardized organizational structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters, and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the state's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes, and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the state, including all public safety and emergency response organizations training programs, and

WHEREAS, the National Commission of Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System,

RESOLVED, that the Montgomery County Board of Supervisors does hereby mandate the National Incident Management System be utilized for all incident management in the County of Montgomery, and

FURTHER RESOLVED, that this shall take effect immediately.

RESOLUTION ADOPTED with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 140 of 2006

DATED: April 25, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT- LOCAL EMERGENCY MANAGEMENT ASSISTANCE PARTICIPATION AGREEMENT (LEMPG) - EMERGENCY MANAGEMENT

Resolution by Supervisor: Thomas

Seconded by Supervisor: walters

WHEREAS, Montgomery County, by participating in the Federal Emergency Management Assistance Program, is eligible for reimbursement funding,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign the Local Emergency Management Assistance Participation Agreement (LEMPG) for Federal Fiscal Year 2006.

RESOLUTION ADOPTED with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 141 of 2006

DATED: April 25, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - NYS OFFICE OF HOMELAND SECURITY - LAW ENFORCEMENT TERRORISM PREVENTION GRANT (SHERIFF)

Resolution by Supervisor: Haak

Seconded by Supervisor: Strevy

WHEREAS, by Resolution 252 of 2005 the Board of Supervisors authorized acceptance of the Law Enforcement Terrorism Prevention Grant, and

WHEREAS, said funds were appropriated in the 2005 operating Budget and the unexpended balance should be carried forward in the 2006 operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 operating Budget, as follows:

INCREASE:

Revenue

A-15-3-4389 Other Public Safety - Federal Aid \$30,000.00

Appropriations

A-15-4-3110-00-2250 Technical Equipment \$20,479.45

A-15-4-3110-00-4449 Special Supply and Material \$ 2,660.38

A-15-4-3110-00-4447 Uniforms \$ 3,004.41

A-15-4-3110-00-4438 Misc. Supporting Svcs. \$ 3,855.76

RESOLUTION ADOPTED with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 142 of 2006

DATED: April 25, 2006

RESOLUTION TRANSFERRING FUNDS - E911 RESERVE ACCOUNT (SHERIFF)

Resolution by Supervisor: Haak

Seconded by Supervisor: Dybas

WHEREAS, the Sheriff has recommended the transfer of funds from the E911 Reserve Account to provide for training which is now required for dispatchers,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget, as follows:

INCREASE:

A-511 E911 Appropriation Reserve \$2,000

INCREASE:

A-15-4-3020-14		
.4455	Training	\$ 200
.4470	Travel Related Costs	\$ 1,800

RESOLUTION ADOPTED with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 143 of 2006

DATED: April 25, 2006

RESOLUTION REQUESTING THE NYS LEGISLATURE TO ADOPT S.3804/A.10572 - LEGISLATION WHICH WOULD PROVIDE FOR A CREDIT AGAINST PERSONAL INCOME TAX FOR VOLUNTEER FIREFIGHTERS AND MEMBERS OF VOLUNTEER AMBULANCE CORPS

Resolution by Supervisor: Thomas

Seconded by Supervisor: Haak

WHEREAS, Volunteer Fire and Rescue Departments provide untold value in public service to their communities by their selfless dedication in responding at all hours to the needs of their community, and

WHEREAS, Volunteer Fire and Rescue Members must undergo countless hours of training and practice to become certified in the various aspects and skills necessary for firefighting and rescue, and

WHEREAS, this dedication to service to others is given freely to the community by the many members of the volunteer services, and

WHEREAS, recruitment and retention of volunteer department members has become an issue of having adequate number of trained and qualified volunteers to respond to the community's needs, and

WHEREAS, it would be a fitting recognition and a reward for the selfless dedication of the members of volunteer fire and rescue departments to provide a credit against personal income tax for members in good standing of a volunteer fire and/or rescue department,

RESOLVED, that the Montgomery County Board of Supervisors does hereby urge the NYS Legislature to

pass and adopt into law of Senate Bill 3804/Assembly Bill 10572 that would provide such a benefit, and

FURTHER RESOLVED, that the Clerk of the Board of Supervisors shall transmit a certified copy of this resolution to Governor Pataki, Assembly Speaker Sheldon Silver, Senate Majority Leader Joseph Bruno, Senator Hugh T. Farley and Assemblyman Paul D. Tonko.

RESOLUTION ADOPTED with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 144, Supervisor Walters stated that according to Office of Court Association (OCA), it is illegal for Troopers to prosecute, as they are the ticket issuing party.

Supervisor Schumann stated that the District Attorney's Office could handle the workload if there was additional funding available.

Supervisor Strevy stated that the costs should be handled at the state level, not at the local government level.

Supervisor Thomas stated that Schenectady County is still negotiating, and that he supports the Resolution.

Supervisor Jonker supports the Resolution, stating that the local justice system and the DA's office will quickly become overwhelmed.

Supervisor McMahon stated that in some cases, if there is no prosecutor present, the judge will dismiss the case.

RESOLUTION NO. 144 of 2006

DATED: April 25, 2006

RESOLUTION OPPOSING RECENT POLICY DECISION OF NYS POLICE PROHIBITING ARRESTING STATE TROOPERS FROM PERFORMING PROSECUTORIAL RESPONSIBILITIES IN LOCAL JUSTICE COURTS RELATING TO TRAFFIC VIOLATIONS

Resolution by Supervisor: Strevy

Seconded by Supervisor: DiMezza

WHEREAS, the NYS Police recently notified District Attorney Office of a policy decision prohibiting arresting State Troopers from performing prosecutorial responsibilities in local justice courts relating to traffic infractions, and

WHEREAS, Effective September 1, 2006, this administrative order will require local governments to finance and implement all prosecutorial duties related to traffic infraction cases, including plea bargaining in local courts, and

WHEREAS, in Montgomery County, resolution of traffic infractions is currently performed by the arresting state Trooper and not by the County, village, town or City Attorney, a practice which has been in place for decades,

WHEREAS, Montgomery County, along with the New York State Association of Counties, believes this administrative action to be an unfunded mandate to the local taxpayer, as it will require the District Attorney's Office to assume responsibility for a significant additional caseload without corresponding state aid,

RESOLVED, the Montgomery County Board of Supervisors strongly opposes this recent policy decision by the NYS Police and urges the Superintendent of the State Police to reconsider action on this matter, and

FURTHER RESOLVED, that copies of the resolution be sent to Governor George E. Pataki, Assemblyman Paul D. Tonko and Senator Hugh T. Farley.

RESOLUTION ADOPTED with Aye(1395). Supervisors Schumann and Walters voted Nay. Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 145 of 2006

DATED: April 25, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - JO-ANN CLEAR - ACCOUNTING AND

FISCAL CONSULTING SERVICES (MENTAL HEALTH)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Dybas

WHEREAS, the Director of Community Services recommends contracting for accounting and fiscal consulting services related to the requirements of the New York State Mental Hygiene Law, and

WHEREAS, funding for fiscal oversight and planning is provided by the Federal Medicaid Salary Sharing funding mechanism of the New York State Office of Mental Health and the New York State Office of Mental Retardation and Developmental Disabilities, and

WHEREAS, Ms. Jo-Ann Clear of Gloversville, New York has several years experience providing accounting and fiscal consulting services under the Mental Hygiene Law of New York State to the both the Fulton and Montgomery County Local Government Units and is offering said services to Montgomery County on an hourly basis, and

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 41.05 requires that the local government account for the funding provided to implement the local government plan, 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 the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized and directed to sign and execute a contract to provide accounting, fiscal consulting and fiscal reporting services as required by the Mental Hygiene Laws of the State of New York with Jo-Ann Clear, Gloversville, New York, and

FURTHER RESOLVED that the contract shall not exceed \$ 4,100 (four thousand one hundred dollars) in calendar year 2006, and

FURTHER RESOLVED that the contract may be renewed if there are Federal salary sharing funds available and with no increase in the total value of the contract exceeding the amount of Federal salary sharing funds available, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

INCREASE:

Revenue

A-17-3-4490	Federal Salary Sharing	\$4,194
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Appropriations

A-17-4-4310-00-4431	Professional Services	\$4,194
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RESOLUTION ADOPTED with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 146 of 2006

DATED: April 25, 2006

RESOLUTION AWARDING BID 04-06 - TANDEM ROLLER (PUBLIC WORKS)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Paton

WHEREAS, the Purchasing Department was authorized to solicit bids for a Tandem Roller for the Public Works Department, and

WHEREAS, said bids were opened on March 29, 2006,

RESOLVED, that the Board of Supervisors hereby awards Bids No. 04-06 to Finke & Sons Equipment, of Selkirk, in the amount of \$87,848.00.

RESOLUTION ADOPTED with Aye(1447). Supervisor Dybas voted Nay. Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 147 of 2006

DATED: April 25, 2006

RESOLUTION AWARDING BID 05-06 - (2) TRACTORS WITH ANGLE BROOMS (PUBLIC WORKS)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Paton

WHEREAS, the Purchasing Department was authorized to solicit bids for two (2) Tractors with Angle Brooms for the Public Works Department, and

WHEREAS, said bids were opened on March 29, 2006,

RESOLVED, that the Board of Supervisors hereby awards Bids No. 05-06 to H & M Equipment Co., Inc., of Amsterdam, in the amount of \$70,126.00.

RESOLUTION ADOPTED with Aye(1447). Supervisor Dybas voted Nay. Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 148 of 2006

DATED: April 25, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - UNIFIRST CORPORATION - UNIFORM SERVICES (PUBLIC WORKS)

Resolution by Supervisor: Paton

Seconded by Supervisor: Cechnicki

WHEREAS, the Purchasing Agent has solicited proposals for uniform service for Department of Public Works employees,

WHEREAS, proposals have been received from vendors interested in providing said service,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney is authorized and directed to sign an agreement with Unifirst Corporation of Watervliet for provision of uniform services.

RESOLUTION ADOPTED with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 149, Supervisor Strevy stated that he is not pleased with the money coming from the Contingency Fund, if there are other options.

RESOLUTION NO. 149 of 2006

DATED: April 25, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - ROAD STRIPING (PUBLIC WORKS)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Cechnicki

WHEREAS, the Public Works Commissioner has requested in an increase in funding for necessary road striping due to increased cost of materials and fuel for paint trucks,

RESOLVED, that the County Treasurer is hereby authorized and directed to Amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingent Account \$16,488.60

TRANSFER TO:

D-12-4-3310-00-4465 Road Striping \$16,488.60

MOTION TO AMEND by Supervisor Walters, seconded by Supervisor Dybas, to strike the TRANSFER TO account number line and insert in its place the following:

TRANSFER TO:

A-06-4-9900-00-9901 Transfer to County Rd. Fund \$16,488.60

INCREASE:

D-12-3-5031-00 Interfund Revenue \$16,488.60

D-12-4-3310-00-4465 Road Striping \$16,488.60

passed with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

RESOLUTION ADOPTED with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 150 of 2006

DATED: April 25, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN A CONTRACT FOR SHARED SERVICES ON BEHALF OF THE COUNTY OF MONTGOMERY

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Haak

WHEREAS all municipalities, including the County of Montgomery, have the power and authority to contract for the purpose of renting, leasing, exchanging, borrowing or maintaining of machinery and equipment, with or without operators, with other municipalities, and

WHEREAS, all municipalities, including the County of Montgomery, have the power and authority to borrow or lend materials and supplies to other municipalities, and

WHEREAS, it is hereby determined that the County of Montgomery and other municipalities have machinery and equipment which is not used during certain periods, and

WHEREAS, it is determined that the County of Montgomery and other municipalities often have materials and supplies on hand which are not immediately needed, and

WHEREAS, it is hereby determined that by renting, borrowing, exchanging, leasing or maintaining highway machinery and equipment and the borrowing or lending of materials and supplies, the County of Montgomery and other municipalities may avoid the necessity of purchasing certain needed highway machinery and equipment and the purchasing of or storing a large inventory of certain extra materials and supplies, thereby saving the taxpayers money, and

WHEREAS, it is incumbent upon each municipality to design a simple method whereby materials and supplies, equipment and machinery, including the operators thereof, may be obtained or maintained with a minimum of paperwork and inconvenience with a swift approval process, and

WHEREAS, it is the intent of the County of Montgomery to give the head of the highway department the authority to enter into renting, exchanging, borrowing, lending or maintaining arrangements with the persons serving in similar capacities in other municipalities without the necessity of obtaining approval of the County governing board prior to the making of each individual arrangement, and

WHEREAS, a standard contract has been prepared which is expected to be adopted and placed into effect in other municipalities, and will grant the person holding the position comparable to that of the head of the highway department, authority to make similar arrangements,

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign, on behalf of the County of Montgomery, the following contracts: (a) with all municipalities located within Montgomery County, (b) with neighboring counties in emergency situations only.

RESOLUTION ADOPTED with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 151 of 2006**DATED:** April 25, 2006**RESOLUTION AWARDING BRIDGE REPLACEMENT CONTRACT (PUBLIC WORKS)**

Resolution by Supervisor: Walters

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 Slate Hill Construction of Warners, NY, for three bridge replacement projects as follows:

Mapletown Road, B.I.N. 3309800

Vandeventer Road, B.I.N. 3309610

Dunlap Road, B.I.N. 3310180

, 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 Slate Hill Construction of Warners, NY, and

FURTHER RESOLVED, that said contract shall provide for payment in an amount not to exceed \$1,493,032.97.

RESOLUTION ADOPTED with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Chairman Quackenbush defined "Domestic Partner" as it appears in Resolution 152 as two persons living together, irregardless of sexual preference. He stated that the state doesn't recognize same sex marriages, and is also concerned that this Resolution would be promoting childbirth out of wedlock.

Supervisor Strevy stated that he doesn't support this Resolution, as other taxpayers are lacking insurance also, without special consideration.

Supervisor Schumann stated that New York State provides similar insurance for employees and their domestic partners, and this would be a form of discrimination if the County doesn't approve it.

Supervisor Paton stated that the cost to the County for 10 domestic partners would be \$50,000.

Supervisor Walters stated that he doesn't morally support the Resolution.

Upon roll call vote, this Resolution failed.

RESOLUTION NO. 152 of 2006**DATED:** April 25, 2006**RESOLUTION AUTHORIZING MONTGOMERY COUNTY TO OFFER HEALTH, DENTAL AND VISION INSURANCE FOR DOMESTIC PARTNERS**

Resolution by Supervisor: Haak

Seconded by Supervisor: Johnson

WHEREAS, it has been recommended that Montgomery County provide extension of coverage for health, dental and vision insurance for domestic partners, and

WHEREAS, unmarried enrollees may cover their living partners with whom they reside and have a committed, long term relationship of mutual support, and for whom they have assumed long term financial responsibility or have mutual financial responsibility, and

WHEREAS, Montgomery County will utilize the same rules, regulations, and forms used by the Employee Benefits Division of the State of New York Department of Civil Service, and

RESOLVED, that this coverage be effective June 1, 2006 and that the Montgomery County Personnel Department be responsible for the administration of the rules and regulations that are set forth in said New York State Domestic Partners policy, and

FURTHER RESOLVED, that if there is any ambiguity or lack of clarity or difference between the Personnel Department and the employee requesting this domestic partner coverage, that the County Attorney will intervene and review and make the final determination for this extended coverage.

RESOLUTION DEFEATED with Aye(868). Supervisors Greco, Johnson, Schumann, Thomas, Quackenbush, Jonker and Haak voted Aye. Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Strevy stated that the job description attached to Resolution 153 is more an accounting job than a account clerk typist job.

Supervisor Greco stated that he met with Personnel Officer Rich Baia about the job description. Mr. Baia had stated that it is a generic job description, and (in summary) Computer skills were added.

Supervisor Dybas stated that no specific computer skills or programs were mentioned in the job description, making it too vague to be useful.

Supervisor Johnson stated that during the interview process, the level of computer skills an interviewee has can be explored.

RESOLUTION NO. 153 of 2006

DATED: April 25, 2006

RESOLUTION ESTABLISHING POSITION - ACCOUNT CLERK TYPIST (BOARD OF SUPERVISORS)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Johnson

WHEREAS, it has been recommended that the clerical position in the Board of Supervisors Office be upgraded to a higher skill level to provide for better efficiency in the office,

RESOLVED, that the position of Account Clerk Typist is hereby established in the Board of Supervisors Office, and

FURTHER RESOLVED, that said position will work for the Board of Supervisors and is supervised by the Administrative Aide to the Board of Supervisors,

FURTHER RESOLVED, that said position is in the non-bargaining confidential management class with an annual base salary of \$25,000.

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1010-00-1110(139)	Clerk Typist	\$17,000
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TRANSFER TO:

A-01-4-1010-00-1110(351)	Account Clerk Typist	\$17,000
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RESOLUTION ADOPTED with Aye(1113). Supervisors Dybas, Strevy, Thomas and Paton voted Nay. Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 154, Supervisor Strevy stated that changing the job from Senior Planner to Planner is not a step in the right direction for the EOD. He stated that perhaps there weren't any applicants based on the low pay of \$32,000 offered. He stated that the Resolution should be tabled, returned to Personnel Committee for re-evaluation (including a pay raise). He also stated that the Otsego County Senior Planner makes \$35,000 per year.

EOD Director Ken Rose stated that the position is a bargaining unit, and a formal process is needed to raise the pay rate.

The Resolution was unanimously tabled and moved back to Personnel Committee for reevaluation.

RESOLUTION NO. 154 of 2006

DATED: April 25, 2006

RESOLUTION ESTABLISHING PLANNER POSITION (ECONOMIC OPPORTUNITY AND DEVELOPMENT)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Quackenbush

WHEREAS, the position of Sr. Planner was funded in the 2006 Operating Budget within the Economic Opportunity and Development Department, and

WHEREAS, the position was advertised for and no qualified applications were received,

WHEREAS, it has been recommended that the position be reduced to a Planner to re-advertise for qualified applicants,

RESOLVED, that the position of Planner be established in the 2006 Budget,

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A 24-1 6430-00-1110 (689) Senior Planner \$18,000

AND TRANSFER TO:

A 24-1 6430-00-1110 (412) Planner \$18,000

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Walters, passed with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 155 of 2006

DATED: April 25, 2006

RESOLUTION TO SETTLE PENDING LITIGATION - GREEN TREE SERVICING VS. STAPLES, LEFFLER AND MONTGOMERY COUNTY

Resolution by Supervisor: Haak

Seconded by Supervisor: Cechnicki

WHEREAS, Montgomery County is a defendant in civil litigation known as Green Tree Servicing v. Staples, Leffler and Montgomery County which involves county foreclosure and sale of a certain parcel of real property, and

WHEREAS, after analysis and consideration of potential results associated with continued litigation of the case, it has been recommended by the County Attorney that the county settle the matter by paying the sum of \$2,500 to the plaintiff in full satisfaction of all claims associated with this matter,

RESOLVED, that the County Attorney is hereby authorized to settle the above referenced case for a sum not to exceed \$2,500, and to execute a stipulation of discontinuance and other court documents necessary to result in closure of said litigation.

RESOLUTION ADOPTED with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 156, the majority of Supervisors feel that even though the contract will be expiring May 31, 2006, bids from service providers should be pursued, to solicit the best electric rate on the market.

Supervisor Dybas stated that according to the Resolution, the Purchasing Agent has already done his job at obtaining the best rate, and is without question.

Supervisor Schumann, questioning the validity of Supervisor Dybas' statement, stated that all department heads should attend the full Board meetings so questions such as these can be answered easily and quickly and decisions can be made.

The Resolution was unanimously tabled so that bids could be solicited for the electrical service.

RESOLUTION NO. 156 of 2006

DATED: April 25, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL CONTRACT - ELECTRIC ENERGY SERVICES

Resolution by Supervisor: Haak

Seconded by Supervisor: Dybas

WHEREAS, the current Electric Energy Services contract will expire May 31, 2006, and

WHEREAS, the Purchasing Agent has recommended renewing said contract,

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 ConEdison Solutions, of White Plains, NY for Electric Energy Services for the period beginning with Customer reading in June 2006 and ending with Customer meter reading in June 2007.

MOTION TO TABLE by Supervisor Haak, seconded by Supervisor Schumann, passed with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor Johnson, passed with Aye(1583). Supervisors DiMezza and Cechnicki 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 - AGRICULTURE, PLANNING & DEVELOPMENT
7:00 PM, May 2, 2006

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:00 PM in Chairman Johnson's stead.

Roll call indicated Committee members present are Supervisors Dybas, Haak, Mancini, Paton and Schumann. Supervisors Johnson and Jonker were absent.

Additional Supervisors present were Greco, McMahon, Strevy, Cechnicki, and Thomas. Absent were Supervisors Walters and DiMezza.

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

1. Discussion regarding FMS Workforce Development Board Revision of Three-Year Plan
2. Discussion regarding FMS Workforce Development Board Private Industry Representative Vacancies
3. Montgomery County Chamber of Commerce Tourism Presentation
4. Resolution Approving Hospitality Grant Awards and Transferring Funds - Occupancy Tax Reserve
5. Resolution Appointing Member of Montgomery County Industrial Development Agency Board of Directors
6. Resolution Appointing Member - Montgomery County Planning Board
7. Discussion Regarding Vacancy - Amsterdam-Florida-Glen Empire Zone
8. Other

Item #1: Gail Breen, Executive Director of FMS Workforce Development Board, Inc. (which serves Fulton, Montgomery and Schoharie Counties), presented to the Board the draft revision of their five-year plan on serving the communities and clarified the expected funding changes. Options include downsizing services at all three locations or to combine services within two (Fulton and Montgomery) centers (the latter being a preferred plan of action for the Workforce Development Board). In June, a Resolution will be forthcoming before the Board of Supervisors.

Item #2: Gail Breen stated that there are two vacancies on the Board. She recommends that the private sector appointees be policy-making officials within businesses/organizations in the immediate vicinity. Appointees should also be able to attend the ten regular meetings per year. Resolution 299 of 2005 ("RESOLUTION APPOINTING MEMBERS - FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD") listed the two vacancies.

In absentia, Supervisors Johnson and DiMezza made a motion and seconded, respectively, to draft a Resolution to add the name GARY DENADIO as one of the Private Sector Appointees and to move it to the full Board with a positive recommendation. There were no objections.

Item #3: Chairman Quackenbush stated that since there is not a member of the Chamber present to make a presentation, the item would be tabled. There were no objections.

Item #4: Supervisors Schumann and Dybas made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #5: Supervisors Schumann and Mancini made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #6: Supervisors Haak and Dybas made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #7: Ken Rose, Director of EOD, stated that there is a vacancy on the Empire Zone Board. Director Rose stated that he will look for someone to fill the vacancy, and will be in contact with Committee Chair Johnson about the potential appointee at a later date.

Item #8, Other: Add on RESOLUTION IN SUPPORT OF THE "FAIR SHARE FOR HEALTHCARE" PROPOSAL - A BILL IN THE NYS LEGISLATURE (A. 10583) WHICH WOULD REQUIRE ALL BUSINESSES WITH OVER 100 WORKERS IN NY STATE TO PAY THE FULL COST OF HEALTH BENEFITS FOR THEIR EMPLOYEES. Supervisor Schumann clarified and spoke in support of the Resolution.

Supervisor McMahon stated that he doesn't support any additional governmental control over businesses in general.

Supervisor Paton asked if Municipalities would be exempt. Supervisor Schumann stated that more research on that question would be needed, as she didn't know the answer at this time.

Supervisor Greco stated that companies that are forced to pay more for employee healthcare would likely pass that extra cost on to their customers/consumers.

When polled, the Committee members chose to move the Resolution to the Full Board with a no recommendation. Supervisor Paton objected.

Supervisors McMahon and Mancini made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Quackenbush adjourned the Personnel Committee meeting at 7:28 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
7:30 PM, May 2, 2006

COMMITTEE MEETING DISCUSSION

Chairman McMahon presided over the meeting commencing at 7:28 PM.

Roll call indicated Committee members present included Supervisors Cechnicki, Dybas, Schumann, Paton and Mancini. Supervisor Jonker was absent.

Additional Supervisors present were Supervisors Greco, Strevy, Thomas, Haak and Quackenbush. Absent were Supervisors Walters, Johnson and DiMezza.

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

1. Discussion regarding FMCC Wastewater Treatment Renovation Project
2. Resolution Authorizing Chairman to Sign Agreement - Joy, McCoola & Zilch Architects and Planners - Design Services - Student Services Building Renovation Project (FMCC)
3. Resolution Authorizing Distribution of Request for Proposals for Design Services for the College Union Water Infiltration and Pool Heating System Project (FMCC 2006 Capital Plan)
4. Resolution Authorizing Distribution of Request for Proposals to Evaluate Traffic Circulation, Parking and Pedestrian Access (FMCC 2006 Capital Plan)
5. Resolution Authorizing Distribution of Request for Proposals to Prepare a Comprehensive Asbestos Survey (FMCC 2006 Capital Plan)
6. Other

Item #1: Dave Morrow, VP for Administration & Finance at FMCC, stated that the Fulton County Board of Supervisors have voted to suspend work on the sewer line connection project between FMCC and the municipal sewer line. Instead, the Board is endorsing a plant renovation project and authorizing the submittal of said project to SUNY.

Chairman McMahon stated that a Resolution is needed mirroring the Fulton County Board of Supervisors Resolution. Supervisors Quackenbush and McMahon stated that they will sponsor and second the draft Resolution, respectively, and move it to the full Board with a positive recommendation. There were no objections. Supervisor Schumann abstained.

Item #2: Supervisors Paton and Cechnicki made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Supervisor Dybas stated that he objects to the way all the FMCC Resolutions are funded in general, but will support the RFP's.

Item #3: Supervisors Quackenbush and Schumann made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #4: Supervisors Mancini and Greco made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #5: Supervisors Paton and Mancini made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #6, Other: Chairman McMahon stated that FMCC has been negotiating with Buildings & Grounds. Fulton County has approved a Memorandum of Agreement which negotiated pay scales for various job descriptions at FMCC, retroactive to September of 2005 with raises respectively this year and next year.

Supervisor Dybas spoke in support of the Memorandum of Agreement.

Supervisors Dybas and Haak made a motion and seconded, respectively, to sponsor a draft mirror Resolution, once the Resolution is received from Fulton County.

Item #6, Other: Chairman McMahon 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 Cechnicki and seconded by Supervisor Strevy. Executive Session

began at 7:41 PM.

Supervisors Dybas and Schumann made a motion and seconded, respectively, to adjourn Executive Session. The Executive Session was adjourned at 7:51 PM.

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

Motion was made and seconded by Supervisors Mancini and Dybas, respectively, to adjourn the Committee meeting.

Chairman McMahon adjourned the Education/Government Committee meeting at 7:51 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
COMMITTEE MEETING - PUBLIC SAFETY
7:00 PM, May 9, 2006

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 7:00 PM.

Roll call indicated Committee members present included Supervisors Greco, Cechnicki, Jonker, Haak and Schumann. Supervisor Dybas was absent.

Additional Supervisors present were Quackenbush, Johnson, Paton, Strevy, Walters, and Mancini. Absent were Supervisors McMahon and DiMezza.

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

1. Resolution Supporting "CPR in Schools" - Nationally Recognized Program through the American Heart Association (Youth Bureau)
2. Resolution Amending 2006 Operating Budget - Forfeiture of Crime Proceeds (District Attorney)
3. Other

Item #1: Supervisors Cechnicki and Greco made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Mancini and Schumann made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3 other (Add-on RESOLUTION APPOINTING MEMBER - MONTGOMERY COUNTY EMS ADVISORY BOARD (EMERGENCY MANAGEMENT)): Supervisors Schumann and Mancini made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Motion was made and seconded by Supervisors Greco and Haak, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Thomas adjourned the Public Safety Committee meeting at 7:03 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
7:05 PM, May 9, 2006

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:03 PM.

Roll call indicated Committee members present included Supervisors Cechnicki, Greco, Johnson, Mancini, Paton and Strevy.

Additional Supervisors present were Quackenbush, Haak, Thomas, Jonker and Schumann. Absent were Supervisors DiMezza, McMahon and Dybas.

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

1. Resolution Authorizing Chairman to Sign Mass Transportation Agreement - NYS DOT Section 5311 (Board of Supervisors)
2. Resolution Amending 2006 Operating Budget - Engineering Services (Sanitary District #1)
3. Resolution Awarding Bridge Replacement Contract (Public Works)
4. Resolution Authorizing Chairman to Sign Agreement - Engineering Services Agreement - Barton & Loguidice, PC - Latimer Hill Road Bridge Replacement Contract (Public Works)
5. Resolution Establishing Position - Motor Equipment Operator I (Public Works)
6. Resolution Establishing Position - Structural Maintenance Helper (Public Works)
7. Discussion Regarding FJ&G Railroad and Rail-to-Trail Project
8. Discussion Regarding Printing Services - Data Processing
9. Discussion Regarding Data Processing Department
10. Discussion Regarding Draft Environmental Impact Statement - Amsterdam Materials Recycling Project
11. Other

Chairman Walters stated that he is moving items #8 and #9 to the top of the agenda list.

Item #1 (formerly #8, "Discussion Regarding Printing Services - Data Processing"): Deb Bain, Director of Data Processing/Printing, stated that she was approached by a print shop employee about possibly creating a newsletter to advertise the print shop's services publicly and also possibly charging a sales tax for any services rendered.

Supervisor Jonker stated that public money was used to set up the print shop, and is concerned that the shop would be competing against the private sector.

Marco stated that sales tax would need to be collected even though the organization is exempt. He also stated that it would be beneficial for the County as a whole to become a registered sales tax vendor.

Chairman Walters stated that this discussion is a revisitation from two years ago.

Supervisor Schumann stated that she supports the Print Shop's ideas.

Supervisor Thomas stated that there is probably a need in Social Services for printing services.

Supervisor DiMezza entered Chamber at 7:11 PM.

Chairman Quackenbush stated that he supports such creative thinking, and encourages other Department Heads to come up with ideas like this for presentation during the Departmental Reviews in June.

Chairman Walters requested Deb Bain to solidify the ideas/projects and to present them at the Departmental review.

Item #2 (formerly #9, "Discussion Regarding Data Processing Department"): Director Bain would like to create a "Public Share" folder on the computer mainframe which would streamline some standard departmental forms (such as "Pinks") throughout the County by creating and sharing templates. She also stated that there are other projects that will be presented to the Board in the near future.

Chairman Walters stated that he had a discussion with Director Bain about possibly consolidating equipment being used throughout the County. An example would be County owned cell phones, which currently utilize multiple vendors. More discussion will be forthcoming at future meetings.

Item #3 (formerly item #1, "Resolution Authorizing Chairman to Sign Mass Transportation Agreement - NYS DOT Section 5311 (Board of Supervisors)"): Supervisors Strevy and Greco made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #4 (formerly item #2, "Resolution Amending 2006 Operating Budget - Engineering Services (Sanitary District #1)"): Supervisors Quackenbush and Paton made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #5 (formerly item #3, "Resolution Awarding Bridge Replacement Contract (Public Works)"): DPW Commissioner Paul Clayburn gave the bid summary sheet to the Committee. He stated that the winning bid was from Steve Miller of General Contractors in Mayfield. The winning bid was for \$935,432.50. He stated that construction is scheduled to begin just after Memorial Day.

Supervisors Mancini and DiMezza made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #6 (formerly item #4, "Resolution Authorizing Chairman to Sign Agreement - Engineering Services Agreement - Barton & Loguidice, PC - Latimer Hill Road Bridge Replacement Contract (Public Works)"): Supervisors Mancini and Strevy made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #7 (formerly item #5, "Resolution Establishing Position - Motor Equipment Operator I (Public Works)"): Supervisors Mancini and DiMezza made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #8 (formerly item #6, "Resolution Establishing Position - Structural Maintenance Helper (Public Works)"): Supervisors Mancini and Johnson made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #9 (formerly item #7, "Discussion Regarding FJ&G Railroad and Rail-to-Trail Project"): DPW Commissioner Paul Clayburn stated that he met with NYSDOT to determine if the rail-to-trail project could apply for a grant under the DOT's Transportation Enhancement Program. The DOT will support the County's grant application. He stated that 80% of the funding would be Federally funded, with 5% being the local share (options include: cash, in-kind services, etc).

Mr. Clayburn stated that the public is supportive of the project.

Supervisor Paton and Thomas stated that they would like to sponsor and second, respectively, a Resolution supporting the implementation of the project and grant. The Resolution will move to the full Board with a positive recommendation. There were no objections.

Item #10: Chairman Walters stated that Olga Podmajersky presented him with the Draft Environmental Impact Statement for the proposed C&D Landfill in the City of Amsterdam, which would affect MOSA and the county adversely. He stated that Resolution 70 of 2004 already stated the County's opposition toward the landfill, but that the subject is being revisited.

Supervisors Schumann and Johnson made a motion and seconded, respectively, to move a draft Resolution (identical to Resolution 70 of 2004) to the full Board with a positive recommendation. There were no objections.

Supervisor DiMezza stated that the Town of Amsterdam Planning Board is drafting a statement to DEIS in opposition. He encouraged the Planning Board to also note in the statement the reasons why the County also opposes the landfill. He stated that the landfill would be taking away from MOSA, and could potentially cost the County millions of dollars to take up the GAT. He stated that currently there is not a C&D landfill located within any city limits, because of the proximity of residential areas.

Item #11 (Other): EOD Director Ken Rose spoke regarding the cell phone tower which is located on the water tank that was transferred to County. He stated that due to the consolidation of the three phone companies currently on the tower, he received a letter from Cingular stating that they are opting out of the lease agreement at the end of May. He also stated that he has received a contract from Cingular regarding the tower's lease and use, and has forwarded the contract to the County Attorney.

Attorney Doug Landon stated that the contract is in order and that the County will benefit.

Supervisors Thomas and Strevey made a motion and seconded, respectively, to move a draft Resolution supporting the contract to the full Board with a positive recommendation. There were no objections.

Director Rose stated that he will write the Resolution and present it at the full Board meeting.

Item #11 (Other): Treasurer Shawn Bowerman stated that a piece of property scheduled for auction across from the Fire Training Center on Rte. 5 is contaminated. He recommends that the County withdraw the property from the auction due to potential liability. He stated that the property contains a dilapidated building which would need to be leveled, and that even with cleanup, there will be some residual contamination.

DPW Commissioner Clayburn recommended to the Committee that the County retains ownership until clean up is complete, then sells the parcel.

When polled, the Committee agreed that the property should be withdrawn from the auction list. Attorney Landon stated that a Resolution is not needed to withdraw the property.

Motion was made and seconded by Supervisors Mancini and Strevey, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Walters adjourned the Public Safety Committee meeting at 7:50 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
7:00 PM, May 16, 2006

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present are Supervisors McMahon, Mancini, Thomas, Johnson, Greco and Walters were present.

Additional Supervisors present were Strevy, Dybas, Quackenbush, Cechnicki, Paton, Schumann, Jonker, and Haak.

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

1. Resolution Authorizing Chairman to Sign Agreement - Workforce Investment Act Comprehensive Three-Year Local Plan Functional Alignment Addendum (Workforce Development Board)
2. Resolution Transferring Funds - Advertising Expense (Personnel)
3. Resolution Transferring Funds - Worker's Compensation (Personnel)
4. Discussion Regarding Tabled Resolution 154 of 2006 - Resolution Establishing Planner Position (Economic Opportunity & Development)
5. Resolution Authorizing Montgomery County to Offer Health, Dental and Vision Insurance for Domestic Partners
6. Resolution Ratifying Memorandum of Agreement Between the County of Montgomery and Montgomery County Local 82 of Deputy Sheriff's Police Benevolent Association (PBA) and Authorizing Chairman to Sign Contract for the Period of January 1, 2004 - December 31, 2008
7. Resolution Ratifying Memorandum of Agreement Between the County of Montgomery and Montgomery County Local 294 of International Brotherhood of Teamsters for Correction Officers and Authorizing Chairman to Sign Contract for the Period of January 1, 2004 - December 31, 2008
8. Other

Chairman DiMezza stated that agenda items #6 and 7 will be heard in Executive Session during the Committee of the whole meeting which follows. There were no objections.

Item #1: Supervisors Dybas and Mancini made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Thomas and McMahon made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Supervisor Paton entered Chamber at 7:02PM.

Item #3: Personnel Officer Rich Baia clarified the Resolution.

Supervisors Johnson and Mancini made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #4: EOD Director Ken Rose stated that the recommended salary should be \$40,299 to remain competitive with other counties.

The consensus of the Committee is to kill Resolution 154 during the full Board meeting next Tuesday and to draft a new Resolution.

Supervisors Schumann and Johnson made a motion and seconded, respectively, to sponsor a draft Resolution authorizing a Grade 0 and salary of \$40,299 for a Senior Planner in the EOD Dept. The Resolution will be moved to the full Board with a positive recommendation. There were no objections.

Item #5: Supervisor McMahan made a motion to table. There was no second.

After weighing the pros and cons of the Resolution, and based upon roll call vote, the Committee

chose to move the Resolution, sponsored by Supervisors Haak and Johnson, respectively, to the full Board with a no recommendation. There were no objections.

Item #5 (formerly #8, Other): Supervisor Walters received a letter from the Water Quality Board. The Boy Scouts' Eagle Scout Project has been building trails and a bridge. The WQB has chosen not to acknowledge publicly the projects at this time. This summer, the Scouts will sponsor on a tour and bridge dedication. Supervisor Walters encourages all Supervisors to attend the tour and dedication ceremony.

Item #8, Other: Supervisor Strevy stated that Phyllis Rosenburger, Director of Nursing at the Meadows, has resigned. Currently, the salary offered is not competitive. The recommendation is to increase the salary from \$52,500 to \$60,000 if it's available in the budget.

Supervisors Schumann and Thomas made a motion and seconded, respectively, to sponsor a draft Resolution upgrading the salary and move it to the full Board with a positive recommendation. There were no objections. Personnel Officer Baia will bring a Resolution to the full Board next week.

Item #8, Other: Supervisor Johnson stated that the Workforce Solution Board has a vacancy and if anyone is interested, to contact her directly.

Supervisors Schumann and McMahon made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman DiMezza adjourned the Personnel Committee meeting at 7:22 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
7:15 PM, May 16, 2006

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:23 PM.

Roll call indicated that Supervisors Johnson, Greco, Paton, McMahon, Strevy, Haak, Dybas, Cechnicki, Schumann, Walters, Thomas, Jonker, Mancini and DiMezza were present.

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

1. Interviews - Veterans Director
2. Other

Chairman Quackenbush stated that he is moving agenda item #2 to the top of the agenda list.

Item #1 (formerly item #2, "Other"): Chairman Quackenbush stated that the Cornell Cooperative Extension Board has a vacancy and if anyone wishes to be considered, to please contact Chairman Quackenbush.

Item #2 (formerly item #2, "Other"): Chairman Quackenbush stated that the Architectural Engineering firm that conducted studies on County building consolidations stated that they would like to meet with the County regarding financing options currently available.

Chairman DiMezza stated that the Needs Assessment Committee should discuss this matter before it comes before the full Board.

Supervisor Walters stated before financing should be discussed, other options for building consolidation need to be explored, such as the old jail site, the trailer park next to the Annex, as well as other sites.

Supervisors Schumann, Cechnicki, Dybas and Haak spoke in support of financial discussions with the Architects.

Supervisor Strevy stated that he feels that the old jail needs to be considered first.

Supervisor Walters stated that the whole picture needs to be considered. He also stated that he supports the financial discussions, provided that there is no cost to the County for the meeting.

Supervisor Quackenbush stated that, providing there is no cost, a meeting will be scheduled between the Architect firm and the Needs Assessment Committee.

Chairman Quackenbush requested a Motion to go into Executive Session Pursuant to Section 105 (f,d,x) of NYS Open Meeting Law to discuss matters leading to the appointment of a certain person, current litigation and collective negotiations. A motion to enter Executive Session was made by Supervisor Dybas and seconded by Supervisor Mancini. Executive Session began at 7:35 PM.

Clerk's note: The scheduled interviews for the position of Veterans Director are as follows:

7:15 PM: Robert H. Von Hasseln
7:30 PM: William E. Mullarkey
7:45 PM: Donald Schaffer
8:00 PM: Paul M. Parillo

Supervisors Schumann and Jonker made a motion and seconded, respectively, to adjourn Executive Session. The Executive Session was adjourned at 8:52 PM.

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

Item #3 (formerly item #1, "Interviews - Veterans Director"): Personnel Officer Rich Baia will bring a draft Resolution, sponsored and seconded by Supervisors Walters and Dybas, respectively, before the full Board appointing William E. Mullarkey with a salary of \$30,662 as of June 5, 2006. There were no objections. FULL BOARD.

Item #4 (formerly item #6, Personnel Committee, "Resolution Ratifying Memorandum of Agreement Between the County of Montgomery and Montgomery County Local 82 of Deputy Sheriff's Police Benevolent Association (PBA) and Authorizing Chairman to Sign Contract for the Period of January 1, 2004 - December 31, 2008"): Supervisors Haak and Jonker made a motion to sponsor and second, respectively, the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #5 (formerly item #7, Personnel Committee, "Resolution Ratifying Memorandum of Agreement Between the County of Montgomery and Montgomery County Local 294 of International Brotherhood of Teamsters for Correction Officers and Authorizing Chairman to Sign Contract for the Period of January 1, 2004 - December 31, 2008"): Supervisors Jonker and Johnson made a motion to sponsor and second, respectively, the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Supervisors Dybas and Schumann made a motion and seconded, respectively, to adjourn the meeting. The Committee of the Whole was adjourned at 8:55 PM by Chairman Quackenbush.

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
7:45 PM, May 16, 2006

COMMITTEE MEETING DISCUSSION

Chairman Haak presided over the meeting commencing at 8:56 PM.

Roll call indicated Committee members present included Supervisors Cechnicki, McMahon, Strevy, Greco and Thomas. Absent was Supervisor DiMezza.

Additional Supervisors present were Quackenbush, Paton, Johnson, Dybas, Walters, Schumann, and Jonker. Absent was Supervisor Mancini.

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

1. Resolution Authorizing Chairman to Sign Agreement - ICF Emergency Management Services, LLC - Professional Services Related to PH Preparedness (Public Health)
2. Resolution Transferring Funds - Indigent Burials (Veterans Services)
3. Resolution Amending 2006 Operating Budget - Domestic Incident Preparedness Program Grant (Emergency Management)
4. Discussion Regarding Tabled Resolution 156 of 2006 - Resolution Authorizing Chairman to Sign Contract - Electric Energy Services
5. Resolution Transferring Funds - Sr. Account Clerk Typist (Purchasing)
6. Resolution Transferring Funds - Legal Services (EOD)
7. Discussion Regarding Year-Round Exemption of Sales and Compensating Use Tax for Clothing and Footwear Costing less than \$110
8. Presentation of the Annual Update Document (AUD) - Financial Results of Fiscal Year 2005
9. Other

Item #1: Public Health Director Kim Conboy clarified the grant stated in the Resolution.

Supervisors Dybas and McMahon made a motion and seconded, respectively, to table the Resolution. Supervisors Dybas and McMahon withdrew their motion after budget discussion with Director Conboy.

Supervisors Strevy and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Dybas and McMahon made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisors Schumann and Thomas made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #4: Purchasing Agent Scott Surrento stated that the current contract expires May 31, 2006. He also stated that ConEdison Solutions submitted the lowest bid. He recommends entering into a 12-month contract with ConEdison with a 30-day out clause, as long as the County doesn't lock in.

Supervisor Haak stated that the contract would be subject to review by County attorney, and the tabled Resolution can be voted on at the full Board meeting.

Item #5: Supervisors Schumann and Johnson made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Agent Surrento requested to upgrade the existing Account Clerk Typist position to a Senior Account Clerk Typist position, utilizing the same person currently employed as the Account Clerk Typist. He stated the additional salary money is within budget.

Chairman Quackenbush stated that position changes such as this should have been discussed at budget time.

Item #6: Supervisors Jonker and Johnson made a motion and seconded, respectively, to sponsor the

Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #7: Supervisor Schumann and Cechnicki spoke in support of a Resolution supporting the year-round exemption.

Supervisor Walters stated that the County doesn't realize how much tax money is at stake, and doesn't support the year-round exemption.

Chairman Haak stated that the exemption would take effect March 1, 2007, and can be discussed further in the context of the budget. He stated that a public hearing would need to take place at the June full Board meeting if the discussion continues.

Supervisor Schumann left Chamber at 9:24 PM.

Supervisors McMahon and Greco made a motion and seconded, respectively, to table discussion. Supervisor Cechnicki opposed. Discussion was tabled.

Supervisor Strevy left Chamber at 9:26 PM.

Item #8: Treasurer Bowerman presented to the Board the AUD, including a tracking history of the fund balance over the years. He clarified the fund balance increase document by line item. He stated that Resolutions will be forthcoming regarding tapping the fund balance for the Meadows.

When queried by Supervisor Greco, Treasurer Bowerman stated that the recommended fund balance is \$8-10M.

Chairman Haak stated that in June there will be departmental review sessions with various department heads on how their budget is going, and to start focusing on next year's budget.

Chairman Quackenbush stated that the review sessions will be the time for department heads to plan for the future and to come up with creative, money-making solutions for their departments.

Supervisor Dybas stated that he would like the fund balance money to be returned to the taxpayers either directly or indirectly in some way.

Supervisor Jonker asked Treasurer Bowerman to create a chart and submit to the Board a comparison of the tax rate with the fund balances over the years.

The motion was made and seconded by Supervisor Greco and Cechnicki, respectively, to adjourn the Finance Committee. Chairman Haak adjourned the Finance Committee meeting at 9:48 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, May 23, 2006

CALL TO ORDER

Chairman Quackenbush called the Regular Meeting of the Montgomery County Board of Supervisors for May 23, 2006 to order at 7:00 PM.

SALUTE TO THE FLAG

Supervisor Cechnicki led the salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors Quackenbush, Johnson, Greco, Paton, McMahon, Strevy, Haak, Dybas, Cechnicki, Schumann, Walters, Thomas, Jonker, Mancini and DiMezza were present.

PRIVILEGE OF THE FLOOR

A. Public Comment

Chairman Quackenbush opened the floor for public comment at 7:02 PM.

Evelyn Lindley, from the Town of Root, stated her objection of any legislation supporting special treatment for same-sex relationships. She also supports the continuation of sales and fuel taxes, which in turn supports the County.

Mary Ann McFee and Tammy Moynahan, employed by the Ft. Plain Senior Center, stated that funds are rapidly depleting for providing meals to Seniors. They stated that the hot meals some Seniors receive at the Center may be the only hot meal they receive at all, and they are eager to explore and pursue funding options as they are made available.

There were no other speakers.

Chairman Quackenbush adjourned the Privilege of the Floor at 7:05 PM.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (April 25 - May 16, 2006) by Supervisor McMahon, seconded by Supervisor Jonker, passed with Aye(1868).

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor DiMezza, seconded by Supervisor Dybas, passed with Aye(1663). Supervisors Schumann and Cechnicki voted Nay.

UNFINISHED BUSINESS

RESOLUTION NO. 154 of 2006

DATED: April 25, 2006

RESOLUTION ESTABLISHING PLANNER POSITION (ECONOMIC OPPORTUNITY AND DEVELOPMENT)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Quackenbush

WHEREAS, the position of Sr. Planner was funded in the 2006 Operating Budget within the Economic Opportunity and Development Department, and

WHEREAS, the position was advertised for and no qualified applications were received,

WHEREAS, it has been recommended that the position be reduced to a Planner to re-advertise for qualified applicants,

RESOLVED, that the position of Planner be established in the 2006 Budget,

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A 24-1 6430-00-1110 (689) Senior Planner \$18,000

AND TRANSFER TO:

A 24-1 6430-00-1110 (412) Planner \$18,000

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Walters, passed with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

THERE WAS NO MOTION TO REMOVE FROM TABLE, THEREFORE, THE RESOLUTION DIED. (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 156 of 2006

DATED: April 25, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL CONTRACT - ELECTRIC ENERGY SERVICES

Resolution by Supervisor: Haak

Seconded by Supervisor: Dybas

WHEREAS, the current Electric Energy Services contract will expire May 31, 2006, and

WHEREAS, the Purchasing Agent has recommended renewing said contract,

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 ConEdison Solutions, of White Plains, NY for Electric Energy Services for the period beginning with Customer reading in June 2006 and ending with Customer meter reading in June 2007.

MOTION TO TABLE by Supervisor Haak, seconded by Supervisor Schumann, passed with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (4/25/2006)

MOTION TO REMOVE FROM TABLE by Supervisor Dybas, seconded by Supervisor Haak, passed with Aye(1868). (5/23/2006)

RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

OTHER

SUSPEND THE RULES by adding Resolution 195 to the agenda by Supervisor McMahon, seconded by Supervisor Haak, passed with Aye(1868).

NEW BUSINESS

RESOLUTION NO. 157 of 2006

DATED: May 23, 2006

RESOLUTION APPOINTING MEMBER - MONTGOMERY COUNTY PLANNING BOARD

Resolution by Supervisor: Full Board

Seconded by Supervisor:

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 advice and consent of the Montgomery County Board of Supervisors, and

WHEREAS, a vacancy exists from the Town of St. Johnsville,

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to appoint, with the

advice and consent of the Montgomery County Board of Supervisors, the following individual to the Montgomery County Planning Board:

Salvatore "Sam" Giarizzo for a term commencing June 1, 2006 and ending May 31, 2009.

RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 158 of 2006

DATED: May 23, 2006

RESOLUTION APPOINTING MEMBER OF MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS

Resolution by Supervisor: Schumann

Seconded by Supervisor: Mancini

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

RESOLVED, that Robert Hoefs 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(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 159, Supervisor Dybas stated that in a previous conversation with the County Attorney, there is a question about the ownership of the land to be leased.

EOD Director Ken Rose stated that the property was transferred back to the County by I.D.A.

County Attorney Doug Landon stated that he will examine the lease agreement and if there is any issue, he won't sign the agreement, as stated in the last RESOLVED clause.

RESOLUTION NO. 159 of 2006

DATED: May 23, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED LEASE AGREEMENT-CINGULAR WIRELESS (ECONOMIC OPPORTUNITY AND DEVELOPMENT)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Strevy

WHEREAS, Montgomery County owns approximately 7.2 acres of land located off Hirshfield Road including the water tank and related infrastructure in the Town of Florida, and

WHEREAS, the Montgomery County Industrial Development Agency transferred ownership of this land and structure to Montgomery County,

WHEREAS, the County has been informed as the owner of said property by New Cingular Wireless PCS, LLC that they wish to ratify their existing lease agreement that they currently have with the Montgomery County Industrial Development Agency on the aforementioned property and water tank by May 29, 2006, and

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized to enter into this Ratification of N.Y. Option and Structure Lease Agreement with the New Cingular Wireless PCS, LLC.

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Jonker, was defeated with Aye(347). Supervisors Dybas, Jonker and Haak voted Aye. (5/23/2006)

RESOLUTION ADOPTED with Aye(1617). Supervisors Dybas and Jonker abstained. (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 160 of 2006**DATED:** May 23, 2006**RESOLUTION UPGRADING SENIOR PLANNER POSITION - ECONOMIC OPPORTUNITY AND DEVELOPMENT**

Resolution by Supervisor: Schumann

Seconded by Supervisor: Johnson

WHEREAS, currently in Appendix B of the Agreement by and between Montgomery County and the Civil Service Employees Association, Inc. Local 1000 AFSCME, AFL-CIO for the period January 1, 2004 - December 31, 2008 the position of Senior Planner is categorized as a Grade J with an annual base salary of \$32,297, and

WHEREAS, the position of Sr. Planner was funded in the 2006 Operating Budget within the Economic Opportunity and Development Department, and

WHEREAS, attempts to advertise for the position have failed to yield qualified candidates and the Director of Economic Opportunity and Development has recommended that the Grade Level of the position be upgraded to be competitive with surrounding counties,

RESOLVED, that the title of Senior Planner, presently Grade J with an annual base salary of \$32,297 is hereby relocated to Grade O at an annual base salary of \$40,299

RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 161 of 2006****DATED:** May 23, 2006**RESOLUTION APPROVING HOSPITALITY GRANT AWARDS AND TRANSFERRING FUNDS - OCCUPANCY TAX RESERVE**

Resolution by Supervisor: Schumann

Seconded by Supervisor: Dybas

WHEREAS, Resolution No. 123 of 2005 approved the guidelines and application for the Hospitality Grant Program, and

WHEREAS, the Occupancy Tax Advisory Board has received two (2) applications for funding through this grant program; one from the Chamber of Commerce for "Canalfest" and the other from the Montgomery County Historical Society for "Old Fort Johnson Colonial Days",

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 \$2,000.00 for the Montgomery County Historical Society.

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget, as follows:

INCREASE:

A 511	Appropriated Reserve - Occupancy Tax	\$4,500.00
A-06-4-1325-00-4579	County Contribution - Tourism	\$4,500.00

RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 162 of 2006****DATED:** May 23, 2006**RESOLUTION TRANSFERRING FUNDS - LEGAL SERVICES (ECONOMIC OPPORTUNITY AND DEVELOPMENT)**

Resolution by Supervisor: Jonker

Seconded by Supervisor: Johnson

WHEREAS, by Resolution 127 of 2006, the County entered into an agreement with Roemer, Wallins and Mineaux to assist with the preparation of the HUD CDBG Audit Response, and

WHEREAS, to provide for proper payment of said services, it is necessary to transfer funds into the proper account,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1010-00-4431 Professional Services \$7,500

TRANSFER TO:

A-24-4-6430-00-4431 Professional Services \$7,500

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas voted Nay. (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 163 of 2006

DATED: May 23, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - JOY, MCCOOLA & ZILCH ARCHITECTS AND PLANNERS - DESIGN SERVICES - STUDENT SERVICES BUILDING RENOVATION PROJECT (FMCC)

Resolution by Supervisor: Paton

Seconded by Supervisor: Cechnicki

WHEREAS, Resolution 109 of 2006 approved the 2006 Capital Projects at Fulton-Montgomery Community College, and

WHEREAS, said Capital Projects included Design Services for the Student Services Center, and

WHEREAS, it is the recommendation of FMCC that Joy, McCoola & Zilch Architects and Planners, the authors of the 2005 FMCC Master Plan, be retained as the design firm to prepare plans and specifications for said project,

RESOLVED, that the Chairman of the Board of Supervisors, upon review of the County Attorney, is hereby authorized and directed to sign a contract with Joy, McCoola & Zilch Architects and Planners, of Glens Falls, NY, for design services for the Student Services Project at FMCC, at a cost not exceed \$115,000 (Montgomery County share \$28,750), and

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

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas voted Nay. (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 164 of 2006

DATED: May 23, 2006

RESOLUTION AUTHORIZING DISTRIBUTION OF REQUEST FOR PROPOSALS FOR DESIGN SERVICES FOR THE COLLEGE UNION WATER INFILTRATION AND POOL HEATING SYSTEM PROJECT (FMCC 2006 CAPITAL PLAN)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Schumann

WHEREAS, Resolution 109 of 2006 approved the 2006 Capital Projects at Fulton-Montgomery Community College which included the Water Infiltration at the College Union and the Pool Repair Project, 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 College Union Water Infiltration and Pool Heating System 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(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 165 of 2006

DATED: May 23, 2006

RESOLUTION AUTHORIZING DISTRIBUTION OF REQUEST FOR PROPOSALS TO EVALUATE TRAFFIC CIRCULATION, PARKING AND PEDESTRIAN ACCESS (FMCC 2006 CAPITAL PLAN)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Greco

WHEREAS, Resolution 109 of 2006 approved the 2006 Capital Projects at Fulton-Montgomery Community College which included studies related to Traffic and Pedestrian Access, and

WHEREAS, it is necessary to request proposals for said project,

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 for the evaluation of traffic circulation, parking and pedestrian access 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(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 166 of 2006

DATED: May 23, 2006

RESOLUTION AUTHORIZING DISTRIBUTION OF REQUEST FOR PROPOSALS TO PREPARE A COMPREHENSIVE ASBESTOS SURVEY (FMCC 2006 CAPITAL PLAN)

Resolution by Supervisor: Paton

Seconded by Supervisor: Mancini

WHEREAS, Resolution 109 of 2006 approved the 2006 Capital Projects at Fulton-Montgomery Community College which included studies related to Asbestos, and

WHEREAS, it is necessary to request proposals for said project,

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 for a Comprehensive Asbestos Survey 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(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 167 of 2006

DATED: May 23, 2006

RESOLUTION APPROVING COLLECTIVE BARGAINING AGREEMENT BETWEEN FULTON-MONTGOMERY COMMUNITY COLLEGE, FULTON COUNTY, MONTGOMERY COUNTY AND FMCC BUILDINGS AND GROUNDS UNIT

Resolution by Supervisor: Dybas

Seconded by Supervisor: Haak

WHEREAS, Negotiations have taken place between the County of Montgomery, the County of Fulton, Fulton-Montgomery Community College and the FMCC Buildings and Grounds Unit, CSEA, Inc., AFSCME, Local 1000, AFL-CIO, and

RESOLVED, that the Montgomery County Board of Supervisors, by this Resolution, hereby approves the official Memorandum of Agreement, dated March 17, 2006 between Fulton-Montgomery Community College, Fulton County, Montgomery County and FMCC Buildings and Grounds Unit, CSEA, Inc., AFSCME, Local 1000, AFL-CIO, for the period beginning from and as of September 1, 2005 through August 31, 2007; and,

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

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

RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 168 of 2006

DATED: May 23, 2006

RESOLUTION ENDORSING FMCC WASTEWATER TREATMENT PLANT RENOVATION PROJECT AND AUTHORIZING SUBMITTAL OF PROJECT TO SUNY

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: McMahon

WHEREAS, Fulton County Resolution 147 of 2005 established the Fulton County Sewer District No. 1; and

WHEREAS, the Fulton County Board of Supervisors, by their Resolution 381 of 2005 suspended the Fulton County Sewer District No. 1 Project to pursue utilization of the FMCC Wastewater Treatment Plant for sewer services to the H-F-M BOCES facility, and

WHEREAS, said Resolution also directed Fraser and Associates (Project Design Engineers) to proceed with a detailed engineering evaluation of wastewater from H-F-M BOCES and FMCC and recommend improvements and/or modifications to the FMCC Wastewater Treatment Plant; and

WHEREAS, Fraser and Associates has identified a list of short-term and long-term renovations that it recommends be made to said treatment plant; and

WHEREAS, the Fulton County Committee on Finance recommends that said proposed projects be submitted to Montgomery County and the State University of New York to determine matching funds that may be available,

RESOLVED, That the Montgomery County Board of Supervisors hereby endorses establishment of the FMCC Wastewater Treatment Plant Renovation Project, at a total estimated cost of \$422,000.00, and requests that the State University of New York provide 50% funding for said project, in accordance with the normal FMCC Capital Project funding formula.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas voted Nay. (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 169 of 2006

DATED: May 23, 2006

RESOLUTION IN SUPPORT OF THE 'FAIR SHARE FOR HEALTHCARE' PROPOSAL - A BILL IN THE NYS LEGISLATURE (A.10583) WHICH WOULD REQUIRE ALL BUSINESSES WITH OVER 100 WORKERS IN NY STATE TO PAY THE FULL COST OF HEALTH BENEFITS FOR THEIR EMPLOYEES

Resolution by Supervisor: Schumann

Seconded by Supervisor: Cechnicki

WHEREAS the growing number of individuals and families without health insurance is one of the greatest crises facing New York State;

WHEREAS the rising cost of public health programs, especially Medicaid, is a great strain on the finances of state and county government, and a major cause of the growing property-tax burden;

WHEREAS nearly three million New Yorkers lack any health insurance, and many more have inadequate insurance that fails to cover vital services and leaves them unable to pay their medical bills;

WHEREAS the great majority of New York's uninsured are employed or are the dependents of workers;

WHEREAS nearly half a million recipients of Medicaid or other public health programs are employed, and nearly one million are the dependents of workers;

WHEREAS the employers of both the uninsured and Medicaid recipients are often large, profitable businesses;

WHEREAS it is rightly the responsibility of these businesses and not the general public to pay for health benefits for these workers;

WHEREAS employers that fail to provide health insurance not only deny their workers needed care, but impose great costs on the public;

WHEREAS care for the uninsured is a major driver of rising insurance premiums, adding \$233 to the cost of individual coverage and \$640 to the cost of family coverage according to one recent study;

WHEREAS Wal-Mart alone has an estimated 3,000 workers (plus their dependents) enrolled in public health programs, costing taxpayers more than \$20 million, and 10,000 workers with no insurance, costing the public another \$10-15 million;

WHEREAS the failure of businesses such as Wal-Mart to provide adequate health benefits creates competitive pressure on other businesses to reduce benefits, undermining our system of employer-sponsored healthcare;

WHEREAS it is impossible to bring government expenditures on healthcare under control as long as these businesses continue to shift their costs to the public;

WHEREAS most large businesses in New York do provide decent health coverage for their employees, proving that it is economically feasible to do so;

WHEREAS New York businesses are paying higher taxes and insurance premium because of the failure of giant, national corporations to provide adequate health benefits;

WHEREAS businesses that do the right thing and provide insurance to their employees should not be penalized by being forced to subsidize healthcare for workers at businesses that fail to provide it;

WHEREAS it is a fundamental American principle that working people are entitled to a living wage that is sufficient for the necessities of life, including healthcare;

WHEREAS New York State has both the legal authority and the moral responsibility to demand that large businesses do their fair share to pay for health coverage for their employees,

RESOLVED that Montgomery County endorses the "Fair Share for Healthcare" proposal, which would require all businesses with over 100 workers in New York State to pay the full cost of health benefits for their employees, and

FURTHER RESOLVED that Montgomery County calls on both houses of the state legislature to pass this bill (A.10583) in the 2006 legislative session, and on the Governor to sign it;

BE IT FURTHER RESOLVED that upon adoption of this resolution copies will be forwarded to all members of the state legislature.

RESOLUTION DEFEATED with Aye(596). Supervisors Johnson, Schumann, Quackenbush, Cechnicki and Haak voted Aye. (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION APPOINTING MEMBER - FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD

Resolution by Supervisor: Full Board

Seconded by Supervisor: DiMezza

WHEREAS, Resolution 299 of 2005 appointed members to the Fulton-Montgomery-Schoharie Workforce Development Board for a term from 11/22/05 to 11/22/08, and

WHEREAS, there are two vacancies in Private Sector Appointments, and

WHEREAS, under the recommendation of the Executive Director of the Fulton-Montgomery-Schoharie Workforce Development Board, Inc. an appointee has been selected, and

RESOLVED, that the Montgomery County Board of Supervisors hereby appoints Gary Donadio to the Montgomery-Schoharie Workforce Development Board, representing a Private Sector Appointment through 11/22/08.

RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 171 of 2006

DATED: May 23, 2006

RESOLUTION SUPPORTING 'CPR IN SCHOOLS' - A NATIONALLY RECOGNIZED PROGRAM THROUGH THE AMERICAN HEART ASSOCIATION (YOUTH BUREAU)

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, the Montgomery County Board of Supervisors has been extremely supportive in the efforts of promoting and educating the residents of Montgomery County of a health life style, and

WHEREAS, according to the American Heart Association, cardiovascular disease is the number one cause of deaths in the United States. Each year more than 950,000 Americans die from cardiovascular diseases, and

WHEREAS, the American Heart Association medical research has proven that irreversible damage can occur within minutes of cardiac arrest, and

WHEREAS, the use of CPR can help extend the time before irreversible damage occurs by artificially circulating oxygen to the brain, and

WHEREAS, according to American Heart Association, a heart attack victim has more than a 75% chance of survival if CPR and defibrillation is provided promptly, and

WHEREAS, teaching CPR techniques to high school students would dramatically increase the number of persons trained to administer CPR, and thus increase the number of lives saved in Montgomery County,

RESOLVED, that the entire Board of Supervisors, support the efforts of the Montgomery County Youth Bureau in conjunction with Eastern Medical Support, in launching "CPR IN SCHOOLS", a nationally recognized program through the American Heart Association.

RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 172 of 2006

DATED: May 23, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - FORFEITURE MONEY (DISTRICT ATTORNEY)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Schumann

WHEREAS, the District Attorney has received forfeiture crime proceeds in the amount of \$25,000.00 from a drug related investigation and arrest conducted by local law enforcement agencies in Montgomery County, and

WHEREAS, the District Attorney would utilize said forfeiture monies to purchase necessary

equipment for law enforcement agencies in Montgomery County, it is:

RESOLVED, that the Montgomery County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget for the office of District Attorney as follows:

INCREASE REVENUE:

A-25-3-2626	Forfeiture of Crime Proceeds (Restricted)	\$25,000.00
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INCREASE APPROPRIATIONS:

A-25-4-1165-00-4452	DA/Law Enforcement Programs	\$25,000.00
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RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 173 of 2006

DATED: May 23, 2006

RESOLUTION APPOINTING MEMBER - MONTGOMERY COUNTY EMS ADVISORY BOARD (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Mancini

WHEREAS, the Amsterdam Fire Department is currently represented on the Montgomery County EMS Advisory Board, and

WHEREAS, said department has asked to replace its appointment to the Advisory Board,

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

APPOINTEE	REPRESENTING	TERM EXPIRATION
Michael DePasquale	Fire Department 207/AFD	December 31, 2006

RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 174 of 2006

DATED: May 23, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - DOMESTIC INCIDENT PREPAREDNESS PROGRAM GRANT (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Thomas

WHEREAS, the Board of Supervisors authorized acceptance of the Domestic Incident Preparedness Program Grant funds for 2003 and 2004, and

WHEREAS, said funds were appropriated in the 2005 Operating Budget and the unexpended balance should be carried forward in the 2006 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget, as follows:

INCREASE REVENUE:

A-02-3-3389-00	Public Safety State Aid	\$6,335.87
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INCREASE APPROPRIATIONS:

A-02-4-3640-00.4449	Special Supplies	\$6,335.87
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RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 175 of 2006

DATED: May 23, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MASS TRANSPORTATION AGREEMENT - NYS DOT SECTION 5311 (BOARD OF SUPERVISORS)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Greco

WHEREAS, the County of Montgomery is submitting a request for a grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, for a project to provide public mass transportation service Brown Coach, Inc. for the 2005-2006 fiscal years;

WHEREAS, the County of Montgomery and the State of New York have entered into a continuing contract which authorizes the undertaking of the Project and payment of the Federal Share, identified as State Contract No. C003683, which expires on 12/31/12;

RESOLVED, that the Chairman of the Board of Supervisors is authorized to act on behalf of the County of Montgomery to sign the application and progress and complete the above named project.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann abstained. (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 176 of 2006

DATED: May 23, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - ENGINEERING SERVICES (SANITARY DISTRICT #1)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Paton

WHEREAS, the Montgomery County Sanitary District #1 hired Lamont Engineering to prepare a Spec Book, construction administration and oversee the repair of the Willett Street force main

WHEREAS, these additional costs were not included in the appropriations of the 2006 budget and are estimated to be \$5,000.00,

RESOLVED, the Montgomery County Board of Supervisors hereby authorizes and directs the County Treasurer to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

G-26-4-1990-00-4400	Contingent Account	\$ 5,000.00
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TRANSFER TO:

G-26-4-8120-00-4431	Professional Services	\$ 5,000.00
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RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolutions 177 and 178, Treasurer Shawn Bowerman stated that the funding is provided as follows: 80% federal, 15% state and 5% local, which is part of the bond Resolution in 2005.

RESOLUTION NO. 177 of 2006

DATED: May 23, 2006

RESOLUTION AWARDED BRIDGE REPLACEMENT CONTRACT (PUBLIC WORKS)

Resolution by Supervisor: Mancini

Seconded by Supervisor: DiMezza

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 Stephen Miller General Contractors, Inc. of Mayfield for the bridge replacement project as follows:

Latimer Hill Road, CR 89, B.I.N. 3309890

, 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 Stephen Miller General Contractors, Inc. of Mayfield, and

FURTHER RESOLVED, that said contract shall provide for payment in an amount not to exceed \$935,432.50.

RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 178 of 2006

DATED: May 23, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN SUPPLEMENTAL AGREEMENT - ENGINEERING SERVICES AGREEMENT - BARTON & LOGUIDICE, PC - LATIMER HILL ROAD BRIDGE REPLACEMENT PROJECT (PUBLIC WORKS)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Strevy

WHEREAS, implementation and funding of the Bridge Replacement Project, PIN 2753.35, Latimer Hill Road, was authorized by Resolution No. 152 of 2002, and

WHEREAS, the Federal process for procurement of engineering services has been completed and approved,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to execute a supplemental agreement with Barton & Loguidice, P.C., of Syracuse, New York, to perform services described in Attachment "B", annexed to the Architectural/Engineering Consultant Agreement, for the sum of \$336,572, as set forth in Attachment "A" of said Agreement.

RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 179 of 2006

DATED: May 23, 2006

RESOLUTION ESTABLISHING POSITION - MOTOR EQUIPMENT OPERATOR 1 (PUBLIC WORKS)

Resolution by Supervisor: Mancini

Seconded by Supervisor: DiMezza

WHEREAS, the Public Works Commissioner has recommended that the position of Motor Equipment Operator 1 be established,

RESOLVED, that the Board of Supervisors hereby authorizes establishment of the position of Motor Equipment Operator 1, and

FURTHER RESOLVED, that a position of Motor Equipment Operator 2 hereby is abolished.

RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 180 of 2006

DATED: May 23, 2006

RESOLUTION ESTABLISHING POSITION - STRUCTURAL MAINTENANCE HELPER (PUBLIC WORKS)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Johnson

WHEREAS, the Public Works Commissioner has recommended that the position of Structural Maintenance Helper be established,

RESOLVED, that the Board of Supervisors hereby authorizes establishment of the position of Structural Maintenance Helper, and

FURTHER RESOLVED, that a position of Cleaner hereby is abolished, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget, as follows:

TRANSFER FROM:

A-12-4-1620.00.1110 (621) Buildings Cleaner	\$13,961.92
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TRANSFER TO:

A-12-4-1620.00.1110 (149) Hourly Employees Buildings	\$13,961.92
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RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 181 of 2006

DATED: May 23, 2006

RESOLUTION AUTHORIZING DPW COMMISSIONER TO APPLY FOR FEDERAL FUNDING FOR THE FJ&G RAIL TRAIL PROJECT

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, in a Meeting of the General Services Committee held on May 9, 2006, the Commissioner of Public Works presented a proposed Rail-Trail Development Project, and

WHEREAS, the Committee supported the option of completing the project locally and utilizing Federal Program Funds to assist with the cost, which would bring the local share portion to 5% of the total project,

RESOLVED, that the Montgomery County Board of Supervisors does hereby approve the Commissioner of Public Works request to apply for Transportation Enhancements Program Funding for the Montgomery County Rail-Trail Project.

RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 182 of 2006

DATED: May 23, 2006

RESOLUTION EXPRESSING OPPOSITION TO PROPOSED LANDFILL - CITY OF AMSTERDAM

Resolution by Supervisor: Full Board

Seconded by Supervisor:

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

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

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

FURTHER RESOLVED, that this resolution should be considered a formal response to the Draft

Environmental Impact Statement prepared for the proposed landfill project.

RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 183 of 2006

DATED: May 23, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ICF EMERGENCY MANAGEMENT SERVICES, LLC - PROFESSIONAL SERVICES RELATED TO PH PREPAREDNESS (PUBLIC HEALTH)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Quackenbush

WHEREAS, the Public Health Department has received a Public Health Preparedness Grant, and

WHEREAS, the Public Health Director has budgeted for Contractual/Consultant assistance in preparedness planning activities and,

WHEREAS, the Public Health Director has determined the need to contract/consult with someone to assist in preparing the Pandemic Flu Plan Annex for the County and,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with ICF Emergency Management Services, LLC to provide professional services in preparing the Pandemic Flu Plan Annex for the County, associated with the Public Health Preparedness Grant received by the Public Health Department, and

FURTHER RESOLVED that the total cost of said agreement shall not exceed \$17,595.00

RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 184 of 2006

DATED: May 23, 2006

RESOLUTION TRANSFERRING FUNDS- INDIGENT BURIALS (VETERANS SERVICES)

Resolution by Supervisor: Dybas

Seconded by Supervisor: McMahon

WHEREAS, the Director of Veterans Services has requested a transfer of funds to provide for payment of indigent burial costs,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget, as follows:

TRANSFER FROM:

A-01-4-1990-00.4400	Contingent Account	\$15,000.00
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TRANSFER TO:

A-19-4-6510-00.4438	Misc. Supporting Services	\$15,000.00
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RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 185 of 2006

DATED: May 23, 2006

RESOLUTION TRANSFERRING FUNDS - SENIOR ACCOUNT CLERK TYPIST (PURCHASING)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Johnson

WHEREAS, an item currently exists in the County Purchasing Departments budget for a full time Senior Account Clerk Typist, and

WHEREAS, the Purchasing Agent recommends transferring funds to fill said vacancy,

RESOLVED, that the full time Senior Account Clerk Typist position be funded from the current Account Clerk Typist position within the Purchasing Department, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget, as follows:

TRANSFER FROM:

A-31-4-1345-00-1110-(856)	Account Clerk Typist	\$14,420.59
A-31-4-1345-00-4453	Postage Expenses	\$ 100.00
A-31-4-1345-00-4455	Training	\$ 100.00
A-31-4-1345-00-4470	Travel: Related Costs	\$ 248.00
A-31-4-1345-00-4471	Mileage Allocations	\$ 570.00
A-31-4-1345-00-4476	Assoc/Membership Dues	\$ 100.00
A-31-4-1345-00-4491	Legal Notice & Advertising	\$ 295.46

TRANSFER TO:

A-31-4-1345-00-1110 (1272)	Senior Account Clerk Typist	\$15,834.05
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RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 186, Supervisor DiMezza stated that this Memorandum of Agreement was ratified by the Correctional Officers Union.

Chairman Quackenbush stated that he is abstaining from vote because he's an officer in the Union.

RESOLUTION NO. 186 of 2006

DATED: May 23, 2006

RESOLUTION RATIFYING MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF MONTGOMERY & MONTGOMERY COUNTY LOCAL 294 OF INTERNATIONAL BROTHERHOOD OF TEAMSTERS FOR CORRECTION OFFICERS & AUTHORIZING CHAIRMAN TO SIGN CONTRACT FOR THE PERIOD 1/1/04 - 12/31/08

Resolution by Supervisor: Jonker

Seconded by Supervisor: Johnson

WHEREAS, negotiations for a successor employment agreement to the contract with Montgomery County Local 294 of Correction Officers have been conducted, with the parties reaching a Memorandum of Agreement for Full-time employees, and

WHEREAS, the membership of Montgomery County Local 294 of Correction Officers has ratified the Memorandum of Agreement, and

RESOLVED, that the Montgomery County Board of Supervisors hereby ratifies and approves the Full-time Memorandum of Agreement, as between the County of Montgomery and Montgomery County Local 294 of Correction Officers, as attached 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 a Full-time contract, incorporating said Memorandum of Agreement, with Correction Officers for the period of January 1, 2004 - December 31, 2008.

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush abstained. (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor DiMezza stated that the Union hasn't ratified the Memorandum of Agreement, and recommends that Resolution 187 be withdrawn.

RESOLUTION NO. 187 of 2006

DATED: May 23, 2006

RESOLUTION RATIFYING MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF MONTGOMERY AND MONTGOMERY COUNTY LOCAL 3717 OF COUNSEL 82 OF DEPUTY SHERIFF'S PBA & AUTHORIZING

CHAIRMAN TO SIGN CONTRACT FOR THE PERIOD JANUARY 1, 2004 - DECEMBER 31, 2008

Resolution by Supervisor: Haak

Seconded by Supervisor: Johnson

WHEREAS, negotiations for a successor employment agreement to the contract with Montgomery County Local 3717 of Counsel 82 of Deputy Sheriff's PBA have been conducted, with the parties reaching a Memorandum of Agreement for Full-time employees, and

WHEREAS, the membership of Montgomery County Local 3717 of Counsel 82 of Deputy Sheriff's PBA has ratified the Memorandum of Agreement, and

RESOLVED, that the Montgomery County Board of Supervisors hereby ratified and approves the Full-time Memorandum of Agreement, between the County of Montgomery and Montgomery County Local 3717 Counsel 82 of Deputy Sheriff's PBA, as attached 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 a Full-time contract, incorporating said Memorandum of Agreement, with Local 82 Deputy Sheriff's PBA for the period of January 1, 2004 - December 31, 2008.

RESOLUTION WITHDRAWN BY SPONSOR (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 188 of 2006

DATED: May 23, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - WORKFORCE INVESTMENT ACT COMPREHENSIVE THREE-YEAR LOCAL PLAN FUNCTIONAL ALIGNMENT ADDENDUM (WORKFORCE DEVELOPMENT BOARD)

Resolution by Supervisor: Full Board

Seconded by Supervisor: Mancini

WHEREAS, the NYS Department of Labor (NYSDOL) has required that the Local Workforce Development Board, in conjunction with the Chief Local Elected Officials of Fulton, Montgomery and Schoharie County, file a revision to its Three Year Plan, and

WHEREAS, the revision to the plan, titled "Functional Alignment for the Delivery of WIA Title 1B and Wagner-Peyser Workforce Funds" has been reviewed and commented on by NYSDOL and has been posted for a 30-day public comment period, and

WHEREAS, said document requires signature of the Chief Local Elected Officials to be submitted to NYSDOL,

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 Functional Alignment for the Delivery of WIA Title 1B and Wagner-Peyser Workforce Funds as prepared by the FMS Workforce Development Board for submittal to New York State Department of Labor.

RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 189 of 2006

DATED: May 23, 2006

RESOLUTION TRANSFERRING FUNDS - ADVERTISING EXPENSES (PERSONNEL DEPARTMENT)

Resolution by Supervisor: Thomas

Seconded by Supervisor: McMahon

WHEREAS, the Montgomery County Personnel Department advertises for all position openings, and

WHEREAS, the Personnel Officer has recommended transferring funds into the Advertising line as there is insufficient funds to cover expenses for the remainder of the year,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-4400 Contingency Account \$15,000.00

TRANSFER TO:

A-10-4-1430-00-4491 Advertising \$15,000.00

RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 190 of 2006

DATED: May 23, 2006

RESOLUTION TRANSFERRING FUNDS - WORKERS COMPENSATION SELF-INSURANCE PROGRAM

Resolution by Supervisor: Johnson

Seconded by Supervisor: Mancini

WHEREAS, an audit was completed by our insurance carrier G.E. Solutions for the period of 1/1/05 thru 1/1/06 regarding the gross payroll of all the participating members in the Montgomery County Workers Compensation program, and

WHEREAS, the result of the audit reveals an increase in the gross payroll of all the participants from \$27,197,672.00 to \$34,268,105.00, and

WHEREAS, this increase in payroll adjusts the premium rate that the plan has to pay to ensure proper coverage for the Excess Workers Compensation Liability Insurance, and

WHEREAS, funds are required to be transferred to cover increase adjustment of said premium in the amount of \$18,086.00 to ensure proper coverage be paid,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

MS-10-4-1720-00-4464 Worker's Compensation Benefits \$ 18,086.00

TRANSFER TO:

MS-10-4-1910-00-4480 Insurances \$ 18,086.00

RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 191 of 2006

DATED: May 23, 2006

RESOLUTION AUTHORIZING MONTGOMERY COUNTY TO OFFER HEALTH, DENTAL AND VISION INSURANCE FOR DOMESTIC PARTNERS

Resolution by Supervisor: Haak

Seconded by Supervisor: Johnson

WHEREAS, it has been recommended that Montgomery County provide extension of coverage for health, dental and vision insurance for domestic partners, and

WHEREAS, unmarried enrollees may cover their living partners with whom they reside and have a committed, long term relationship of mutual support, and for whom they have assumed long term financial responsibility or have mutual financial responsibility, and

WHEREAS, Montgomery County will utilize the same rules, regulations, and forms used by the Employee Benefits Division of the State of New York Department of Civil Service, and

RESOLVED, that this coverage be effective June 1, 2006 and that the Montgomery County Personnel Department be responsible for the administration of the rules and regulations that are set forth in said New York State Domestic Partners policy, and

FURTHER RESOLVED, that if there is any ambiguity or lack of clarity or difference between the Personnel Department and the employee requesting this domestic partner coverage, that the County Attorney will intervene and review and make the final determination for this extended coverage.

RESOLUTION ADOPTED with Aye(1014). Supervisors Greco, Dybas, Mancini, McMahon, Walters, Strevy and Paton voted Nay. (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Dybas stated that Resolution 192 needs to be amended to reflect the transfer of \$4,500 instead of \$8,000, since only 6 months of work needs to be represented.

RESOLUTION NO. 192 of 2006

DATED: May 23, 2006

RESOLUTION ESTABLISHING SALARY - DIRECTOR OF NURSING (MONTGOMERY MEADOWS) AND AMENDING 2006 OPERATING BUDGET

Resolution by Supervisor: Schumann

Seconded by Supervisor: Thomas

WHEREAS, the present Director of Nursing has resigned her position effective June 11, 2006, and

WHEREAS, in order for Montgomery Meadows to hire a competent, experienced person to fill the position of Director of Nursing it is necessary to offer a competitive salary to attract such a person, and

WHEREAS, the Business Office is willing to relinquish \$8000.00 necessary to effect this change in salary,

RESOLVED, that the Montgomery County Board of Supervisors hereby establishes increase the annual base salary for the title of Director of Nursing at the Montgomery Meadows at \$60,000, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

EH 34 4 6020 00 1110 (727) SR ACCOUNT CLERK TYPIST \$8000.00

TRANSFER TO:

EH 34 4 6020 00 1110 (107) DIRECTOR OF NURSING \$8000.00

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Jonker, by striking "\$8000.00" from the WHEREAS, TRANSFER TO and TRANSFER FROM clauses, and replacing it with "\$4,500.00", passed with Aye(1868). (5/23/2006)

RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 193 of 2006

DATED: May 23, 2006

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

Resolution by Supervisor: Full Board

Seconded by Supervisor:

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 Brian Cechnicki 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). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 194 of 2006

DATED: May 23, 2006

RESOLUTION ACCEPTING BIDS - 2006 AUCTION

Resolution by Supervisor: Haak

Seconded by Supervisor: Quackenbush

WHEREAS, an open-bid auction of certain County-owned real property was held on Wednesday, May 17, 2006, 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, and

FURTHER RESOLVED, that the County Treasurer is authorized and directed to notify, by certified mail, return receipt requested, each of the successful bidders that all additional monies for the accepted bid, and any outstanding monies that may be owed, shall be paid to the County Treasurer within 30 days 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 the 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 Haak, seconded by Supervisor Dybas, to add the following bid information:

Bidder	Address	Parcel #	Bid
David C Carter	35 Young St., Ft. Johnson, NY 12070	1	\$350.00
David C Carter	35 Young St., Ft. Johnson, NY 12070	2	\$100.00
Mark A. Bickford Jr.	42 Fowler St., Hagaman, NY 12086	3	\$1,100.00
Jacqueline P. Thomas	POB 327, STHWY 10, Caroga Lake, NY 12032	4	\$225.00
Ana L. L. Diana	129 Sunset Rd., Amsterdam, NY 12010	5	\$2,800.00
Ana L. L. Diana	129 Sunset Rd., Amsterdam, NY 12010	6	\$2,800.00
R Chris Cooper	Victoria Ave., Niagara Falls, ONT L2E4E2	7	\$700.00
Ana L. L. Diana	129 Sunset Rd., Amsterdam, NY 12010	9	\$2,600.00
William L. Bailey	122 Mannys Corner Rd. Amsterdam, NY 12010	10	\$1,300.00
No Bidder		10A	
Jacqueline P. Thomas	POB 327, STHWY 10, Caroga Lake, NY 12032	13A	\$100.00
Anthony C. Crawford	399 Madison Ave., Albany, NY 12210	18	\$13,500.00
Anthony C. Crawford	399 Madison Ave., Albany, NY 12210	19	\$13,500.00
Michelle K. Linnane	2616 St. Rte. 162, Esperance, NY 12066	21	\$48,000.00
Francesco Minuto	357 Sharon Hill Rd, Sharon Spgs, NY 13459	22&23	\$18,500.00
Callanan Ind., Inc.	POB 15097, 1245 Kings Rd, Albany, NY 12212	26	\$7,500.00
Tracy L. Lewandowski	POB 162, 10 York St, Fultonville, NY 12072	27	\$30,000.00
William G. Yurkewecz	605 Reynolds Rd., Fultonville, NY 12072	36	\$17,000.00
Thomas J. Colvin	155 Erie Blvd., Canajoharie, NY 13317	40&41	\$8,000.00
Brent W. Yerdon	106 Grand St., Palatine Bridge, NY 13428	43	\$17,000.00
Brent W. Yerdon	106 Grand St., Palatine Bridge, NY 13428	44	\$27,000.00
Stephen E. Bellomo	21 Bridal Path, Center Moriches, NY 11934	46	\$33,000.00
Jacqueline P. Thomas	POB 327, STHWY 10, Caroga Lake, NY 12032	48	\$3,000.00
Brian H. Jennings	102 Delaware Ave., Hamilton, VA 20158	54	\$6,000.00
Karen E. Sauerbrey	743 Green Rd., Charleston, NY 12166	55	\$22,000.00
Denise E. Yannacone	4 West St., Massapequa, NY 11762	58	\$5,000.00
Keith A. Willis	4 Kearsarge Ave., Roxbury, MA 02119	59	\$22,200.00

No Bidder		61	
William T. McCrea	17 Summit Ave., Amsterdam, NY 12010	62	\$24,000.00
Eugene Nesmith	53 Van Buskirk Rd., Teaneck, NJ 07666	63	\$100.00
David D. Greco	269 Bleecker Rd., Gloversville, NY 12078	64	\$26,000.00
Ana L. L. Diana	129 Sunset Rd., Amsterdam, NY 12010	65	\$5,000.00
Nathaniel G. Nesmith	502 West 122nd St. #33, NY, NY 10027-5807	72	\$20,000.00
N.R.L.L. East, LLC	P.O. Box 2209, Newport Beach, CA 92659	73	\$1,500.00
Marion R. Wells	2158 Wagners Hollow Rd, Ft. Plain, NY 13339	74	\$7,500.00
Jacqueline P. Thomas	POB 327, STHWY 10, Caroga Lake, NY 12032	74A	\$750.00
Jennifer R. Hojohn	80 Prospect St., Canajoharie, NY 13317	75	\$6,000.00
Martin B. Waffle	464 Brower Rd., Palatine Bridge, NY 13428	76	\$13,000.00
Daniel L. Orlando	38 Luigi Rd., Putnam Valley, NY 10579	79	\$700.00
Daniel L. Orlando	38 Luigi Rd., Putnam Valley, NY 10579	80	\$1,500.00
Daniel L. Orlando	38 Luigi Rd., Putnam Valley, NY 10579	81	\$3,500.00
Daniel L. Orlando	38 Luigi Rd., Putnam Valley, NY 10579	82	\$7,000.00
Michael G. Restuccia	217 W. Ames Rd., Canajoharie, NY 13317	83	\$18,000.00
Michael G. Restuccia	217 W. Ames Rd., Canajoharie, NY 13317	84	\$18,000.00
Alfred Simeone	1187 Midline Rd., Amsterdam, NY 12010	85	\$9,000.00
Michael D. Patierno	132 E. Skyline Dr., Palatine Brg, NY 13428	86	\$20,000.00
Shirley A. Case	124 Exeter Rd., Newmarlet, NH 03865	89	\$2,500.00
George W. Moore, Jr.	6685 STHWY 5, _____, NY 13339	90	\$12,000.00
Robert A. Shaut	7863 STHWY 5, _____, NY 13452	91	\$10,000.00
Joseph P. Lamanna	702 Crum Creek Rd, St. Johnsville, NY 13452	92	\$1,800.00

TOTAL BID AMOUNT \$511,125.00,

passed with Aye(1868). (5/23/2006)

RESOLUTION ADOPTED with Aye(1868). (5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 195 of 2006

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

DATED: May 23, 2006

RESOLUTION APPOINTING VETERANS DIRECTOR

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, the current Veterans Director is retiring and the Board wishes to fill said position,

RESOLVED, that William E. Mullarkey hereby is appointed Veterans Director at an annual base salary of \$30,662 effective 6/5/06 to serve at the pleasure of the Board, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400	Contingency account	\$3,750
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TRANSFER TO:

A-19-4-6510-00-1130(633)	Temporary Employees	\$3,750
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RESOLUTION ADOPTED with Aye(1375). Supervisors Johnson, Mancini and DiMezza voted Nay.
(5/23/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor McMahon, passed with Aye(1868).

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
7:00 PM, June 1, 2006

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:23 PM.

Roll call indicated that Supervisors Johnson, Greco, Paton, McMahon, Strevy, Haak, Dybas, Cechnicki, Schumann, Walters, Thomas, Jonker, Mancini and DiMezza were present.

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

1. Interviews - Veterans Director
2. other

Chairman Quackenbush stated that he is moving agenda item #2 to the top of the agenda list.

Item #1 (formerly item #2, "Other"): Chairman Quackenbush stated that the Cornell Cooperative Extension Board has a vacancy and if anyone wishes to be considered, to please contact Chairman Quackenbush.

Item #2 (formerly item #2, "Other"): Chairman Quackenbush stated that the Architectural Engineering firm that conducted studies on County building consolidations stated that they would like to meet with the County regarding financing options currently available.

Chairman DiMezza stated that the Needs Assessment Committee should discuss this matter before it comes before the full Board.

Supervisor Walters stated before financing should be discussed, other options for building consolidation need to be explored, such as the old jail site, the trailer park next to the Annex, as well as other sites.

Supervisors Schumann, Cechnicki, Dybas and Haak spoke in support of financial discussions with the Architects.

Supervisor Strevy stated that he feels that the old jail needs to be considered first.

Supervisor Walters stated that the whole picture needs to be considered. He also stated that he supports the financial discussions, provided that there is no cost to the County for the meeting.

Supervisor Quackenbush stated that, providing there is no cost, a meeting will be scheduled between the Architect firm and the Needs Assessment Committee.

Chairman Quackenbush requested a Motion to go into Executive Session Pursuant to Section 105 (f,d,x) of NYS Open Meeting Law to discuss matters leading to the appointment of a certain person, current litigation and collective negotiations. A motion to enter Executive Session was made by Supervisor Dybas and seconded by Supervisor Mancini. Executive Session began at 7:35 PM.

Clerk's note: The scheduled interviews for the position of Veterans Director are as follows:

7:15 PM: Robert H. Von Hasseln
7:30 PM: William E. Mullarkey
7:45 PM: Donald Schaffer
8:00 PM: Paul M. Parillo

Supervisors Schumann and Jonker made a motion and seconded, respectively, to adjourn Executive Session. The Executive Session was adjourned at 8:52 PM.

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

Item #3 (formerly item #1, "Interviews - Veterans Director"): Personnel Officer Rich Baia will bring a draft Resolution, sponsored and seconded by Supervisors Walters and Dybas, respectively, before the full Board appointing William E. Mullarkey with a salary of \$30,662 as of June 5, 2006. There were no objections. FULL BOARD.

Item #4 (formerly item #6, Personnel Committee, "Resolution Ratifying Memorandum of Agreement Between the County of Montgomery and Montgomery County Local 82 of Deputy Sheriff's Police Benevolent Association (PBA) and Authorizing Chairman to Sign Contract for the Period of January 1, 2004 - December 31, 2008"): Supervisors Haak and Jonker made a motion to sponsor and second, respectively, the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #5 (formerly item #7, Personnel Committee, "Resolution Ratifying Memorandum of Agreement Between the County of Montgomery and Montgomery County Local 294 of International Brotherhood of Teamsters for Correction Officers and Authorizing Chairman to Sign Contract for the Period of January 1, 2004 - December 31, 2008"): Supervisors Jonker and Johnson made a motion to sponsor and second, respectively, the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Supervisors Dybas and Schumann made a motion and seconded, respectively, to adjourn the meeting. The Committee of the Whole was adjourned at 8:55 PM by Chairman Quackenbush.

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 5, 2006

COMMITTEE MEETING DISCUSSION

Chairman Haak presided over the meeting commencing at 7:00 PM.

Roll call indicated Committee members present included Supervisors Cechnicki and Strevy. Absent were Supervisors DiMezza, McMahon, Greco and Thomas.

Additional Supervisors absent were Mancini, Quackenbush, Paton, Johnson, Dybas, Walters, Schumann, and Jonker.

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

1. Review of Fiscal Year 2006 Departmental Operating Budgets and Preliminary Discussions of Fiscal Year 2007 Operating Budgets and Long Range Plans. Departments are scheduled as follows:

7:00 PM	Probation
7:15 PM	Montgomery Meadows
7:30 PM	Real Property
7:45 PM	DPW
8:00 PM	Data Processing
8:15 PM	Weights & Measures

2. Other

Chairman Haak stated that though there is not currently a quorum, but he anticipates the arrival of Supervisors Greco and McMahon soon.

Chairman Haak stated the purpose of the Finance meeting, which is an opportunity to look at the 2006 budget, the individual department's anticipated plans for 2007, 2008 and 2009, and to explore the needs of the departments in general. He stated that budget reviews will be in October. Treasurer Shawn Bowerman was also present to answer questions.

Item #1: Probation Director Lucille Sitterly disseminated a document to the Committee which summarized the duties of Probation, their goals, projected budget and workload comparisons. She stated that she does not anticipate any shortfalls in the 2006 budget. She stated that she has projected a 1% reduction in reimbursement from the state. She spoke about the workload increase, and the need for another Probation Officer, as stated in the 2007 budget.

Anticipated future budget increases include the need to replace, office furniture, van repairs, increased mileage, medical fees (ie. Drug testing), the purchase of a new gun and related ammunition, and computer software. In 2008, a request will be made for a new automobile to be purchased. In 2009, there will be a request for a van replacement.

Director Sitterly stated (for comparison purposes) that in 2000, there were 429 clients on probation and the Department had an extra Probation Officer. As of 2005, there were 491 clients on probation, and a shortage of one officer.

The need to increase intense supervision for some offenders, as well as increased workload for DNA and drug testing is difficult to accomplish with limited staffing.

Supervisor Paton entered the Chamber at 7:12 PM.

Supervisor McMahon entered the Chamber at 7:17 PM.

Montgomery Meadows Administrator Heather Reynicke disseminated an analysis of expenditures to date. She stated that the largest expenditure is the use of temporary staffing agencies, due to the lack of permanent employees. She stated that the revenue side is looking fine, but monies might need to be shifted for maintenance issues. She also stated that there are currently 27 vacant beds in the facility.

Chairman Haak gave a brief update on the status of the sale of the Meadows, stating that it's progressing as expected.

Real Property Director Flo Stanton disseminated a budget summary for 2006-2009. She stated that the Dept. revenue doesn't come in until the end of the year, when the towns are billed for services. Budget increases for 2007, 2008 & 2009 include funding for new computers for digital mapping. She stated a need for purchasing computer software next year, an increase under the line

for misc. service fees, etc.

Departmental goals include purchasing software, scanning old tax mapping materials, hiring a part-time grant writer, and coordinate with the Sheriff's Dept. on inputting the 911 numbers on the department's RPS system by the assessor.

Supervisor Greco entered Chamber at 7:33 PM.

DPW Commissioner Paul Clayburn disseminated a copy of the 2006 budget to date. He stated that the 2006 budget is on track. The Department is watching the salary overtime, the cost of utilities, gas & diesel and labor at the Meadows. The only item not addressed was the emergency back-up batteries system for the public safety facility, which will be a \$20,000-25,000 per year expenditure. That will be addressed in the future.

He stated that a long-term highway and bridge plan to be presented at the Public Works Committee meeting next week.

He stated that the lack of cleaning personnel is causing cleaning issues in the County buildings. The 2007 budget will include more cleaning staff and he will need some extra seasonal workers to perform mowing on the bike path due to lack of current permanent staff. He anticipates that this funding will come out of the A fund. He stated that two Fleet loaner vehicles will need to be replaced in 2007, also, due to their age and serviceability issues.

Data Processing Director Deborah Bain disseminated a long-term plan for fiscal years 2007-2009. She stated that due to the increase in technology, her current staff and funding cannot keep up with it. There are currently no issues for 2006. However, two entry level programmers will need to be upgraded (at a cost of approximately \$5,000).

She stated that the Department's Network Coordinator has a huge workload and is need of assistant for 2007. In 2008, a Micro Computer Technician will be needed, and in 2009, an Entry Level Programmer will be needed.

Goals for the Department include creating an in-house Departmental website, purchasing various needed equipment and upgrading various programs used by various departments. She stated that there are currently over 200 personal computers being used in the County.

She stated that the biggest issue for Data Processing is the lack of funding and staffing.

Weights & Measures Director Nicholas Bartosik disseminated a document which states the purpose, current status and future of the Department. He anticipates equipment replacement to include the test scale, and in 2008, to replace the office computer. He also stated that he uses his personal cell phone for business, and would like to use a County cell phone instead.

Director Bartosik also summarized a new bill regarding item pricing that is in the works (a state-wide scanner accuracy fair pricing law.). The law states that a Weights & Measures official is mandated to perform scanner accuracy & pricing inspections during a regular business hours at certain times of the year in certain retail establishments. The state Director will determine how often the inspections will occur and the amount of fines to be charged for inaccuracy.

Supervisor Cechnicki inquired of the Committee if department heads can retain monies not spent at the end of the budget (or their own fund balances).

Treasurer Bowerman stated that there are more cons than pros to that idea.

Chairman Haak stated that former St. Johnsville Supervisor and Chair George Matis passed away over the weekend.

Chairman Haak stated that he won't be here for Wednesday's committee meeting, and that Chairman Quackenbush will be Chair in his stead.

The motion was made and seconded by Supervisor Cechnicki and Haak, respectively, to adjourn the Finance Committee. Chairman Haak adjourned the Finance Committee meeting at 8:22 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
6:30 PM, June 6, 2006

COMMITTEE MEETING DISCUSSION

Chairman Haak presided over the meeting commencing at 6:33 PM.

Roll call indicated Committee members present included Supervisors Cechnicki, Strevy and McMahon. Absent were Supervisors DiMezza, Greco, and Thomas.

Additional Supervisors present were Quackenbush, Paton, Johnson, Dybas, Walters, Schumann, and Jonker. Absent was Supervisor Mancini.

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

1. Review of Fiscal Year 2006 Departmental Operating Budgets and Preliminary Discussions of Fiscal Year 2007 Operating Budgets and Long Range Plans. Departments are scheduled as follows:

6:30 PM County Attorney

6:45 PM Economic Opportunity & Development

2. Other

Item #1: County Attorney Doug Landon stated that the mileage allocation will have a minor shortage, due to cutbacks (from previous years) and the rising cost of fuel. He stated that he realizes that having some extra money in a line item for unforeseen extras such as mileage would be a luxury.

He stated that for 2007, a combination fax/answering machine would be needed for his County business, as his personal equipment is currently being used and should be replaced.

Supervisor Paton entered Chamber at 6:41 PM.

Director of E.O.D. Ken Rose disseminated to the Committee a summary document of the EOD Department. He stated his only concern for this year's budget is the lease on the department's car. Repairs have had to be made, and there is a shortage for the last two months lease payments. He stated that the car will probably be turned in prior to the end of the lease, for a new car.

He stated that the 3 year projection for the Dept. is the increase in appropriations. The biggest change in the upcoming budget will be the inclusion of \$40,299 for the EOD Senior Planner. He also stated that he'll be attempting to free up cash with the IDA because of upcoming projects by increasing their charge for EOD staff services. Also anticipated in the near future is a HUD Audit Response Cost.

Chairman Quackenbush stated that he would like to discuss the HUD Audit Response in Executive Session later in the evening, during another Committee meeting. There were no objections.

Director Rose stated that bonding might be necessary in the future should another corporation like Target come into the County. He also summarized various development opportunities in the County.

Supervisors Mancini and Johnson entered Chamber at 6:49 PM.

Supervisor Greco entered Chamber at 6:52 PM.

Director Rose stated that due to increased site visits, mileage will be an issue in the future.

The motion was made and seconded by Supervisor Cechnicki and Strevy, respectively, to adjourn the Finance Committee. Chairman Haak adjourned the Finance Committee meeting at 6:58 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
7:00 PM, June 6, 2006

COMMITTEE MEETING DISCUSSION

Chairman McMahon presided over the meeting commencing at 7:00 PM.

Roll call indicated Committee members present included Supervisors Cechnicki, Dybas, Paton and Mancini. Supervisors Jonker and Schumann were absent.

Additional Supervisors present were Supervisors Greco, Strevy, Johnson, DiMezza and Quackenbush. Absent were Supervisors Walters, Thomas, and Haak.

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

1. Resolution Authorizing Chairman to sign Memorandum of Agreement - FMCC & FMCC Education & Support Personnel
2. Discussion regarding FMCC 2006-2007 Operating Budget
3. Resolution Establishing Public Hearing - FMCC 2006-2007 Operating Budget
4. Other

Chairman McMahon stated that there will be an add-on discussion item regarding FMCC Board of Trustees.

Item #1: Supervisors Cechnicki and Paton made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #2: Chairman McMahon stated that the cost for fuel & health insurance is increasing. An additional \$50,000 increase (than anticipated) has been asked by College. He recommends moving forward with the budget as presented to the Committee.

Chairman Quackenbush stated that he anticipates Fulton County following our lead on supporting the College's request. He stated that he supports the College's request, as does Supervisor DiMezza.

John Jablonski, Acting President of FMCC, expressed his appreciation for the support he's received from the Montgomery County Board of Supervisors, and also spoke briefly about cost-saving opportunities being explored by the College.

Item #3: Chairman Quackenbush stated that the Public Hearing will be on July 25 at 6:45 PM. There were no objections.

Supervisors Dybas and Greco made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Supervisor Jonker entered Chamber at 7:15 PM.

Item #4, Other: Add-on discussion of the order of succession for the FMCC Board of Trustees.

Chairman McMahon stated that, according to Resolution 159 of 1993, "each time a County Trustee's term expires, the County holding a minority seat shall be the appointing authority to fill the vacancy".

Mike Sampone, FMCC Board of Trustees Chair, stated that the College is always looking at ways of saving money and raising revenues. More revenues are expected from the new online learning programs. He stated that this is the first time in years that the budget has been balanced. He also encouraged the Board to speak to their fellow counterparts in Fulton County about how the College has been doing.

Item #4, Other: Supervisor DiMezza stated that he would like to sponsor a Resolution supporting the existing South Center Street Railroad crossing in Fonda, which may be closed. He also stated that if the crossing is closed, traffic congestion will increase at the Broadway crossing. He stated that he would deliver a letter of support from the Board of Supervisors to the Village. Chairman Quackenbush stated that he will second the sponsorship. There were no objections.

Chairman Quackenbush stated that in the letter, it should be referenced how a closing would effect the employees in the County.

Motion was made and seconded by Supervisors Cechnicki and Dybas, respectively, to adjourn the

Committee meeting.

Chairman McMahon adjourned the Education/Government Committee meeting at 7:27 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 - AGRICULTURE, PLANNING & DEVELOPMENT
7:15 PM, June 6, 2006

COMMITTEE MEETING DISCUSSION

Chairman Johnson presided over the meeting commencing at 7:30 PM.

Roll call indicated Committee members present are Supervisors Dybas, Jonker, Mancini and Paton. Supervisors Haak and Schumann were absent.

Additional Supervisors present were Quackenbush, Greco, Strevy, Cechnicki and DiMezza. Absent were Supervisors McMahon, Schumann and Walters.

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

1. Resolution Appointing Member - FMS Workforce Development Board
2. Montgomery County Chamber of Commerce Tourism Presentation
3. Resolution Authorizing Chairman to Sign Agreement - Tourism Promotion Administration - Montgomery County Chamber of Commerce (Board of Supervisors)
4. Resolution Supporting Tourism Funding Application - Montgomery County Chamber of Commerce
5. Resolution Appointing Member - Economic Development Advisory Committee - Agriculture
6. Resolution Appointing Members - Montgomery County Planning Board
7. Discussion Regarding Vacancy - Amsterdam-Florida-Glen Empire Zone
8. Other

Item #1: Chairman Johnson stated that Supervisor Greco will not be a member of the Board at this time, and that the position remains vacant. Gail Breen will be providing the replacement name at the Full Board Meeting. Chairman Johnson also stated that Kristine Pennick will be replacing Jason Cintron on the Board, thereby filling the second vacancy.

Supervisors Jonker and Mancini made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #2: Deborah Auspelmyer (Montgomery County Chamber of Commerce) and Erika Squillace (Dept. of Tourism) were present to discuss Chamber growth, including radio show and "Geocaching" (GPS treasure hunting).

Item #3: Chairman Johnson stated that the agreement is still in draft form. Supervisors Dybas and Greco made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #4: Supervisors DiMezza and Mancini made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #5: Supervisors Jonker and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #6: Supervisors Greco and Dybas made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #7: Supervisor DiMezza stated that the Senior Planner (to be hired) should be appointed for the Empire Zone vacancy position. Chairman Johnson stated that a resolution will be forthcoming once a Senior Planner is hired.

Item #8, Other:

Supervisors Dybas and Paton made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Johnson adjourned the Personnel Committee meeting at 8:07 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, June 7, 2006

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 7:00 PM in Chairman Haak's stead.

Roll call indicated Committee members present included Supervisors Cechnicki and Greco. Absent were Supervisors McMahon, Strevy, Thomas and Haak.

Additional Supervisors present was Supervisor Johnson. Absent were Supervisors Mancini, Quackenbush, Paton, Dybas, Walters, Schumann, and Jonker.

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

1. Review of Fiscal Year 2006 Departmental Operating Budgets and Preliminary Discussions of Fiscal Year 2007 Operating Budgets and Long Range Plans. Departments are scheduled as follows:

7:00 PM	District Attorney
7:15 PM	Public Defender
7:30 PM	Youth Bureau/Community Service
7:45 PM	Veterans Services
8:00 PM	Sheriff
8:15 PM	Treasurer
8:30 PM	Emergency Management/Fire Coordinator

Item #1: Chairman DiMezza stated that District Attorney James Conboy couldn't be at tonight's meeting. D.A. Conboy would still like to reiterate his need for an additional secretary, and that only the normal salary increases are anticipated in the department's future outlook.

Public Defender William Martuscello disseminated a three-year plan to the Committee. He stated that, due to the tremendous workload (four attorneys utilizing the department's one secretary), he would like a full- or part-time Spanish-speaking Investigator/Paralegal added to his staff. He also stated that his current Secretary's salary should be upgraded to match other Confidential Secretaries.

Chairman DiMezza stated that he will investigate the salary upgrade and get back to Public Defender Martuscello.

Public Defender Martuscello also spoke about the benefits of creating a Conflict Defender's Office, separate from the Public Defender's office, which would handle conflicts from Family and Criminal Court. Such an office is currently active in Schenectady.

Veterans Services County Director Dwight Thompson stated that the budget is on track, other than the increase in the cost of fuel. Futuristically speaking, he feels the budget is stable other than the need for a new wheelchair van in 2008. Also, a line item will need to be adjusted for the new Clerk Typist salary.

Projected budget increases include fuel costs.

Youth Bureau/Comm. Svc. Exec. Director Jennifer Petteys disseminated a document summarizing the departmental duties in general, and included the 2005 Operations Summary, 2005 Objectives and State/County savings.

She stated that the operating budget is approximately 50% state aid, and anticipates no change through 2009. Future equipment purchases will include a new, upgraded computer every year and a networked printer (to be purchased in 2008 for approx. \$2000) which would save money.

Chairman DiMezza suggested that since a printer needs to be purchased, perhaps getting a combination printer/copier would be more financially beneficial.

Exec. Director Petteys also stated the need to upgrade the Coordinator position from part-time to full-time.

She stated that the DWI fine revenue is almost \$7,000 ahead of 2004 fine collection (last year's fines were down). The Department expects to be able to reallocate some money. Some grant money is expected to come in, to fund an Account Clerk Typist position, to be shared with the D.A.'s office.

Supervisor Greco entered Chamber at 7:29 PM.

Treasurer Shawn Bowerman disseminated a document stating revenues and appropriations from the

Treasurer's office. He stated a half percent increase in mortgage tax would generate approx. \$400,000.

Under Appropriations, Treasurer Bowerman stated that if the contribution to FMCC is increased to \$100,000, there will be a \$25,000 shortfall in the account, and Contingency will have to be tapped. Contributions to other Community College's (Herkimer and Schenectady, mostly) will have a shortfall of \$50,000. He also stated that it costs the County an extra \$1000 per student if a Montgomery County resident attends Schenectady or Herkimer Community College instead of FMCC.

Supervisor Greco asked if, as a cost-saving measure, a \$500 scholarship can be offered to prospective Community College students as an incentive to attend FMCC. It was suggested that Attorney Landon look into the viability of offering a scholarship.

He stated that he anticipates the transfer will be at least \$500,000 more in 2006 than budgeted to help the Meadows remained staffed.

In conclusion, Treasurer Bowerman stated that he be presenting a preliminary budget to the Board of Supervisors based on the departmental requests on or around September 1, 2006.

Sheriff Michael Amato presented to the Committee a document summarizing new cost savings measures now being implemented in the Department. He also stated that the current budget's revenue and expenditures are adequate. He stated that \$1.2M was brought in for prisoner boarding. He stated that next month there will be three officers attending training.

Chairman DiMezza stated that it would be profitable to build a Youth Detention Center at the Jail site. He stated that he will discuss the issue with Bill Cranker and the Public Safety Committee and perhaps form a sub-committee.

Sheriff Amato also stated that video-based arraignment may be an option in the future. The bill is before the Governor now. He stated that it would be an immense time-saver for the Sheriff's office.

He stated that he previously gave the Board a copy of the Sheriff's Dept. long term plans. He stated the big ticket item will be replacing cruisers and vans. He stated that nine computers, several copiers and the card swipe software will need to be replaced eventually, hopefully with the help of grant money.

In regards to staffing, Sheriff Amato stated that the workload is increasing and more officers are needed. Staffing needs could be met with an additional Investigator in 2007, two Deputies in 2008 and another Deputy in 2009, all full-time. He stated that he would also like to increase his part-time Corrections employees to full-time status.

Emergency Management/Fire Coordinator Director Gary Nestle disseminated a document to the Committee stating the duties of the Fire Service Coordinator. He stated that the Dept. received \$50,000 grant from Sen. Farley for use in the Gilboa Dam Project.

Director Nestle stated that future capital projects include upgrading the Public Service Communication System and a new garage at the Sheriff's site for equipment storage.

Chairman DiMezza stated that the Needs Committee and Public Works are looking into options for space for EM/FC and other departments.

Supervisor Cechnicki made a suggestion that the Board recognize the upcoming retirement of Veteran's Services Director Dwight Thompson. The Committee chose to write a Resolution (Full Board) and present Director Thompson with a plaque in his honor at the Full Board meeting.

The motion was made and seconded by Supervisor Cechnicki and Greco, respectively, to adjourn the Finance Committee. Chairman DiMezza adjourned the Finance Committee meeting at 8:28 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, June 8, 2006

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:00 PM in Chairman Haak's stead.

Roll call indicated Committee members present included Supervisors DiMezza, McMahon and Strevy. Absent were Supervisors Cechnicki, Greco, Thomas and Haak.

Additional Supervisors present was Supervisor Jonker. Absent were Supervisors Mancini, Paton, Dybas, Walters, Schumann, and Johnson.

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

1. Review of Fiscal Year 2006 Departmental Operating Budgets and Preliminary Discussions of Fiscal Year 2007 Operating Budgets and Long Range Plans. Departments are scheduled as follows:

7:00 PM	Social Services
7:15 PM	Board of Elections
7:30 PM	County Clerk
7:45 PM	Public Health
8:00 PM	Historian
8:15 PM	Purchasing and Auditing

Chairman Quackenbush clarified the purpose for the Committee meeting.

Item #1: Social Services Commissioner William Cranker disseminated a document summarizing the department and its future projections. He stated that currently the largest issue is the lack of sufficient archive space. He stated that after a minimum of six years, documents can be destroyed in Utica at no charge, but that doesn't solve the space issue. Documents may be electronically filed then the originals destroyed, but the technology won't be available for another year or two.

Commissioner Cranker stated that there will be some reorganization within the Department.

Board of Elections Commissioners Joan Grainer and Lyn May were present. Commissioner May stated that there are anticipated changes. The Dept. of Justice has accepted "Plan B" regarding lever machines. The Elections Dept. will need to purchase one Ballot Marking Device (\$6000) for the dept. The biggest issue is that the voting sites must be ADA compliant, and most are not. Another concern will be the ability to transport any disabled voter who needs to get to the site. The current staff for the department is not adequate to provide inspections and transportation, and the department requests that two positions of Commissioner be added.

Commissioner May also stated that shredding capability is needed in the office for shredding election records, which contain personal, confidential information.

Commissioner May stated that the life expectancy of the voting machines will be 5-10 years, so future purchases are expected.

County Clerk Helene Bartone disseminated a document outlining a three year plan, including expected costs and revenues. She stated that there may be legislation passed which requires the County Clerk's office to remove personal information from documents presented for recording. If the legislation passes, there will be an unpredictable cost to implement this legislation.

Also in the works is legislation requiring all court records to be accessed from the internet by Attorneys. This would be on a fee basis, which would require a billing system.

Clerk Bartone also stated that legislation requiring all public records to be accessible from the internet is in the works, also.

Clerk Bartone also stated that some computers will need to be replaced, and a replacement program will be explored with Data Processing.

She also stated that there are complaints that the DMV office isn't open enough hours in the day, but no plan is in the works to alter the hours of business, due to security issues.

She stated that lack of adequate storage space is also an issue.

Public Health Director Kim Conboy disseminated a packet of information to the Committee outlining departmental projections. She stated that the contracted Early Intervention Official should be upgraded to a permanent, full-time position, due to increased workload and responsibilities.

She stated that computers are purchased from grant money and all budgets are currently on track.

Historian Kelly Farquhar disseminated a document outlining the functions of the department, current progress and future projections. She stated that monies have been transferred to compensate for office equipment breakdowns.

Historian Farquhar stated that revenues are down because research is slowing due to lack of volunteers. However, some revenue is expected with the 2006 publication and sale of "Amsterdam Photographic History".

She stated that she's anticipating the purchase of a new computer and copier at some point in the next three years.

Supervisor DiMezza left Chamber at 8:00 PM.

Purchasing Agent Scott Surrento disseminated a document outlining revenues, appropriations, unallocated insurance and central storeroom figures. He outlined some options with auctioning surplus equipment, such as Ebay or bid.com.

Auditor Marco Zambolo disseminated an auditing account summary. He stated that the dept. budget is on target. He also discussed the concept of marketing and selling auditing services, which are needed within the school district.

The motion was made and seconded by Supervisor Strevy and McMahon, respectively, to adjourn the Finance Committee. Chairman Quackenbush adjourned the Finance Committee meeting at 8:30 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
7:00 PM, June 13, 2006

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 7:00 PM.

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

Additional Supervisors present were Supervisors Mancini, Greco, Thomas, Cechnicki, McMahon, Johnson, and Quackenbush. Supervisor Haak was absent.

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

1. Resolution Upgrading Early Intervention Account Clerk Typist Position to Senior Account Clerk Typist position and Amending 2006 Operating Budget (Public Health)
2. Resolution Approving New Positions - Welfare Employment Representative and Amending 2006 Operating Budget (Social Service)
3. Resolution Approving New Position - Social Welfare Examiner and Amending 2006 Operating Budget (Social Services)
4. Resolution Approving Position Upgrade from Account Clerk Typist to Principle Account Clerk Typist and Amending 2006 Operating Budget (Social Services)
5. Resolution Approving Change in Title from Homemaker to Senior Account Clerk Typist and Amending 2006 Operating Budget (Social Services)
6. Resolution Authorizing Chairman to Sign Request for Application - Long Term Care Point of Entry (Social Services)
7. Resolution Authorizing Chairman to Sign Renewal Agreement - Social Worker Services - Jane S. Harrington (Montgomery Meadows)
8. Resolution Authorizing Chairman to Sign Agreement - Samuel S. Stratton VA Medical Center (Montgomery Meadows)
9. Resolution Authorizing Chairman to Sign Agreement - Podiatric Services - Paul Z. Sheremeta, DPM (Montgomery Meadows)
10. Discussion regarding Reestablishing Nurse Practitioner Position
11. Other

Item #1: Public Health Director Kim Conboy clarified the need for the personnel upgrade. She stated that ultimately, the cost to County will be \$714.00. Chairman Quackenbush stated that if there are any other similar upgrades to be made in the future, they should be included in future budgets.

Supervisor Paton entered Chamber at 7:03 PM.

Supervisors Jonker and Greco made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. Supervisor Dybas abstained.

Item #2: Social Services Commissioner William Cranker and Joanna Del Costello clarified the need for the Resolution. They stated that the Homemaker position will not be looked at in 2007.

Supervisors Johnson and Paton made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. Supervisor Dybas opposed, due to the lack of clarity with the Resolution.

Item #3: Supervisors Schumann and Greco made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #4: Supervisors Schumann and Jonker made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #5: Supervisor Dybas requested that Social Services provide a financial impact (to the 2007

budget) of all positional changes be presented to the Board at the full Board meeting, as the fund balance is being whittled away. There were no objections.

Supervisors Schumann and Paton made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #6: Chairman Strevy stated that the County needs to take the lead on this issue. Commissioner Cranker, after clarifying the Resolution, spoke in support of the Resolution. Chairman Strevy stated that Phase 1 will include a grant for \$52,000, which includes a Memorandum of Understanding with AAA.

Supervisors Strevy and Jonker made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #7: County Attorney Doug Landon stated that this contract will have a 30-day escape clause, as will all new contracts. Supervisors Jonker and Quackenbush made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #8: Supervisors Johnson and Paton made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #9: Supervisors Dybas and Quackenbush made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #10: Meadows Administrator Barbara Clements stated that the Meadows is in need of a part-time Nurse Practitioner, for 5 hours/day, at a rate of \$35/hr. She requested that the salary of \$25,000 be taken from line item 289 (Medical Director) and be put into line item 115 (part-time position). She stated that the \$25,000 will cover the position through December. She would like to advertise for the position, and would like to submit a Resolution for the full Board meeting.

Supervisors Schumann and Johnson made a motion and seconded, respectively, to sponsor and move a draft Resolution to the full Board with a positive recommendation. Supervisor Jonker abstained.

Motion was made and seconded by Supervisors Dybas and Paton, respectively, to adjourn the Committee meeting.

Chairman Strevy adjourned the Health & Human Services Committee meeting at 7:56 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, FONDA, NY
COMMITTEE MEETING - GENERAL SERVICES
7:20 PM, June 13, 2006

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:57 PM.

Roll call indicated Committee members present included Supervisors Cechnicki, Greco, Johnson, Mancini, Paton and Strevy.

Additional Supervisors present were Quackenbush, McMahon, Dybas, Thomas, and Jonker. Absent were Supervisors Schumann, DiMezza and Haak.

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

1. Resolution Authorizing Chairman to Sign Renewal Agreement - Data Processing Services - City of Amsterdam (Data Processing)
2. Resolution Authorizing Chairman to Sign Renewal Agreement - Data Processing Services - City of Johnstown (Data Processing)
3. Resolution in Support of an Application by the City of Amsterdam Under the Transportation Enhancements Program
4. Presentation - Long-Term Road Reconstruction Plan (DPW)
5. Other

Supervisors Dybas and Schumann left Chamber at 7:57 PM.

Item #1: Supervisors Mancini and Greco made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Strevy and Johnson made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisors Greco and Strevy made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Supervisor Dybas entered Chamber at 7:59 PM.

Item #4: DPW Commissioner Paul Clayburn presented a resurfacing plan to the Committee. The information presented included the status of the condition of each County road and the resurfacing plan for the next 13 years. He stated that farm equipment, drainage issues and Amish traffic effects the life of a road, and work done in 2007 will be "catch-up" from the previous 16-year cycle of maintenance. He stated that repairing approximately 33 miles/year of road will complete all repairs within 13 years.

Commissioner Clayburn stated that the new 13 year paving program will require local bonding of approximately \$1.1M.

Chairman Quackenbush stated that the DPW website would be a good resource for submitting road repair requests and checking on the status of current repairs.

Supervisor Dybas left Chamber at 8:30 PM.

Supervisor Strevy left Chamber at 8:41 PM.

Supervisor McMahon left Chamber at 8:57 PM.

Motion was made and seconded by Supervisors Mancini and Greco, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Walters adjourned the Public Safety Committee meeting at 8:59 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PUBLIC SAFETY
7:40 PM, June 13, 2006

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 9:00 PM.

Roll call indicated Committee members present included Supervisors Greco, Cechnicki, Jonker and Schumann. Supervisor Dybas and Haak were absent.

Additional Supervisors present were Quackenbush, Johnson, Paton, McMahon, Strevy, Walters, and Mancini. Absent was Supervisor DiMezza.

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

1. Resolution Authorizing Chairman to Sign Agreement - Outpatient Dialysis Services - Amsterdam Dialysis Center (Sheriff)
2. Resolution Authorizing Chairman to Sign Grant Agreement -NYSDCJS - Aid to Prosecution Grant (District Attorney)
3. Resolution Authorizing Chairman to Sign Grant Agreements - Illegal Drug Trafficking Prevention Program (District Attorney)
4. Other

Item #1: Supervisors Cechnicki and Jonker made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Walters and Greco made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisors Cechnicki and Jonker made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #4 (Other): Supervisor Cechnicki stated that currently, at a state level, all mortgage agreement laws have no expiration date. New Legislature has been submitted stating that the expiration date will be Dec. 1, 2008. Local Resolutions with Home Rules will be needed as soon as possible.

Supervisor Cechnicki submitted a draft Resolution. He is requesting a special meeting on next Tuesday and Home Rule submitted by Thursday.

Supervisors Cechnicki and Greco made a motion and seconded, respectively, to sponsor and move a draft Resolution to the full Board with a positive recommendation. There were no objections.

Motion was made and seconded by Supervisors Jonker and Cechnicki, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Thomas adjourned the Public Safety Committee meeting at 9:05 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 - PERSONNEL
7:00 PM, June 20, 2006

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present are Supervisors McMahon, Greco, Mancini and Walters were present. Absent were Supervisors Thomas and Johnson.

Additional Supervisors present were Strevy, Quackenbush, Paton, Jonker and Haak. Absent were Supervisors Dybas, Cechnicki and Schumann.

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

1. Resolution Reappointing Commissioner of Public Works
2. Resolution Re-establishing Computer Service Coordinator Position and Amending 2006 Operating Budget
3. Resolution Authorizing Chairman to Sign Memorandum of Agreement - CSEA Local 1000 AFSCME, AFL-CIO - Approving Compensation to Certain Employees Assigned to Work in the Correctional Facility
4. Tabled Resolution 187 of 2006 - Resolution Ratifying Memorandum of Agreement Between the County of Montgomery and Montgomery County Local 3717 of Counsel 82 of Deputy Sheriff's PBA & Authorizing Chairman to Sign Contract for the Period January 1, 2004 - December 31, 2008
5. Discussion Regarding Proposed Part-time Nurse Practitioner - Montgomery Meadows
6. Other

Item #1: Supervisors Walters and McMahon made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Walters and McMahon made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisors Mancini and Haak made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #4: Chairman DiMezza requested from Personnel Officer Rich Baia and Treasurer Shawn Bowerman to produce a projected cost sheet (through 2008) from the four Unions that will include information such as the 15% contribution, the projected increases in insurance co-pays, and will also state how much money will be saved with Canadian Drug program. He also requested that the Personnel Officer contact the provider, and ask them to write an update letter of services and benefits to all affected current and retired employees of Montgomery County. There were no objections.

Supervisors Quackenbush and Haak made a motion and seconded, respectively, to sponsor a new Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #5, (formerly item #6 ("Other")) "RESOLUTION SUPPORTING SUBMISSION OF FARMLAND PROTECTION IMPLEMENTATION GRANT PROJECT": Supervisor Strevy and local Farmer Tom Nelson from the Town of Florida clarified the Resolution. Mr. Nelson stated that Farmers (900 acres, worth approximately \$4M) have opted on taking 75 cents on the dollar for development rights, which will be at no cost to the County.

Supervisor Jonker also spoke in support of the Resolution.

Supervisors Strevy and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #6 (formerly item #5, "Discussion Regarding Proposed Part-time Nurse Practitioner - Montgomery Meadows": Personnel Officer Rich Baia stated that a Resolution is not needed, just the transfer of funds. Treasurer Shawn Bowerman concurred. There were no objections.

Item #6, Other: Chairman Quackenbush stated that a prior discussion on comparing non-bargaining units with like Counties was to be pursued by a joint meeting of the Personnel and Finance

Committees. Personnel Officer Baia stated that there will be a meeting on Friday at around 11AM to discuss a comparison of 22 counties.

Supervisors Mancini and Haak made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman DiMezza adjourned the Personnel Committee meeting at 7:22 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
7:15 PM, June 20, 2006

COMMITTEE MEETING DISCUSSION

Chairman Haak presided over the meeting commencing at 7:22 PM.

Roll call indicated Committee members present included Supervisors Greco, Haak, DiMezza, McMahon and Strevy. Absent were Supervisors Cechnicki and Thomas.

Additional Supervisors present were Supervisors Mancini, Paton, Walters and Jonker. Absent were Supervisors Dybas, Schumann, and Johnson.

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

1. Review of Fiscal Year 2006 Departmental Operating Budgets and Preliminary Discussions of Fiscal Year 2007 Operating Budgets and Long Range Plans. Departments are scheduled as follows:

7:15 PM Personnel

2. Resolution Amending 2006 Budget - Medicaid Intergovernmental Transfer (Montgomery Meadows and Social Services)
3. Resolution Authorizing County Treasurer To Disburse Mortgage Tax Money
4. Resolution Approving Hospitality Grant Awards and Transferring Funds - Occupancy Tax Reserve
5. Resolution Authorizing Purchase Contract - Electric Energy Services Award
6. Resolution Authorizing Chairman to Sign Agreement - City of Amsterdam - Purchasing Services
7. Resolution Settling Bankruptcy Trustee Claim and Amending 2006 Operating Budget
8. Discussion Regarding Board of Supervisors Digital Photo Composite
9. Tabled Discussion from May 16 Finance Committee Regarding Year-Round Exemption of Sales and Compensation Use Tax for Clothing and Footwear Costing less than \$110
10. Discussion Regarding the Election of Cents per Gallon rate of Sales and Use Taxes on Motor Fuel and Diesel Motor Fuel and limiting the base on which this Cents per Gallon Rate is Imposed
11. Other

Chairman Haak stated that there is an add-on presentation by NYMIR (NY Municipal Insurance Reciprocal), to be entertained directly after agenda item #1.

Item #1: Personnel Officer Baia submitted a document entitled "HR Dept. Overview" to all Board members present. He stated that Civil Service/HR/Payroll software will be streamlined in 2007 if all goes according to plan. When queried, he also stated that the financial figures in the document will be affected by the sale of Montgomery Meadows.

Item #2 (formerly item #11, Other): Susan O'Rourke, Director of Marketing for NYMIR, spoke about the necessity of risk management policies.

Mark Levine, NYSAC (NYS Association of Counties), stated the history and future need of NYMIR. He stated that NYMIR was created as a non-for-profit insurance risk provider for NYS municipalities.

Bill Van Gorder, Insurance Broker, MANG insurance, stated that the VPs of NYMIR's Risk Management Program would like a strategic planning meeting with Board members to discuss ways to control losses and to streamline claim procedures. Chairman Haak stated that he would work toward setting up a meeting in the near future.

Item #3 (formerly item #2, "Resolution Amending 2006 Budget - Medicaid Intergovernmental Transfer (Montgomery Meadows and Social Services)": Supervisors Strevy and Greco made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive

recommendation. There were no objections.

Item #4 (formerly item #3, "Resolution Authorizing County Treasurer To Disburse Mortgage Tax Money"): Supervisors DiMezza and Greco made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #5 (formerly item #4, "Resolution Approving Hospitality Grant Awards and Transferring Funds - Occupancy Tax Reserve"): Supervisors DiMezza and Strevy made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #6 (formerly item #5, "Resolution Authorizing Purchase Contract - Electric Energy Services Award"): Purchasing Agent Scott Surento clarified the Resolution and stated that Sanitation District #1 is interested in piggybacking us on this. There were no objections.

In response to a query by Supervisor Strevy, Mr. Surento stated that in the future, a county-wide cooperative could be created, and could be managed by his department.

Supervisor Jonker stated that additional personnel would be needed in the Purchasing Dept. to handle the billing and tracking, and other necessities.

Supervisors Quackenbush and Strevy made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #7 (formerly item #6, "Resolution Authorizing Chairman to Sign Agreement - City of Amsterdam - Purchasing Services"): Supervisors DiMezza and Greco made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #8 (formerly item #7, "Resolution Settling Bankruptcy Trustee Claim and Amending 2006 Operating Budget"): County Attorney Doug Landon clarified the Resolution.

Supervisors DiMezza and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #9 (formerly item #8, "Discussion Regarding Board of Supervisors Digital Photo Composite"): Chairman Quackenbush inquiring if a group photograph of the Board of Supervisors would be possible for historical purposes, as was the norm in the past. He stated that cost quotes range from \$300-900. There were no objections on pursuing the matter.

Item #10 (formerly item #9, "Tabled Discussion from May 16 Finance Committee Regarding Year-Round Exemption of Sales and Compensation Use Tax for Clothing and Footwear Costing less than \$110"): Chairman Haak stated that he would like to take the discussion off the table, and that Sept. 1st is the next opt-in date. There was no discussion for support. The discussion did not continue.

Item #11 (formerly item #10, "Discussion Regarding the Election of Cents per Gallon rate of Sales and Use Taxes on Motor Fuel and Diesel Motor Fuel and limiting the base on which this Cents per Gallon Rate is Imposed"): There was no discussion of support. The discussion did not continue.

Item #12 (formerly item #11, "Other"): From an inquiry by Supervisor Strevy, Attorney Landon stated that the County would be prepared for the closing sale of the Meadows in a timely fashion. He stated the last meeting is July 7. He also stated that the zoning change would probably occur prior to the closing.

The motion was made and seconded by Supervisor McMahon and Greco, respectively, to adjourn the Finance Committee. Chairman Quackenbush adjourned the Finance Committee meeting at 8:10 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
SPECIAL MEETING
8:00 PM, June 20, 2006

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for June 20, 2006 was called to order at 8:10 PM by Chairman Quackenbush.

SALUTE TO THE FLAG

Chairman Quackenbush led the salute to the Flag.

ROLL CALL

Roll call indicated that Supervisors Quackenbush, Greco, Paton, McMahon, Strevy, Haak, Walters, Jonker, Mancini and DiMezza were present. Supervisors Thomas, Cechnicki, Schumann, Dybas and Johnson were absent.

STATEMENT OF PURPOSE OF MEETING

A. Resolution Supporting NYS Legislature A. 9053A/S. 5947A which Amends Chapter 355 of the Laws of 2005 which will Establish an Expiration Date on the Increase of Mortgage Recording Tax in Montgomery County

B. Other

RESOLUTION NO. 196 of 2006

DATED: June 20, 2006

RESOLUTION SUPPORTING NYS LEGISLATURE A.9053A/S.5947A WHICH AMENDS CHAPTER 355 OF THE LAWS OF 2005 WHICH WILL ESTABLISH AN EXPIRATION DATE ON THE INCREASE OF MORTGAGE RECORDING TAX IN MONTGOMERY COUNTY

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Greco

WHEREAS, in 2005 the NYS Legislature empowered the County of Montgomery to impose a mortgage recording tax of fifty cents per one hundred dollars of a mortgage, and

WHEREAS, such legislation contained no expiration date, and

WHEREAS, the New York Legislature has drafted legislation (A.9053a/S.5947a) which would amend Chapter 355 of the Laws of 2005 to include an expiration date of December 1, 2008,

RESOLVED, that the Montgomery County Board of Supervisors hereby supports and advocates for the passage of A.9053a/S.5947a by the NYS Legislature.

RESOLUTION ADOPTED with Aye(1203). Supervisor Strevy voted Nay. Supervisors Johnson, Schumann, Dybas, Thomas and Cechnicki were absent. (6/20/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Haak, seconded by Supervisor DiMezza, passed with Aye(1306). Supervisors Johnson, Schumann, Dybas, Thomas and Cechnicki were absent. The Meeting was adjourned at 8:13 PM by Chairman Quackenbush.

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 27, 2006

CALL TO ORDER

Chairman Quackenbush called the Regular Meeting of the Montgomery County Board of Supervisors for June 27, 2006 to order at 7:00 PM.

SALUTE TO THE FLAG

Veteran Services Director Dwight D. Thompson led the Salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors Quackenbush, Johnson, Greco, Paton, McMahon, Strevy, Haak, Dybas, Cechnicki, Schumann, Walters, Thomas, Jonker, Mancini and DiMezza were present.

PRIVILEGE OF THE FLOOR

A. Presentation - Stephen Fisher and Kathy Leitch - NYS DOH/NYS OFA

Mr. Fisher was absent.

Ms. Leitch clarified Resolution 210 and spoke at length in support regarding the new New York State "Point of Entry" initiative. She spoke in support of the Dept. of Social Services and Office of Aging collaboration as co-leads.

B. Proclamation - In Remembrance of Volkert Veeder

Mr. And Mrs. Dugan were recipient of the late noted historian Veeder's proclamation of appreciation (read by Chairman Quackenbush) for years of service to the community and to the United States Navy.

Supervisor Thomas stated that he will be sponsoring a Resolution in the future naming the new Records Storage Building in honor of Mr. Veeder.

C. Proclamation - In Recognition of Dairy Month

Chairman Quackenbush stated his appreciation of the Farm Bureau's refreshment stands in the foyer. He read proclamation in appreciation for Dairy Farmers during National Dairy Month. Present to receive the proclamation included Farm Bureau President John Fiddler.

D. Public Comment

Chairman Quackenbush read Resolution 197, "RESOLUTION EXPRESSING APPRECIATION FOR THE SERVICES OF RETIRING DIRECTOR OF VETERANS SERVICES - DWIGHT D. THOMPSON" and presented to Mr. Thompson a plaque stating the County's appreciation for his ten years of dedicated service to the Veterans Agency.

Chairman Quackenbush and EOD Director Ken Rose gave the Chamber a brief update on the HUD audit, including the amount to be repaid to the CDBG Fund (\$573,270).

Eleanor Curry, Burtonsville, stated her concern over the lack of a proper floodgate to reduce water levels in the Schoharie Reservoir.

There were no other speakers.

Chairman Quackenbush adjourned the Privilege of the Floor at 7:36 PM.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (May 23 - June 20, 2006) by Supervisor DiMezza, seconded by Supervisor Johnson, passed with Aye(1868).

APPROVAL OF BUDGETARY TRANSFER

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

MOTION TO AMEND THE AGENDA

MOTION TO AMEND AGENDA by Supervisor Mancini, seconded by Supervisor Strevy, by moving Resolution 210 to be the second Resolution entertained under New Business, and by entertaining add-on Resolutions 232 and 233 at the end of the New Business, passed with Aye(1868).

UNFINISHED BUSINESS**NEW BUSINESS****RESOLUTION NO. 197 of 2006****DATED:** June 27, 2006**RESOLUTION EXPRESSING APPRECIATION FOR THE SERVICES OF RETIRING DIRECTOR OF VETERANS SERVICES - DWIGHT D. THOMPSON**

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, Dwight D. Thompson, Director of Veterans Services, is retiring from Montgomery County effective June 30, 2006, and

WHEREAS, the successful and efficient conduct of business by the Montgomery County Veterans Services Agency has been due, in large measure, to the guidance of Dwight D. Thompson, and

WHEREAS, Mr. Thompson has been the Director of Veterans Services for over 10 years, and

WHEREAS, it is appropriate that the Board of Supervisors express its appreciation to Mr. Thompson for his many years of devoted service,

RESOLVED, that the Montgomery County Board of Supervisors hereby commends Dwight D. Thompson for his outstanding leadership and service to the Montgomery County Veterans Services Agency and to the citizens of Montgomery County and wish him well in his future endeavors.

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors

Social Services Director Bill Cranker spoke in support of Resolution 210. He stated that he will be entering into a Memorandum of Agreement with the Office for Aging, but expressed concerns with the collaboration, stating that the OFA hasn't been communicative in the past.

Based on Commissioner Crankers statements, Supervisors McMahon and Jonker recommend that the Resolution return to Committee for additional discussion and to look at options.

NYSOFA Deputy Director Kathy Leitch stated that due to the existing timeline, a formal letter must be submitted, requested an extension of time, and that probably 60 days would be granted.

Supervisor Paton stated his support for Commissioner Cranker and the Memorandum of Agreement.

Executive Director Eileen Broyles spoke in support of a co-lead collaboration, since the office personnel has the level of subject expertise that will be anticipated.

RESOLUTION NO. 210 of 2006**DATED:** June 27, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REQUEST FOR APPLICATION - LONG-TERM CARE POINT OF ENTRY (SOCIAL SERVICES)**

Resolution by Supervisor: Strevy

Seconded by Supervisor: Jonker

WHEREAS, the Governor's Health Care Reform workgroup has recommended changing the design and delivery of State and Medicaid funded long term care programs by implementing a single point of entry to the long term care system, and

WHEREAS, the local government has the first right to declare the lead county agency for the Request for Application, and

WHEREAS, the Department of Social Services is desirous to be the lead agency, due to providing most of the services and programs,

RESOLVED, that the Chairman of the Board of Supervisors, following approval of the Board of Supervisors, is hereby authorized to designate the Department of Social Services as lead agency in the implementation of a single point of entry to the long-term care system, and

FURTHER RESOLVED, that the Chairman of the Board, upon review and approval of the County attorney, is hereby authorized and directed to sign the "Request for Application" for its submittal to the State.

MOTION TO AMEND by Supervisor Strevy, seconded by Supervisor Schumann, in the third WHEREAS clause by striking "is desirous to be the lead agency" and inserting " and the Montgomery County Office for Aging are desirous to be co-lead agencies", and in the RESOLVED clause, by striking "as lead agency" and inserting " and the Montgomery County Office for Aging as co-lead agencies", passed with Aye(1084). Supervisors Mancini, McMahon, Thomas, Quackenbush, Paton and Jonker voted Nay. (6/27/2006)

RESOLUTION ADOPTED with Aye(1385). Supervisors Mancini, Thomas and Paton voted Nay. Supervisor Jonker abstained. (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 198 of 2006

DATED: June 27, 2006

RESOLUTION APPOINTING MEMBER - FULTON, MONTGOMERY, SCHOHARIE WORKFORCE DEVELOPMENT BOARD

Resolution by Supervisor: Jonker

Seconded by Supervisor: Mancini

WHEREAS, Resolution 299 of 2005 appointed members to the Fulton-Montgomery-Schoharie Workforce Development Board for a term from 11/22/05 to 11/22/08, and

WHEREAS, there are two vacancies in Private Sector Appointments, and

WHEREAS, under the recommendation of the Executive Director of the Fulton-Montgomery-Schoharie Workforce Development Board, Inc. an appointee has been selected, and

RESOLVED, that the Montgomery County Board of Supervisors hereby appoints Kristine Pennick to the Montgomery-Schoharie Workforce Development Board, representing a Private Sector Appointment through 11/22/08.

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 199 of 2006

DATED: June 27, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TOURISM PROMOTION ADMINISTRATION - MONTGOMERY COUNTY CHAMBER OF COMMERCE (BOARD OF SUPERVISORS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Greco

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 \$38,587.26, and

WHEREAS, said designation is for a one-year period commencing on October 1, 2006 and ending on September 30, 2007

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, 2006 and ending on September 30, 2007, 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 \$38,587.26.

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton voted Nay. (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 200 of 2006

DATED: June 27, 2006

RESOLUTION APPOINTING MEMBER - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE - AGRICULTURE

Resolution by Supervisor: Jonker

Seconded by Supervisor: Quackenbush

WHEREAS, by Resolution 54 of 2004 the Board of Supervisors re-established a special advisory committee to develop and oversee implementation of programs to promote and market Montgomery County agricultural opportunities, and

WHEREAS, said committee provides general direction to any groups responsible for county-sponsored programs related to agricultural economic development, and

WHEREAS, said committee's membership is be appointed by the Board of Supervisors, with membership to include:

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

, and

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

WHEREAS, all members of said advisory committee serve at the pleasure of the Board of Supervisors, and

WHEREAS, said advisory committee is to tender written quarterly reports to the Chairman of the Board of Supervisors, and

WHEREAS, there is currently vacancy in the membership of the Economic Development Advisory Committee - Agriculture representing:

Economic Opportunity and Development/Planning Representative

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

Ken Rose Economic Opportunity and Development/Planning Representative

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 201 of 2006

DATED: June 27, 2006

RESOLUTION SUPPORTING TOURISM FUNDING APPLICATION - MONTGOMERY COUNTY CHAMBER OF COMMERCE

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Mancini

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 2006-2007 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 2006-2007 tourism year.

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 202 of 2006

DATED: June 27, 2006

RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY PLANNING BOARD

Resolution by Supervisor: Greco

Seconded by Supervisor: Dybas

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 advice and consent of the Montgomery County Board of Supervisors, and

WHEREAS, the following individuals terms expire June 30, 2006:

Robert DiCaprio 40 Sanford Ave. Amsterdam, NY 12010	2nd ward, City of Amsterdam
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Robert L. Mead 1 Northampton Road Amsterdam, NY 12010	3rd ward, City of Amsterdam
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John Thomas 709 Logtown Road Fultonville, NY 12072	Town of Glen
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Leon Ingalls 1461 Hickory Hill Road Fort Plain, NY 13339	Town of Palatine
--	------------------

RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to appoint, with the advice and consent of the Montgomery County Board of Supervisors, the following individuals to the Montgomery County Planning Board:

Robert DiCaprio, Robert L. Mead, John Thomas, Leon Ingalls, for a term commencing July 1, 2006 and ending on June 30, 2009.

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 203 of 2006

DATED: June 27, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF UNDERSTANDING - FMCC & FMCC EDUCATION SUPPORT PERSONNEL

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Paton

WHEREAS, negotiations have been completed for a successor employment agreement between the Fulton-Montgomery Community College, Fulton County, Montgomery County and the FMCC Education Support

Personnel,

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 Fulton Montgomery Community College Education Support Personnel effective September 1, 2004 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(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 204 of 2006

DATED: June 27, 2006

RESOLUTION ESTABLISHING PUBLIC HEARING - FMCC 2006-2007 OPERATING BUDGET

Resolution by Supervisor: Dybas

Seconded by Supervisor: Greco

RESOLVED, that the Montgomery County Board of Supervisors hereby schedules a Public Hearing on the proposed 2006-2007 Operating Budget of Fulton-Montgomery Community College for July 25 at 6:45 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.

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 205 of 2006

DATED: June 27, 2006

RESOLUTION UPGRADING EARLY INTERVENTION ACCOUNT CLERK TYPIST POSITION TO SENIOR ACCOUNT CLERK TYPIST POSITION AND AMENDING 2006 OPERATING BUDGET (PUBLIC HEALTH)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Greco

WHEREAS, a position of Account Clerk Typist currently exists in the Public Health Department and is partially funded by the Early Intervention Administration grant, and

WHEREAS, the current Account Clerk Typist position is filled and serves to support the accounting and administrative responsibilities primarily for the Early Intervention program while additionally supporting the 3-5 Preschool program and Public Health programs, and

WHEREAS, the Public Health Director recommends that the current Account Clerk Typist position be upgraded to the position of Senior Account Clerk Typist to fairly reflect and compensate the skill level necessary, and the responsibilities associated with the accounting and administrative duties required, to administer these programs,

RESOLVED, that the position of Senior Account Clerk Typist is hereby established and the position of Account Clerk Typist abolished in the Public Health Department, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-16-4-4010-00.1110	Public Health	
(391)	Account Clerk Typist - F/T	\$ 4937.00
A-16-4-4010-00.4431	Professional Services	\$ 513.00

A-16-4-4010-01.1110	Public Health Grant	
(1287)	Account Clerk Typist - F/T	\$ 6034.00
A-16-4-4010-01.4431	Professional Services	\$ 628.00

TRANSFER TO:

A-16-4-4010-00.1110	Public Health	
(435)	Sr. Account Clerk Typist - F/T	\$ 5450.00
A-16-4-4010-01.1110	Public Health Grant	
(437)	Sr. Account Clerk Typist - F/T	\$ 6662.00

RESOLUTION ADOPTED with Aye(1666). Supervisor Cechnicki voted Nay. Supervisor Dybas abstained. (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 206 of 2006**DATED:** June 27, 2006**RESOLUTION APPROVING NEW POSITIONS - WELFARE EMPLOYMENT REPRESENTATIVE AND AMENDING 2006 OPERATING BUDGET (SOCIAL SERVICES)**

Resolution by Supervisor: Johnson

Seconded by Supervisor: Paton

WHEREAS, the Commissioner of Social Services has made a recommendation to add two new positions, which is necessary to come into compliance with mandated Federal participation rate increase under the TANF program,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 operating Budget as follows:

ADD:

A-18-4-6010-00 1110(424)	Welfare Employment Representative
A-18-4-6010-00.1110(426)	Welfare Employment Representative

INCREASE APPROPRIATIONS:

A-18-4-6010-00.1110(424)	Welfare Employment Representative	\$11,665
A-18-4-6010-00.1110(426)	Welfare Employment Representative	\$11,665

DECREASE APPROPRIATIONS:

A-18-4-6010-00.1110(461)	Homemaker	\$10,173
A-18-4-6010-00.1110(87)	Caseworker	\$ 6,579
A-18-4-6010-00.1110(213)	Caseworker	\$ 6,578

RESOLUTION ADOPTED with Aye(1636). Supervisors Dybas and Haak voted Nay. (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 207 of 2006**DATED:** June 27, 2006**RESOLUTION APPROVING NEW POSITION - SOCIAL WELFARE EXAMINER AND AMENDING 2006 OPERATING BUDGET (SOCIAL SERVICES)**

Resolution by Supervisor: Schumann

Seconded by Supervisor: Greco

WHEREAS, the Commissioner of Social Services has made a recommendation to add a new position due to increased caseloads,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 operating Budget as follows:

ADD:

A-18-4-6010-00.1110(428) Social Welfare Examiner

INCREASE APPROPRIATIONS:

A-18-4-6010-00.1110(428) Social Welfare Examiner \$11,398

INCREASE REVENUES:

A-18-3-3610-00 State Aid - DSS Admin. \$ 5,699

A-18-3-4610-00 Federal Aid - DSS Admin. \$ 5,699

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas voted Nay. (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 208 of 2006

DATED: June 27, 2006

RESOLUTION APPROVING POSITION UPGRADE FROM ACCOUNT CLERK TYPIST TO PRINCIPLE ACCOUNT CLERK TYPIST AND AMENDING 2006 OPERATING BUDGET (SOCIAL SERVICES)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

WHEREAS, the Commissioner of Social Services has made recommendation to upgrade two positions in the Account Clerk Typist series,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 operating Budget as follows:

ADD:

A-18-4-6010-00.1110 (413) Principal Account Clerk Typist

TRANSFER FROM:

A-18-4-6010-00.1110 (358) Account Clerk Typist \$13,281

TRANSFER TO:

A-18-4-6010-00.1110 (413) Principal Account Clerk Typist \$13,281

DELETE:

A-18-4-6010-00.1110 (358) Account Clerk Typist

RESOLUTION ADOPTED with Aye(1657). Supervisors Jonker and Haak voted Nay. (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 209 of 2006

DATED: June 27, 2006

RESOLUTION APPROVING CHANGE IN TITLE FROM HOME MAKER TO SENIOR CLERK TYPIST AND AMENDING 2006 OPERATING BUDGET (SOCIAL SERVICES)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Paton

WHEREAS, the Commissioner of Social Services has made a recommendation to change a title due to increased need in reception area and eligibility units,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend The 2006 operating Budget as follows:

ADD:

A-18-4-6010-00.1110(432) Senior Clerk Typist

TRANSFER FROM:

A-18-4-6010-00.1110(461) Homemaker \$10,827

TRANSFER TO:

A-18-4-6010-00.1110(432) Senior Clerk Typist \$10,827

DELETE:

A-18-4-6010-00.1110(461) Homemaker

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisors Jonker, Haak and Dybas stated their concern of the lack of monetary caps for Resolution 211, along with other similar Resolutions to be entertained.

County Attorney Doug Landon stated that the contract will contain a cap.

RESOLUTION NO. 211 of 2006

DATED: June 27, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - SOCIAL WORKER SERVICES - JANE S. HARRINGTON (MONTGOMERY MEADOWS)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Quackenbush

WHEREAS, the Nursing Home Administrator has recommended signing an agreement for professional Social Worker services (MSW), as required by New York State Regulation Title 10, Chapter V, Subchapter A, Part 415.5,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, hereby is authorized and directed to sign an agreement for provision of consulting Social Worker services to Montgomery Meadows with Jane S. Harrington of Ballston Lake, at a rate of \$45.00 per hour.

MOTION TO AMEND by Supervisor Jonker, seconded by Supervisor Haak to add at the end of the RESOLVED clause "not to exceed \$1,000.00 per month", was defeated with Aye(211). Supervisors Jonker and Haak voted Aye. (6/27/2006)

RESOLUTION ADOPTED with Aye(1521). Supervisors Dybas, Jonker and Haak voted Nay. (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 212 of 2006

DATED: June 27, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SAMUEL S. STRATTON VA MEDICAL CENTER (MONTGOMERY MEADOWS)

Resolution by Supervisor: Johnson

Seconded by Supervisor: Paton

WHEREAS, Montgomery Meadows Residential Health Care Facility has contracted the services of the Veterans Administration Hospital for the purpose of providing treatment/services for residents, including emergency and routine health care as well as pre-admission referral services, and

WHEREAS, the Nursing Home Administrator has recommended entering into an agreement for said services,

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 Department of Veterans Affairs, Samuel VA Medical Center for the period June 1, 2006 - February 28, 2007 at a daily reimbursement rate of \$189.00

FURTHER RESOLVED, that said agreement shall be terminated upon a thirty-day notice in writing by either party.

RESOLUTION ADOPTED with Aye(1657). Supervisors Jonker and Haak voted Nay. (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 213 of 2006

DATED: June 27, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PODIATRIC SERVICES - PAUL Z. SHEREMETA, DPM (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, Paul Z. Sheremeta, DPM has provided podiatric services to the residents of Montgomery Meadows RHC, and

WHEREAS, the current contract with Montgomery County will expire on July 1, 2006, and

WHEREAS, it is necessary to maintain podiatric services to the residents of the facility,

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 Paul Z. Sheremeta, DPM for the provision of podiatric services at the Montgomery Meadows RHC beginning July 1, 2006 with a termination clause of thirty (30) days written notice by either party.

RESOLUTION ADOPTED with Aye(1657). Supervisors Jonker and Haak voted Nay. (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Dybas stated his concern over the lack of a monetary cap on Resolution 214.

Supervisor DiMezza stated his support of moving detainees who are on dialysis back into their homes on probationary supervision with ankle bracelets, which would remove the financial responsibility from the County.

Supervisor Schumann stated that the County shouldn't be regulating and micromanaging health care provisions for inmates.

RESOLUTION NO. 214 of 2006

DATED: June 27, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - OUTPATIENT DIALYSIS SERVICES - AMSTERDAM DIALYSIS CENTER - (SHERIFF)

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Jonker

WHEREAS, it is necessary to contract for Dialysis Services for inmates at the Montgomery County Correctional Facility,

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 New York Dialysis Services d/b/a Amsterdam Dialysis Center for the provision of Dialysis Services for the inmates of the Montgomery County Correctional Facility for the period April 1, 2006 through March 31, 2007.

RESOLUTION ADOPTED with Aye(1521). Supervisors Dybas, Jonker and Haak voted Nay. (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 215 of 2006

DATED: June 27, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENTS - NYS DCJS - AID TO PROSECUTION GRANT (DISTRICT ATTORNEY)

Resolution by Supervisor: Walters

Seconded by Supervisor: Greco

WHEREAS, the District Attorney has been advised that Montgomery County has been awarded an Aid to Prosecution Grant by the New York State Division of Criminal Justice Services,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of a \$40,375.00 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 a contract agreement accepting said grant.

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 216 of 2006

DATED: June 27, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENTS - ILLEGAL DRUG TRAFFICKING PREVENTION PROGRAM (DISTRICT ATTORNEY)

Resolution by Supervisor: Cechnicki

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.

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 217 of 2006

DATED: June 27, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - DATA PROCESSING SERVICES - CITY OF AMSTERDAM (DATA PROCESSING)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Greco

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 \$29,356

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, 2006 and ending on June 30, 2007.

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 218 of 2006

DATED: June 27, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN - DATA PROCESSING SERVICES - CITY OF JOHNSTOWN (DATA PROCESSING)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Johnson

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 \$9,075

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, 2006 and ending on June 30, 2007.

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 219 of 2006

DATED: June 27, 2006

**RESOLUTION IN SUPPORT OF AN APPLICATION BY THE CITY OF AMSTERDAM UNDER THE
TRANSPORTATION ENHANCEMENTS PROGRAM**

Resolution by Supervisor: Greco

Seconded by Supervisor: Strevy

WHEREAS, the City of Amsterdam is seeking funding to undertake comprehensive improvements to upper Church Street in the City of Amsterdam, also know as State Route 67, and

WHEREAS, this road is a major thoroughfare in Montgomery County, and;
whereas both pedestrian and vehicular traffic considerations are important in reconstruction of the Church Street corridor, and

WHEREAS, funding for improvements for pedestrian traffic are being made available through the New York State Department of Transportation under the Transportation Enhancements Program,

RESOLVED, that the Montgomery County Board of Supervisors does hereby support this application by the City of Amsterdam for funding under the Transportation Enhancements Program.

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 220 of 2006

DATED: June 27, 2006

**RESOLUTION IN SUPPORT OF THE VILLAGE OF FONDA AND THEIR EFFORTS TO KEEP SOUTH CENTER
STREET RAILROAD CROSSING OPEN TO THE PUBLIC**

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, the NYS Department of Transportation is considering closing the railroad crossing at South Center Street in Fonda, and

WHEREAS, there are approximately 300 County Employees in the Fonda area, many of which currently utilize the South Center Street railroad crossing to bypass rush hour traffic, and

WHEREAS, Employees at the County Annex Building are allowed one-half hour for lunch, and find it easier to utilize the South Center Street Access to get to and from Main Street, where most eating establishments, businesses and banks are located, and

WHEREAS, the congestion of traffic, both at the Broadway intersection and the Route 30A South intersection will be more hazardous for both vehicular and pedestrian traffic, should the South Center Access be closed,

RESOLVED, it is for these reasons that the Montgomery County Board of Supervisors hereby supports the Village of Fonda and their efforts to keep the South Center Street Railroad Crossing open to the public.

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 221 of 2006**DATED:** June 27, 2006**RESOLUTION REAPPOINTING COMMISSIONER OF PUBLIC WORKS**

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, the term of Commissioner of Public Works Paul H. Clayburn will expire on September 24, 2006, and

WHEREAS, it has been recommended that Commissioner Clayburn be reappointed to a second five-year term,

RESOLVED, that Paul H. Clayburn hereby is reappointed to a five-year term as Commissioner of Public Works, and

FURTHER RESOLVED, that said term shall commence on September 25, 2006 and end on September 24, 2011, and

FURTHER RESOLVED, that the base salary for said position hereby is established at \$52,234 per year.

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 222 of 2006**DATED:** June 27, 2006**RESOLUTION RE-ESTABLISHING COMPUTER SERVICE COORDINATOR POSITION AND AMENDING 2006 OPERATING BUDGET (DATA PROCESSING)**

Resolution by Supervisor: Walters

Seconded by Supervisor: McMahon

WHEREAS, a computer programmer has resigned in the Data Processing Dept. effective July 3, 2006, and

WHEREAS, the Director of Data Processing has recommended the re-establishment of a Computer Service Coordinator position to replace the vacant computer programmer position due its more versatile duties which would include some programming, and

WHEREAS, the Computer Service Coordinator could also help alleviate some of the duties of the Sr. Computer Service Coordinator and the Network Coordinator,

RESOLVED, the Montgomery County Board of Supervisors does hereby re-establish the position of Computer Services Coordinator in the Data Processing Department at a grade level H and a base salary of \$29,633, and

FURTHER RESOLVED, the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-14-4-1680-00.1110 (291)	Computer Programmer	\$11,850.00
A-14-4-1680-00.4425 (292)	Maintenance Agreements	\$ 3,050.00

TRANSFER TO:

A-14-4-1680-00.1110 (1329)	Computer Services Coordinator	\$14,900.00
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RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Strevy stated that regarding Resolution 223, he feels that DPW workers should not, under any circumstance, be put in harm's way.

RESOLUTION NO. 223 of 2006**DATED:** June 27, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - CSEA LOCAL 1000,**

AFSCME, AFL-CIO - APPROVING COMPENSATION TO CERTAIN EMPLOYEES ASSIGNED TO WORK IN THE CORRECTIONAL FACILITY

Resolution by Supervisor: Mancini

Seconded by Supervisor: Haak

WHEREAS, there are certain full-time and part-time employees who may be assigned to work in the Correctional Facility and who have direct contact with inmate, and

WHEREAS, it has been recommended that those employees be paid an extra stipend during those periods, and the Sheriff, Commissioner of DPW, and CSEA have all agreed on the stipend amount and the employee job titles which will be involved,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County's Labor Attorney, is hereby authorized and directed to sign a Memorandum of Agreement with CSEA Local 1000, AFSCME, AFL-CIO which approves additional compensation to certain employees assigned to work in the Montgomery County Correctional Facility, and

FURTHER RESOLVED, that said agreement shall take effect on July 1, 2006.

RESOLUTION ADOPTED with Aye(1629). Supervisors Dybas and Strevy voted Nay. (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor DiMezza stated that the contract in said Resolution 224 has stayed within designated parameters, and a synopsis of the cost will be forthcoming to all Supervisors.

RESOLUTION NO. 224 of 2006

DATED: June 27, 2006

RESOLUTION RATIFYING MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF MONTGOMERY AND MONTGOMERY COUNTY LOCAL 3717 OF COUNSEL 82 OF DEPUTY SHERIFF'S PBA & AUTHORIZING CHAIRMAN TO SIGN CONTRACT FOR THE PERIOD JANUARY 1, 2004 - DECEMBER 31, 2008

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Haak

WHEREAS, negotiations for a successor employment agreement to the contract with Montgomery County Local 3717 of Counsel 82 of Deputy Sheriff's PBA have been conducted, with the parties reaching a Memorandum of Agreement for Full-time employees, and

WHEREAS, the membership of Montgomery County Local 3717 of Counsel 82 of Deputy Sheriff's PBA has ratified the Memorandum of Agreement, and

RESOLVED, that the Montgomery County Board of Supervisors hereby ratified and approves the Full-time Memorandum of Agreement, between the County of Montgomery and Montgomery County Local 3717 Counsel 82 of Deputy Sheriff's PBA, as attached 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 a Full-time contract, incorporating said Memorandum of Agreement, with Local 82 Deputy Sheriff's PBA for the period of January 1, 2004 - December 31, 2008.

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 225 of 2006

DATED: June 27, 2006

RESOLUTION SUPPORTING SUBMISSION OF FARMLAND PROTECTION IMPLEMENTATION GRANT PROJECT

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, the New York State Department of Agriculture and Markets is requesting proposals for State assistance payments for farmland protection implementation projects, and

WHEREAS, Montgomery County has adopted an agricultural and farmland protection plan in December 1999, and

WHEREAS, a recommendation of this plan is for the County to explore ways to match state funds in purchasing development rights on existing farmland for preservation purposes, and

RESOLVED that Montgomery County wholeheartedly supports the submission of this application.

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 226 of 2006

DATED: June 27, 2006

RESOLUTION AMENDING 2006 BUDGET - MEDICAID INTERGOVERNMENTAL TRANSFER (MONTGOMERY MEADOWS AND SOCIAL SERVICES)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Greco

WHEREAS, Montgomery County has received the 2005-2006 State Fiscal Year Medicaid Intergovernmental Transfer (IGT) dollars to be passed through the County's Medicaid and Montgomery Meadow's account as additional revenue for the nursing home in 2006,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 operating budget as follows:

INCREASE REVENUE:

EH-34-3-1650	Public Nursing Home Income	\$288,451.00
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INCREASE APPROPRIATIONS

EH-34-4-6020-00-4436	Medical Fees	\$144,225.50
EH-34-4-9900-00-9905	Interfund Transfer	\$144,225.50

INCREASE REVENUE:

A-06-3-5031	Interfund Transfer	\$144,225.50
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INCREASE APPROPRIATIONS:

A-18-4-6011-00-6100	Social Service Prog. Medicaid	\$144,225.50
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RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 227 of 2006

DATED: June 27, 2006

RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY

Resolution by Supervisor: Full Board

Seconded by Supervisor:

RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to disburse Mortgage Tax money for the period from October 1, 2005 through March 31, 2006, 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(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 228 of 2006**DATED:** June 27, 2006**RESOLUTION APPROVING HOSPITALITY GRANT AWARDS AND TRANSFERRING FUNDS - OCCUPANCY TAX RESERVE**

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Strevy

WHEREAS, Resolution no. 123 of 2005 approved the guidelines and application for the Hospitality Grant Program, and

WHEREAS, the Occupancy Tax Advisory Board has received three (3) applications for funding through this grant program; the Fort Plain Free Library, Amsterdam Cal Ripken Baseball League and Village of Fort Plain,

RESOLVED, the Occupancy Tax Advisory Board has recommended the funding of these three (3) projects in the amounts of \$500.00 for the Fort Plain Free Library, \$1,700 for the Amsterdam Cal Ripken Baseball League and \$500.00 for the Village of Fort Plain.

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget, as follows:

INCREASE:

A 511	Appropriated Reserve - Occupancy Tax	\$2,700.00
A-06-4-1325-00-4579	County Contribution - Tourism	\$2,700.00

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 229 of 2006****DATED:** June 27, 2006**RESOLUTION AUTHORIZING PURCHASE CONTRACT - ELECTRIC ENERGY SERVICES AWARD**

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Strevy

WHEREAS, the Purchasing Agent is soliciting sealed bids for procurement of electric energy services, said bids to be received by July 12, 2006, and

WHEREAS, given the volatility of electric energy prices, it is in the best interest of the County to award a contract to the lowest responsible bidder within 24 hours of receipt of said bids,

RESOLVED, that the Chairman of the Board of Supervisors and the Purchasing Agent are hereby authorized to award an electric energy purchase contract, for a 12-month or 24-month period beginning August 1, 2006 to the lowest responsible bidder.

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 230 of 2006****DATED:** June 27, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CITY OF AMSTERDAM - PURCHASING SERVICES**

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Greco

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, 2006 and ending on June 30, 2007.

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 231 of 2006

DATED: June 27, 2006

RESOLUTION SETTLING BANKRUPTCY TRUSTEE CLAIM

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Jonker

WHEREAS, in 2004 Montgomery County foreclosed upon a certain parcel of real property known as Monroe Street, Village of St. Johnsville, SBL # 9.9-1-43 for nonpayment of real property taxes, and subsequently sold said property at auction, generating a net gain to the county of \$11,857.93, and

WHEREAS, prior to said foreclosure a Chapter 7 Bankruptcy petition had been filed by one of two couples who then owned said property, which could have the effect of invalidating the foreclosure, and

WHEREAS, the Bankruptcy Trustee has initiated a claim against the property but has indicated a willingness to resolve such claim upon the tendering by the county of one-half the net proceeds generated as a result of said sale at auction,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the payment of \$5,928.97 to William McCarthy, Trustee, in full satisfaction of the above referenced claim, 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 necessary to resolve said claim, and

FURTHER RESOLVED, that such sum be paid from Judgments and Claims A-01-4-1930-00-4433 (Court Related Expenses).

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 232 of 2006

DATED: June 27, 2006

RESOLUTION SUPPORTING THE VILLAGE OF FULTONVILLE'S APPLICATION TO THE NYS DEPARTMENT OF TRANSPORTATION - 2006 TRANSPORTATION ENHANCEMENT PROGRAM

Resolution by Supervisor: Strevy

Seconded by Supervisor: Dybas

WHEREAS, the Village of Fultonville has an opportunity to apply to the 2006 Transportation Enhancement Program (TEP) for funds to provide sidewalks and beautification improvements along the north side of Riverside Drive, along the banks of the historic Erie (Barge) Canal, and

WHEREAS, the existing sidewalk on the south side of Riverside Drive, with oversize curb/sidewalk cutouts allowing for the Thruway bound trucks to enter and exits creates a major safety hazard for pedestrians and bicyclists, and

WHEREAS, installing sidewalks on the north side of Riverside Drive, along the bank of the Barge Canal, would enhance safety, encourage pedestrian travel, connect the Village's major commercial/industrial area to the Main Street retail business district, and provide access to the Canal and its beautiful vistas, and

WHEREAS, the Village is seeking support of their written proposal to the TEP program to strengthen their application,

RESOLVED, the Montgomery County Board of Supervisors does hereby wholeheartedly support the

Village of Fultonville's application to the NYS Department of Transportation, 2006 Transportation Enhancement Program, and requests that the application be looked favorably upon.

RESOLUTION ADOPTED with Aye(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 233 of 2006

DATED: June 27, 2006

RESOLUTION AUTHORIZING THE SOLICITATION OF BIDS - LIBRARY ROOF REPLACEMENT AND ELECTRICAL VAULT WATER INFILTRATION PROJECTS (FMCC)

Resolution by Supervisor: McMahan

Seconded by Supervisor: Greco

WHEREAS, Resolution 125 of 2005 approved the 2005 Capital Plan at FMCC which identified the Library Roof Replacement and Electrical Vault Water Infiltration 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

WHEREAS, Resolution 290 of 2005 authorized the signing of a contract with Clark Patterson Associates, of Albany, NY, for said design services, at a cost not to exceed \$24,200.00, and

WHEREAS, Clark Patterson Associates is almost complete with the final design plans and bid specifications for said projects, and authorization is being sought from Fulton and Montgomery Counties to have said projects go out to bid,

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 the Library Roof Replacement and Electrical Vault Water Infiltration Projects at Fulton-Montgomery Community Colleges, 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(1868). (6/27/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

OTHER

DPW Commissioner Paul Clayburn stated his appreciation for the Board's support of his reappointment as Commissioner of Public Works.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Full Board, passed with Aye(1868).

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, BROADWAY, FONDA, NY
SPECIAL MEETING
6:55 PM, July 11, 2006

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for July 11, 2006 was called to order at 6:50 PM by Chairman Quackenbush.

SALUTE TO THE FLAG

Chairman Quackenbush led the salute to the Flag.

ROLL CALL

Roll call indicated that Supervisors Quackenbush, Johnson, Greco, Paton, McMahon, Strevy, Haak, Schumann, Walters, Thomas, Jonker, Mancini and DiMezza were present. Supervisors Cechnicki and Dybas were absent.

STATEMENT OF PURPOSE OF MEETING

A. Resolutions establishing relief efforts related to the Montgomery County Flooding of 2006

B. Other

Chairman Quackenbush read a statement that was submitted by the Board of Supervisors to the media. He also explained the conception of the Resolution and read the Resolution in its entirety to the public.

Chairman Quackenbush stated that the NYS Constitution, Article 8 Section 1 prohibits the County from loaning money, and that the Resolution would not be approved by the State Comptroller's Office.

Supervisor Haak stated that he is withdrawing his second to the Resolution, as the Resolution is unconstitutional, and the Comptrollers Office won't support it.

Supervisor Walters stated that he will second the Resolution, as he supports it wholeheartedly and without reservation. He also stated that the Treasurer holds the checkbook for the County, and the victims needs are most urgent. He stated that it's time to begin filling out the applications for County relief.

Supervisor DiMezza stated that the flood victims need to know that the County can't wait for FEMA or state aid, and he supports the Resolution.

Supervisor Schumann stated that, based on the Constitution, she cannot support the current Resolution and that a new Resolution would be more appropriate asking Congress to come up with faster methods of relief during crisis situations. She reminded the Board that they took an oath on January 2, 2006 to uphold the Constitution.

Supervisor McMahon stated that he supports the Resolution. He stated that the State can fund money easily and feels that the constitution is abused daily. He also stated that every month, the County gives money to various programs, and asked what the difference was between supporting programs and supporting the residents directly.

Supervisor Johnson stated that she supports the Resolution, and that a stand has to be taken so the state will know the seriousness of the situation.

Supervisor Greco, supporting the Resolution, stated that the Board isn't trying to fight the Constitution, but rather stating their support of the victims.

Supervisor Strevy stated that the fund balance should be given back to the people somehow, somehow.

RESOLUTION NO. 234 of 2006

DATED: July 11, 2006

RESOLUTION ESTABLISHING THE MONTGOMERY COUNTY FLOOD DISASTER BRIDGE FINANCING REVOLVING LOAN FUND

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: walters

WHEREAS, Portions of Montgomery County were devastated by flood waters on June 28, 2006; and

WHEREAS, Such flood waters did extensive damages to both private residences, businesses and not-for-profit organizations; and

WHEREAS, Numerous Montgomery County residents are currently unemployed due to damages sustained by business during the flood; and

WHEREAS, Many Montgomery County businesses and residents, while in the process of applying for federal and state assistance, are in immediate need of financing pending the receipt of federal and state assistance; and

WHEREAS, Montgomery County completed last fiscal year with a General Fund fund balance of approximately \$11.2 million; and

WHEREAS, Immediate needs exist in Montgomery County for financing to assist businesses and individuals until federal or state assistance become available; now, therefore, be it

RESOLVED, The Montgomery County Flood Disaster Bridge Financing Revolving Loan Fund is hereby established to provide short-term bridge financing to both business in and residents of Montgomery County who were affected by the flood of June 28, 2006; and be it

FURTHER RESOLVED, The Fund shall total \$6 million to be made available upon the authorization of the Chairman of the Board of Supervisors upon the advice of either the Director of Economic Opportunity and Development or the Commissioner of Social Services, as appropriate, to individuals, business or not-for-profit organizations in Montgomery County who have been approved for federal or state assistance or to other financing sources, demonstrate financial need, and are certified by either the municipal code enforcement officer or the municipal chief executive officer as having sustained damage as a result of the flooding of June 28, 2006 for the purpose of allowing repairs and replacement of furnishings, equipment or inventories or for working capital purposes; and be it

FURTHER RESOLVED, Financing from the fund shall be in the form of no interest, short-term loans to the extent that no loan shall be made for a period in excess of six months; and be it

FURTHER RESOLVED, Loans shall be made in amounts not to exceed \$10,000 for individuals, \$200,000 for small businesses (businesses with less than 75 employees) and not-for-profit organizations, \$500,000 for large businesses (businesses with 75 or more employees); and be it

FURTHER RESOLVED, Funds from such revolving loan fund may be used as a direct grant to a municipality to pay for the demolition of any building in the flood zone damaged by the flood and condemned by the municipal code enforcement officer; and be it

FURTHER RESOLVED, As a condition of such loan any individual or business shall be required to assign an equivalent portion of their anticipated federal or state assistance or provide a Uniform Commercial Code, Condition of Judgment or other security interest to Montgomery County as security for their loan;

FURTHER RESOLVED, The Chairman of the Board of Supervisors, upon consultation with the County Attorney, the Director of Economic Opportunity and Development, and the Commissioner of Social Services, shall develop and promulgate regulations and the appropriate applications and other forms necessary to implement this program; and be it

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 all necessary loan agreements and related documents with approved applicants, and be it

FURTHER RESOLVED, The repaid principle and interest shall be returned to the General Fund for county purposes; and be it

FURTHER RESOLVED, This resolution shall be subject to the approval of the State Comptroller's Office.

RESOLUTION ADOPTED with Aye(1066). Supervisors Schumann and Strevy voted Nay. Supervisors Paton, Jonker and Haak abstained. Supervisors Dybas and Cechnicki were absent. (7/11/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

PUBLIC COMMENT

Chairman Quackenbush opened Public Comment at 7:30 PM.

Fonda Village Mayor Rod Simonds stated that he appreciates the support of the Board. However, a week ago, Assemblyman Paul Tonko and Speaker of the House Sheldon Silver promised quick relief, but no relief seems to be forthcoming. He stated his Village is desperate for help.

St. Johnsville business owner Scott Smith stated that his business was devastated, but he's eager to rebuild so his employees can go back to work to support their families. He stated that FEMA needs to release money to the County sooner rather than later.

Town of Root former Supervisor _____ Johnson stated that he supports the Resolution.

Displaced Fonda resident Mrs. _____ Smith stated that lip service will not rebuild her home, and help is needed now for displaced residents.

Displaced Fonda resident Don Wagner stated that FEMA will not be releasing money for at least two months. He questioned where the FEMA trailers are for temporary housing.

Ft. Plain Code Enforcer Officer Henry Knoop stated that, in his village, there are up to 50 homes without power. Water damage and mold are the biggest issues.

Displaced Fultonville resident Pat Rose stated that state officials need to be taken into homes to show them the true devastation, not just a photo opportunity. Chairman Quackenbush stated that Governor Pataki, Senator Clinton and other officials have been to the area to examine the damage.

Canajoharie business owner Jack Whitney questioned why the US Government is so quick to send relief to other countries suffering devastation, but so slow to help its own people.

Glen resident Bob Kirker requested information on mold spores, and if Tetanus shots or boosters are needed. Supervisor Quackenbush referred the query to the County Board of Health Office.

Chairman Quackenbush stated that if anyone wishes to contact their state or local officials by phone, the Board of Supervisor's office (853-4304) will provide that contact information.

OTHER

MOTION TO ADJOURN by Supervisor Schumann, seconded by Supervisor Haak, was defeated with Aye(139). Supervisors Greco, Johnson, Mancini, DiMezza, McMahon, Walters, Strevy, Thomas and Quackenbush voted Nay. Supervisors Paton, Jonker and Haak abstained. Supervisors Dybas and Cechnicki were absent.

OTHER2

CONTINUATION OF PUBLIC COMMENT

Ft. Plain Mayor Guy Barton stated that 86 businesses are closed, 100 homes lost, and up to 45 homes are without power still. He asked why the County can't issue checks tomorrow to help residents. Chairman Quackenbush stated that the Village of Ft. Plain could issue their own checks from their fund balance.

Sprakers resident Rose Trout stated that the Red Cross didn't bother stop in Sprakers as they passed through, and only stopped when flagged down.

Displaced Fonda resident Ivy _____ stated that relief is also needed from future tax obligations, as the value of homes and properties have suddenly plummeted. She also stated that emotional issues need to be attended to, and not just physical issues, and questions why Social Services isn't more involved in providing relief. Chairman Quackenbush stated that the property tax status is determined on March 1st, and cannot be reassessed until March 1st, 2007. He stated that some form of tax relief could be explored for all residents.

Palatine Bridge resident Jesiah Carouthers ("Rev. Blue Jeans") stated that the County's best resource is the media, and how residents feel about their local and state representatives should be made well known in the Capitol. He also stated that more prayer is needed.

Other residents asked why representatives of FEMA, Red Cross or other state officials weren't present.

There were no other speakers.

Chairman Quackenbush closed Public Comment at 8:20 PM.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor DiMezza, seconded by Supervisor Strevy, passed with Aye(1570). Supervisor Haak voted Nay. Supervisors Dybas and Cechnicki were absent.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BUILDING, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - HEALTH & HUMAN SERVICES
7:00 PM, July 11, 2006

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 8:30 PM.

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

Additional Supervisors present were Supervisors Mancini, Greco and McMahon. Supervisors Thomas, Johnson, Cechnicki, Quackenbush and Haak were absent.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MAHONEY NOTIFY-PLUS, INC. - FIRE ALARM SYSTEM INSPECTIONS (MONTGOMERY MEADOWS)
2. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PNP COMPUTER SERVICE, INC. - SOFTWARE MAINTENANCE AGREEMENT (MONTGOMERY MEADOWS)
3. Other

Item #1: Supervisors Paton and Jonker made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. Supervisor Dybas abstained.

Item #2: Supervisors Jonker and DiMezza made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. Supervisor Dybas opposed, due to the lack of clarity with the Resolution.

Motion was made and seconded by Supervisors DiMezza and Jonker, respectively, to adjourn the Committee meeting.

Chairman Strevy adjourned the Health & Human Services Committee meeting at 8:31 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
7:05 PM, July 11, 2006

COMMITTEE MEETING DISCUSSION

Chairman McMahon presided over the meeting commencing at 8:31 PM.

Roll call indicated Committee members present included Supervisors Jonker, Paton and Mancini. Supervisors Cechnicki, Dybas and Schumann were absent.

Additional Supervisors present were Supervisors Greco, Strevy, and DiMezza. Absent were Supervisors Quackenbush, Walters, Johnson, Thomas, and Haak.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CT MALE ASSOCIATES - ASBESTOS SURVEY (FMCC)
2. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - STEVEN E. SMITH, PE - ENGINEERING SERVICES - WATER INFILTRATION PROJECT AND POOL REPAIR PROJECT (FMCC)
3. Discussion Regarding Traffic Circulation, Parking and Pedestrian Access Study - FMCC
4. Discussion Regarding 2007 FMCC Capital Projects Request
5. Other

Item #1: Supervisors Mancini and Greco made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Supervisor Johnson entered Chamber at 8:32 PM.

Item #2: Supervisors Greco and Mancini made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #3: FMCC VP Dave Morrow stated that the Fulton County Board of Supervisors will be revisiting this discussion item at a later date. Chairman McMahon also recommended to the Committee members present that the item be revisited in Committee at a later date. There were no objections.

Item #4: Chairman McMahon stated that this discussion will be deferred to a later date when more Committee members will be present to explore new information that is forthcoming. There were no objections.

Motion was made and seconded by Supervisors Greco and Mancini, respectively, to adjourn the Committee meeting.

Chairman McMahon adjourned the Education/Government Committee meeting at 8:35 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
6:45 PM, July 18, 2006

COMMITTEE MEETING DISCUSSION

Chairman Haak presided over the meeting commencing at 6:49 PM.

Roll call indicated Committee members present included Supervisors DiMezza, McMahon, Strevy and Thomas. Absent were Supervisors Cechnicki and Greco.

Additional Supervisors present were Supervisors Quackenbush, Dybas and Jonker. Absent were Supervisors Schumann, Mancini, Walters, Paton and Johnson.

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

1. Discussion regarding Montgomery County response to findings & recommendations identified in Report on Audit issued by HUD
2. Discussion regarding temporary position - Data Processing
3. Resolution Authorizing Chairman to Sign Agreement - Frontier - Back-up DSL Line (Data Processing)
4. Discussion regarding Agreement - Frontier - Single Mode Fiber Connection - Montgomery County Public Safety Facility (Sheriff)
5. Resolution Authorizing Chairman to Sign Agreement - NYS Office for Technology - Statewide Wireless Network Partnership (Sheriff)
6. Resolution Authorizing Chairman to Sign Grant Application - Help America Vote Act-Poll Worker Training, Voter Education and New Voting Equipment (Board of Elections)
7. Resolution Amending 2006 Operating Budget - Federal Section 5311 Operating Assistance (Board of Supervisors)
8. Resolution Authorizing The State of New York to Acquire Property of Montgomery County
9. Other

Chairman Haak stated that he will be entertaining three add-on Resolutions; one at the beginning of the agenda, two at the end.

Item #1: Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION AND ESTABLISHING REQUIRED PUBLIC HEARINGS - GOVERNOR'S OFFICE FOR SMALL CITIES 2006 STATE DISASTER RELIEF, TEMPORARY HOUSING ASSISTANCE GRANT PROGRAM (EOD/PLANNING): Supervisors Thomas and McMahon made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Supervisor Paton entered Chamber at 6:50 PM.

Item #2 (formerly item #1, "Discussion regarding Montgomery County response to findings & recommendations identified in Report on Audit issued by HUD"): Supervisor DiMezza requested a Motion to go into Executive Session Pursuant to Section 105 (f) of NYS Open Meeting Law to discuss financial history of a certain Corporation. The motion to enter Executive Session was seconded by Chairman Quackenbush. Executive Session began at 6:51 PM.

Supervisor Greco entered Chamber at 6:56 PM.

Supervisor Johnson entered Chamber at 7:04 PM.

Supervisors DiMezza and Jonker made a motion and seconded, respectively, to adjourn Executive Session. The Executive Session was adjourned at 7:04 PM.

As a result of the Executive Session, Supervisors DiMezza and McMahon made a motion and seconded, respectively, to sponsor a draft Resolution authorizing the transfer of \$40,000 from Contingency into the Revolving Loan Fund and also submission of an SUR reply to HUD (after review by the County Attorney). The Resolution was moved to the full Board with a positive recommendation. There were no objections.

Item #3 (formerly item #2, "Discussion regarding temporary position - Data Processing"): Data

Processing Director Deb Bain stated the need for the Resolution.

Chairman Quackenbush stated that since the money for the former full-time position is still in the budget, it would be logical to transfer the funds for the temporary, part-time position.

Treasurer Shawn Bowerman stated that he can perform the transfer at the Board's wishes. There were no objections.

Item #4 (formerly item #3, "Resolution Authorizing Chairman to Sign Agreement - Frontier - Back-up DSL Line (Data Processing)"):

Supervisor Thomas stated that the Resolution should read that the cost is not to exceed \$1,656.00, based on information submitted by Data Processing Director Bain. There were no objections.

Supervisors Thomas and DiMezza made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #5 (formerly item #4, "Discussion regarding Agreement - Frontier - Single Mode Fiber Connection - Montgomery County Public Safety Facility (Sheriff)"): Undersheriff Jeffrey Smith stated that Frontier did not bill for certain services rendered since 1997, and back payment is due in the amount of \$10,080.00, which is the equivalent of two years of service. He stated that Frontier is willing to waive any additional back payment due them, and requests a new contract be signed.

County Attorney Doug Landon stated that the County is getting a financial break as Frontier is not requiring payment for several years of service.

Supervisors DiMezza and McMahon made a motion and seconded, respectively, to sponsor a draft Resolution for the new contract and move it to the full Board with a positive recommendation. There were no objections.

Item #6 (formerly item #5, "Resolution Authorizing Chairman to Sign Agreement - NYS Office for Technology - Statewide Wireless Network Partnership (Sheriff)"): Undersheriff Smith clarified the Resolution.

Supervisors Johnson and Thomas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #7 (formerly item #6, "Resolution Authorizing Chairman to Sign Grant Application - Help America Vote Act-Poll Worker Training, Voter Education and New Voting Equipment (Board of Elections)"): Election Commissioner Joan Granier clarified the Resolution.

Supervisor Thomas expressed his displeasure with the need for new voting machines.

Supervisors Dybas and McMahon made a motion and seconded, respectively, to move the Resolution to the full Board with no recommendation. There were no objections.

Item #8 (formerly item #7, "Resolution Amending 2006 Operating Budget - Federal Section 5311 Operating Assistance (Board of Supervisors)"): Supervisors DiMezza and Greco made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #9 (formerly item #8, "Resolution Authorizing The State of New York to Acquire Property of Montgomery County"): Supervisors Thomas and Quackenbush made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #10 (formerly item #9, Other): Add-on RESOLUTION AUTHORIZING IMPLEMENTATION OF FUNDING OF LATIMER HILL ROAD BRIDGE REPLACEMENT PROJECT: DPW Commissioner Paul Clayburn clarified the Resolution.

Supervisors DiMezza and McMahon made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #11 (formerly item #9, Other): Add-on RESOLUTION ESTABLISHING POSITION - (3) STRUCTURAL MAINTENANCE HELPERS (BUILDINGS): DPW Commissioner Paul Clayburn stated that, prior to the flood, he was planning on requesting the three new positions for next year, but due to current crisis, the workers are needed now.

Supervisors DiMezza and Thomas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #12 (formerly item #9, Other): Supervisors Haak stated that he would like to draft a Resolution encouraging the legislation to come back into session to consider allowing immediate assessment relief for flood-affected properties in Montgomery County. He stated that this would not be a precedence.

Supervisor DiMezza stated his second, and that the draft Resolution be moved to the full Board

with a positive recommendation. There were no objections.

Item #13 (formerly item #9, Other): FLOOD AFTERMATH DISCUSSION

Supervisor DiMezza stated that no employee should suffer because their County office was closed due to the flood. He disseminated a document outlining the hours that workers have put in during the flood. He stated that a decision was made to pay all DPW and Annex employees who were not allowed into the flood zone on Park Street. Workers who worked through the timeframe that the buildings were closed will receive regular pay and additional comp time which can be carried forward. The total estimated cost in overtime is \$38,000. He also stated that FEMA should reimburse the County. There were no objections to paying the employees as stated.

Supervisor Greco stated his appreciation of DPW Crew. He inquired if a Disaster Relief Fund could be set up in the County.

Treasurer Bowerman stated that he will check with the state Comptroller, and that Canajoharie-Palatine Chamber of Commerce has set up such a fund, as has the County Chamber of Commerce.

Supervisor Strevy stated his displeasure with the lack of immediate help from FEMA and SEMO.

Answering a query from Supervisor Strevy, DPW Commissioner Clayburn stated that during the crisis, County DPW trucks did not enter onto private property to assist anyone, even in a state of emergency.

Treasurer Bowerman stated that in Canajoharie, residents and business owners placed their trash at the curb, where DPW assist with pickup on "public property", violating no laws.

Supervisor DiMezza stated that during a Presidential Declaration of a state of emergency, rules are relaxed, and local help should be forthcoming.

He also stated that a special Flood account was created at MOSA for all flood debris in the County, which is FEMA reimbursable.

The motion was made and seconded by Supervisor Greco and Dybas, respectively, to adjourn the Finance Committee. Chairman Quackenbush adjourned the Finance Committee meeting at 7:58 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA
PUBLIC HEARING
6:45 PM, July 25, 2006

Fulton Montgomery Community College 2006 - 2007 Tentative Operating Budget

PUBLIC HEARING DISCUSSION

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

Present were Supervisors Paton, McMahon, Strevy, Haak, Dybas, Schumann, Thomas, Jonker, Mancini and DiMezza. Absent were Supervisors Johnson, Greco, Cechnicki, and Walters.

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, 64 Broadway (Route 30A), Fonda, New York at 6:45 p.m. on Tuesday, July 25, 2006 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, 2006 and ends August 31, 2007.

FURTHER NOTICE is hereby given that a copy of the 2006-2007 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 Quackenbush asked whether anyone from the public wished to speak.

There were no speakers.

Chairman Quackenbush adjourned the public hearing at 6:48 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
REGULAR MEETING
7:00 PM, July 25, 2006

CALL TO ORDER

Chairman Quackenbush called the Regular Meeting of the Montgomery County Board of Supervisors for July 25, 2006 to order at 6:58 PM.

SALUTE TO THE FLAG

Supervisor Jonker led the Salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors Quackenbush, Johnson, Greco, Paton, McMahon, Strevy, Haak, Dybas, Schumann, Walters, Thomas, Jonker, Mancini and DiMezza were present. Supervisor Cechnicki was absent.

MOTION TO AMEND THE AGENDA

MOTION TO AMEND AGENDA by Supervisor Dybas, seconded by Supervisor McMahon, by entertaining add-on Resolution 251 immediately after Resolution 236, and entertaining add-on Resolutions 252 and 253 ad the end of the New Business section, passed with Aye(1802). Supervisor Cechnicki was absent.

CHAIRMAN'S COMMENT

Chairman Quackenbush broadly thanked all individuals, volunteers, businesses, municipalities and corporations who assisted with the disaster response.

PRIVILEGE OF THE FLOOR

A. PUBLIC COMMENT

Chairman Quackenbush introduced the new FMCC President, Dustin Swanger, and the new Board Chairman, Jim Savio.

Dave Morrow, FMCC VP of Administration and Finance, noted that a free public event will be held on August 6 for the flood victims. Present will be music, food and entertainment.

Perkinsville resident Eleanor Curran stated that the Gilboa Dam is in need of new flood gates, and read a press release from July 12, 2006 which stated that fact also.

Chairman Quackenbush adjourned the Privilege of the Floor at 7:08 PM.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (June 27 - July 18, 2006) by Supervisor Johnson, seconded by Supervisor McMahon, passed with Aye(1802). Supervisor Cechnicki was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Jonker, seconded by Supervisor Greco, passed with Aye(1802). Supervisor Cechnicki was absent.

UNFINISHED BUSINESS

NEW BUSINESS

RESOLUTION NO. 235 of 2006

DATED: July 25, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MAHONEY NOTIFY-PLUS, INC. - FIRE

ALARM SYSTEM INSPECTIONS (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 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

RESOLVED, that said agreement will be for a one-year period from the date of signing for an amount not to exceed \$1,995.00, and

FURTHER RESOLVED, pursuant to the pending sale of the facility, this agreement may be terminated upon thirty (30) day written notice by either party without cause.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (7/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 236 of 2006

DATED: July 25, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PNP COMPUTER SERVICE, INC. - SOFTWARE MAINTENANCE AGREEMENT (MONTGOMERY MEADOWS)

Resolution by Supervisor: Jonker

Seconded by Supervisor: DiMezza

WHEREAS, it has been recommended by the Montgomery Meadows RHC 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 by 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

RESOLVED, said agreement shall be effective July 1, 2006 through June 30, 2007 at an annual cost not to exceed \$5,767.50, and

FURTHER RESOLVED, that pursuant to the pending sale of the facility, this agreement may be terminated upon thirty (30) day written notice by either party without cause.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (7/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Paton left Chamber at 7:15 PM.

Supervisor Jonker stated that the budget in Resolution 251 is \$100,000 more than last year.

Supervisor McMahon spoke in support of the Resolution, stating that there is a serious need to keep up with new technology.

Dave Morrow, FMCC VP of Administration and Finance, stated that Fulton County will be meeting on August 14, 2006, to discuss the budget, and that the budget must be presented to SUNY by August 31, 2006.

RESOLUTION NO. 251 of 2006

DATED: July 25, 2006

RESOLUTION ADOPTING 2006-2007 FMCC OPERATING BUDGET

Resolution by Supervisor: Greco

Seconded by Supervisor: McMahon

WHEREAS, the Fulton-Montgomery Community College Board of Trustees has presented Fulton and Montgomery County, the sponsoring counties, with a 2006-2007 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, 2006 and ending on August 31, 2007, with appropriations totaling \$15,384,243, hereby is accepted and approved, and

FURTHER RESOLVED, that the amount to be appropriated by the County of Montgomery County as its sponsor share of said Budget, shall be \$1,395,821, and

FURTHER RESOLVED, that said sponsor's share shall be included in the Montgomery County Operating Budget for 2007, as required by the Education Law of the State of New York, and

FURTHER RESOLVED, that this Resolution shall take effect upon adoption of a similar Resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1066). Supervisors Dybas, Strevy, Jonker and Haak voted Nay. Supervisor Schumann abstained. Supervisors Paton and Cechnicki were absent. (7/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 237 of 2006

DATED: July 25, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CT MALE ASSOCIATES - ASBESTOS SURVEY (FMCC)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Greco

WHEREAS, Resolution 109 of 2006 approved the 2006 Capital Projects at Fulton-Montgomery Community College which included studies related to Asbestos, and

WHEREAS, Resolution 166 of 2006 authorized and directed the distribution of a Request for Proposals for a Comprehensive Asbestos Survey at FMCC,

WHEREAS, Proposals have been received and recommendations have been made for 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 and agreement with C.T. Male Associates, of Gloversville, NY, to conduct an Asbestos Survey at FMCC at amounts as follows:

Building inspections, sample collection, reports	\$4,400.00
Laboratory fees (base)	\$4,300.00
Total	\$8,700.00
Additional Laboratory/testing fees Allowance (if needed)	\$3,000.00

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

RESOLUTION ADOPTED with Aye(1516). Supervisor Schumann abstained. Supervisors Paton and Cechnicki were absent. (7/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 238 of 2006

DATED: July 25, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - STEVEN E. SMITH, PE - ENGINEERING SERVICES - WATER INFILTRATION AND POOL REPAIR PROJECT (FMCC)

Resolution by Supervisor: Greco

Seconded by Supervisor: Mancini

WHEREAS, Resolution 109 of 2006 approved the 2006 Capital Projects at Fulton-Montgomery Community College which included the Water Infiltration at the College Union and the Pool Repair Project, and

WHEREAS, Resolution 164 of 2006 authorized the distribution of a Request for Proposals to

engineers for design services for the College Union water Infiltration and Pool Heating System Project at FMCC, and

WHEREAS, said proposals have been received and recommendations have been made,

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 Steven E. Smith, PE, of Gloversville, NY, to perform engineering services for the water Infiltration Project and Pool Repair Project at FMCC, at the following not-to-exceed costs:

Water Infiltration Project	\$4,100.00
Pool Repair Project	\$6,250.00

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(1516). Supervisor Schumann abstained. Supervisors Paton and Cechnicki were absent. (7/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 239 of 2006

DATED: July 25, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - HELP AMERICA VOTE ACT - POLL WORKER TRAINING, VOTER EDUCATION, NEW VOTING EQUIPMENT, POLLING PLACE ACCESSIBILITY (BOARD OF ELECTIONS)

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, the NYS Board of Elections has made available grant funds to assist counties with the requirements of the Help America Vote Act, and

WHEREAS, said funding has been allocated in certain amounts to each County some of which will require a 5% local match when funded, and

WHEREAS, the Board of Elections Commissioners have recommended applying for said funds and have requested the approval of the Board of Supervisors,

RESOLVED, that the Board of Supervisors hereby approves application to the NYS Board of Elections for funding of \$28,354.80 for Poll Worker Training and Voter Education and approves the allocation of \$1,418 as the 5% local County match in the 2007 Operating Budget, and

FURTHER RESOLVED, that approval is also given for the application for funding of \$396,708 for New Voting Equipment and approves the allocation of \$19,835 as the local County match in the 2007 Operating Budget, and

FURTHER RESOLVED, that approval is also given for the application for funding of \$14,177.40 for polling site access, said funding not requiring any local County match, 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 applications.

RESOLUTION ADOPTED with Aye(1655). Supervisors Paton and Cechnicki were absent. (7/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 240 of 2006

DATED: July 25, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FRONTIER - BACK-UP DSL LINE (DATA PROCESSING)

Resolution by Supervisor: Thomas

Seconded by Supervisor: DiMezza

WHEREAS, the County departments have become more dependent on the Internet to complete their day to day operations, and

WHEREAS, one Internet connection is not a safe way to assure these departments uninterrupted Internet access, and

WHEREAS, the Director of Data Processing is recommending a secondary back-up line be installed to handle the needs of the County,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign an agreement with Frontier for the provision of DSL line service for a two-year period effective from the date of signing, and not to exceed the cost of \$1,656.00.

RESOLUTION ADOPTED with Aye(1655). Supervisors Paton and Cechnicki were absent. (7/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 241 of 2006

DATED: July 25, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NYS OFFICE FOR TECHNOLOGY - STATEWIDE WIRELESS NETWORK PARTNERSHIP (SHERIFF)

Resolution by Supervisor: Johnson

Seconded by Supervisor: Thomas

WHEREAS, the Sheriff has recommended that the County enter into a partnership agreement with the New York State Office for Technology to explore the provision of basic Statewide Wireless Network services, and

WHEREAS, said partnership will be a benefit to the County as partaking in the Statewide wireless Network will equip public safety officers with the tools necessary to perform their jobs if disaster occurs,

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 New York State Office for Technology which outlines a partnership arrangement to explore the provision of basic Statewide Wireless Network services.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Haak by adding "FURTHER RESOLVED, that no cost will be incurred by Montgomery County.", passed with Aye(1655). Supervisors Paton and Cechnicki were absent. (7/25/2006)

RESOLUTION ADOPTED with Aye(1655). Supervisors Paton and Cechnicki were absent. (7/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 242, Undersheriff Smith stated that Frontier is the only provider in this locality who can provide the needed services. He was responding to a query from Supervisor Schumann.

RESOLUTION NO. 242 of 2006

DATED: July 25, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FRONTIER - SINGLE MODE FIBER LINE AND SETTLING CLAIMS FOR PAST SERVICES RENDERED (SHERIFF)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: McMahon

WHEREAS, it has been recommended by the Sheriff that the County enter into a contract with Frontier for the provision of a Single Mode Fiber Line between the Public Safety Facility and the County Annex Building,

WHEREAS, an issue also exists regarding amounts due to Frontier for prior services rendered related to the Single Mode Fiber Line,

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 Frontier for provision of a Single Mode Fiber Line between the Public Safety Facility and the County Annex Building at a cost of \$420 per month for a period of 5 years from the date of signing, and

FURTHER RESOLVED, that the County Treasurer is authorized to resolve Frontier's claim for past services rendered for said Fiber Line upon payment by the County to Frontier of \$10,080 for service costs for a period of two years ending with month prior to the month in which the new contract begins, and

FURTHER RESOLVED, that the County Treasurer is hereby and authorized and directed to amend the 2006 Operating Budget as follows:

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Greco, in the first FURTHER RESOLVED clause by inserting "dating back to April, 1997" after the word "rendered", passed with Aye(1552). Supervisor Strevy voted Nay. Supervisors Paton and Cechnicki were absent. (7/25/2006)

MOTION TO AMEND by Supervisor Greco, seconded by Supervisor Johnson, by adding the following to the end of the Resolution:

TRANSFER FROM:
A-01-4-1990-00-4400 Contingent Account \$15,120

TRANSFER TO:
A-14-4-1680-00-4425 Maintenance Agreement \$ 2,520
A-15-4-3110-00-4411 Telephone \$12,600,

passed with Aye(1552). Supervisor Strevy voted Nay. Supervisors Paton and Cechnicki were absent. (7/25/2006)

RESOLUTION ADOPTED with Aye(1380). Supervisors Schumann and Dybas voted Nay. Supervisors Paton and Cechnicki were absent. (7/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 243 of 2006

DATED: July 25, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION AND ESTABLISHING REQUIRED PUBLIC HEARINGS - GOVERNOR'S OFFICE FOR SMALL CITIES 2006 STATE DISASTER RELIEF, TEMPORARY HOUSING ASSISTANCE GRANT PROGRAM (EOD/PLANNING)

Resolution by Supervisor: Thomas

Seconded by Supervisor: McMahon

WHEREAS, Montgomery County is eligible to apply for funding for disaster relief purposes with the Governor's Office for Small Cities, and

WHEREAS, Montgomery County has prioritized disaster relief due to the June 28th, 2006 flooding which directly impacted low and moderate income residents, and

WHEREAS, Montgomery County Department of Economic Development will be preparing an application for funding under the terms set forth by Montgomery County and Governor's Office for Small Cities,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, is hereby authorized and directed to sign and submit all required application materials for funding under the Governor's Office for Small Cities Community Development Block Grant program.

FURTHER RESOLVED, program requirements include the provision to hold two public hearings, the first of which shall be held the 9th day of August 2006 at 9:00 a.m. at the Town of Canajoharie Meeting Hall, 12 Mitchell Street, Canajoharie, NY; and the second which shall be held the 9th day of August 2006 at 7:00 p.m. at the Board of Supervisors' Chambers, Montgomery County Office Building, 64 Broadway, Fonda, NY.

RESOLUTION ADOPTED with Aye(1655). Supervisors Paton and Cechnicki were absent. (7/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 244 of 2006

DATED: July 25, 2006

RESOLUTION AMENDING 2006 OPERATING - FEDERAL SECTION 5311 OPERATING ASSISTANCE (BOARD

OF SUPERVISORS)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Greco

WHEREAS, the NYS Department of Transportation has notified the Board of Supervisors that the grant application for Federal Section 5311 operating assistance for 2006 has been approved in the amount of \$45,400, and

WHEREAS, the 2006 Operating Budget revenue and appropriation figures for said funding was estimated and a budget amendment is required to reflect the exact figures,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

INCREASE:

Revenue:

A-01-3-3589	State Aid - Transportation	\$1,300
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Appropriations:

A-01-4-5630-00-4403	Bus Operations - Federal Section 18	\$1,300
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RESOLUTION ADOPTED with Aye(1655). Supervisors Paton and Cechnicki were absent. (7/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 245 of 2006

DATED: July 25, 2006

RESOLUTION AUTHORIZING THE STATE OF NEW YORK TO ACQUIRE PROPERTY OF MONTGOMERY COUNTY

Resolution by Supervisor: Thomas

Seconded by Supervisor: Quackenbush

WHEREAS, the State pursuant to Section 30 of Highway Law and the Eminent Domain Procedure Law, acting by and through its Department of Transportation, will construct, reconstruct or improve a section of the highway known and identified as S.H. 8528, Canajoharie-Palatine Bridge, Village of Palatine Bridge, Town of Palatine, County of Montgomery, State of New York.

WHEREAS, there have been transmitted to the County of Montgomery, State of New York, right of way maps and descriptions for the above mentioned project showing private land which is necessary to be acquired under Map 6, Parcel 6, and it's governing Body, having examined said maps and descriptions, approve the project and desire the State to proceed with its plans.

RESOLVED, that the Board of Supervisors of the County of Montgomery, State of New York hereby consent to the acquisition of land by the Commissioner of Transportation, as shown on the aforementioned right of ways maps and description and authorize the Commissioner to take title to said lands by appropriation in the name of the People of the State of New York pursuant to the provisions of Section 30 of the Highway Law and the Eminent Domain Procedure Law.

FURTHER RESOLVED, that the Chairman of the Board of Supervisors be and hereby is authorized to transmit copies of this Resolution to the Commissioner of Transportation of the State of New York.

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized to act on behalf of the County of Montgomery with full authority to execute any and all such legal documents and papers which are required by the State of New York for such purpose.

RESOLUTION ADOPTED with Aye(1655). Supervisors Paton and Cechnicki were absent. (7/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 246 of 2006

DATED: July 25, 2006

RESOLUTION AUTHORIZING IMPLEMENTATION AND FUNDING OF LATIMER HILL ROAD BRIDGE REPLACEMENT PROJECT (PUBLIC WORKS)

Resolution by Supervisor: DiMezza

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.I. 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 \$1,228,533, and

WHEREAS, the County of Montgomery desires to advance the above projects, 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 \$245,707 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(1655). Supervisors Paton and Cechnicki were absent. (7/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 247 of 2006

DATED: July 25, 2006

RESOLUTION ESTABLISHING POSITION - (3) STRUCTURAL MAINTENANCE HELPERS (BUILDINGS)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Thomas

WHEREAS, the Public Works Commissioner has recommended that three (3) positions of Structural Maintenance Helpers be established,

RESOLVED, that the Board of Supervisors hereby authorizes establishment of three (3) positions of Structural Maintenance Helpers, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget, as follows:

TRANSFER FROM:

A-01-4-1990.00.4400	Contingent Account	\$30,950.00
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TRANSFER TO:

A-12-4-1620.00.1110 (149)	Hourly Employees Buildings	\$28,750.00
A-10-4-9001.00.8810	FICA	\$ 2,200.00

RESOLUTION ADOPTED with Aye(1066). Supervisors Schumann, Dybas, Strevy, Jonker and Haak voted Nay. Supervisors Paton and Cechnicki were absent. (7/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 248 of 2006**DATED:** July 25, 2006**RESOLUTION REQUESTING STATE LEGISLATURE RECONVENE AND CONSIDER LEGISLATION ESTABLISHING FLOOD ASSESSMENT RELIEF**

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, portions of Montgomery County were devastated by flood waters on June 28, 2006; and

WHEREAS, such flood waters did extensive damages to both private residences and businesses; and

WHEREAS, as a result of such damages the assessed value of such properties may have been reduced from the assessed value on the taxable status date causing property owners to pay property taxes based on assessed value that no longer exists; and

WHEREAS, the New York State Legislature has previously adopted and the Governor signed legislation, specifically Chapter 42 of the Laws of 2005, authorizing local assessors in affected areas, at local option, to seek administrative review of the valuation assigned to such real property catastrophically impacted as a result of flooding; and

WHEREAS, the Montgomery County Board of Supervisors believes similar legislation could be beneficial to the residents and businesses of Montgomery County as they struggle to recover from the devastating flooding of June 28, 2006; now, therefore, be it

RESOLVED, the Montgomery County request the State Legislature reconvene and consider legislation establishing flood assessment relief for those areas catastrophically impacted by the floods of June 28, 2006 similar to Chapter 42 of the Laws of 2005; and be it

FURTHER RESOLVED, copies of this resolution shall be provided to our state legislators, the legislative leaders and the Governor.

RESOLUTION ADOPTED with Aye(1655). Supervisors Paton and Cechnicki were absent. (7/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 249 of 2006**DATED:** July 25, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SUBMIT SUR REPLY TO 1997 HUD CDBG AUDIT AND AUTHORIZING BUDGET TRANSFER OF \$40,000 FROM MONTGOMERY COUNTY GENERAL FUND TO MONTGOMERY COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT REVOLVING LOAN FUND.**

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, on November 30, 2005 the County received a written notification relative to the March 1997 Audit detailing the status of the findings and recommendations that remained open, this notification indicted that there was \$1,768,277 still outstanding, and

WHEREAS, the County submitted a detailed response to this report on April 11, 2006 seeking to dramatically reduce the amount of \$1,768,277 cited by HUD as having to be repaid by the County to the CDBG Revolving Loan Fund,

WHEREAS, the County received notification from HUD on or about June 22, 2006 that the original amount of \$1,768,277 identified as outstanding was reduced to \$573,270,

WHEREAS, the \$573,270 identified in HUD's June 2006 notification represented three outstanding items; alleged unauthorized payments to MCEDC for services in the absence of a contract in the amount of \$214,000, the DeGraff Street project loan in the amount of \$319,270, and a second unauthorized loan to American Composite Materials in the amount of \$40,000,

WHEREAS, the County is seeking further reduction of the amount of \$573,270, the Department of Economic Development prepared a Sur Reply to be submitted to HUD for further consideration,

WHEREAS, the 1997 HUD CDBG Audit identified a second unauthorized loan to American Composite Materials in the amount of \$40,000, as referenced as Recommendation 3A in the June 22, 2006 letter from HUD to Supervisor Thomas Quackenbush,

WHEREAS, the County having reviewed the information seized from the now defunct MCEDC, cannot

locate supporting documentation relative to this \$40,000.00 loan to American Composite Materials, RESOLVED, the Chairman of the Board of Supervisors is hereby authorized to submit the Sur Reply to HUD after review and approval of the County Attorney, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-01-1990-00-4400 CONTINGENT ACCOUNT \$40,000

ADD AND TRANSFER TO:

A-06-9900-00-9905 TRANS. TO CD FUND \$40,000

ADD AND INCREASE REVENUE:

CD 24-3-5031 INTERFUND TRANSFER \$40,000

INCREASE APPROPRIATION:

CD 24-4-8668-00-4510 REVOLVING LOANS \$40,000

, and

FURTHER RESOLVED, said transfers to the CDBG Revolving Loan Fund will be in full satisfaction of the third line item identified in the June 2006 HUD letter regarding the American Composite Materials loan.

RESOLUTION ADOPTED with Aye(1655). Supervisors Paton and Cechnicki were absent. (7/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Cechnicki entered Chamber at 7:32 PM.

RESOLUTION NO. 250 of 2006

DATED: July 25, 2006

RESOLUTION NAMING THE VOLKERT B. VEEDER RECORDS STORAGE CENTER

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, Volkert B. Veeder of Fonda, NY, a well known local scholar, veteran, businessman and avid historical enthusiast has passed away, and

WHEREAS, Mr. Veeder spent the last 20 years participating, organizing, and spearheading many, many local celebrations and historical events and was an active member of several community groups and organizations, and

WHEREAS, Mr. Veeder was a fountain of knowledge who volunteered daily for the Montgomery County History and Archives Department for over 12 years, assisting visitors, helping with binding and repairs and was instrumental in securing donations.

WHEREAS, the Montgomery County Board of Supervisors would like to recognize such a truly active member of the community for his many accomplishments and contributions, and

RESOLVED, that the new History & Archives Record Storage Building shall be known as the Volkert B. Veeder Records Storage Center in honor of Mr. Veeder for his service to the community through countless hours of dedication and commitment and for his lifelong commitment to the County of Montgomery.

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Thomas, to insert the following at the end of the Resolution:

"FURTHER RESOLVED, that a plaque naming the Volkert B. Veeder Records Center be placed on the outside of the building in a conspicuous location, not to exceed a cost of \$500.00." passed with Aye(1721). Supervisor Paton was absent. (7/25/2006)

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent. (7/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

EOD Director Ken Rose clarified Resolution 252, and stated that no expenditures will be involved in this position.

RESOLUTION NO. 252 of 2006

DATED: July 25, 2006

RESOLUTION DESIGNATING MONTGOMERY COUNTY CERTIFYING OFFICIAL ASSOCIATED WITH THE NEPA REVIEW PROCESS-GOVERNOR'S OFFICE FOR SMALL CITIES 2006 STATE DISASTER RELIEF, TEMPORARY ASSISTANCE GRANT PROGRAM (EOD/PLANNING)

Resolution by Supervisor: Haak

Seconded by Supervisor: Dybas

WHEREAS, Montgomery County is eligible to apply for funding for disaster relief purposes through the Governor's Office for Small Cities, 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(1721). Supervisor Paton was absent. (7/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 253 of 2006

DATED: July 25, 2006

RESOLUTION ASSUMING LEAD AGENCY STATUS UNDER SEQRA-GOVERNOR'S OFFICE FOR SMALL CITIES 2006 STATE DISASTER RELIEF, TEMPORARY HOUSING ASSISTANCE GRANT PROGRAM (EOD/PLANNING)

Resolution by Supervisor: Greco

Seconded by Supervisor: Haak

WHEREAS, Montgomery County is eligible to apply for funding for disaster relief purposes through the Governor's Office for Small Cities,

RESOLVED, that Montgomery County Board of Supervisors hereby proposes that they serve as lead agency for the purposes of SEQR, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors hereby classifies the action as "Type II" under SEQR, and

FURTHER RESOLVED, that no other action is necessary under SEQR.

RESOLUTION ADOPTED with Aye(1721). Supervisor Paton was absent. (7/25/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

SUPERVISOR'S COMMENT

Supervisor Dybas, on behalf of City residents, congratulated the County Planning Board for a job well done regarding the landfill.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor McMahon, passed with Aye(1721). Supervisor Paton 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 - AGRICULTURE, PLANNING & DEVELOPMENT
7:00 PM, August 1, 2006

COMMITTEE MEETING DISCUSSION

Chairman Johnson presided over the meeting commencing at 7:00 PM.

Roll call indicated Committee members present are Supervisors Dybas, Jonker, Haak, Schumann and Paton. Supervisor Mancini was absent.

Additional Supervisors present were Quackenbush, Greco, Thomas, Cechnicki and DiMezza. Absent were Supervisors Strevy, McMahon, and Walters.

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

1. Resolution Approving Removal of Archival Records (History and Archives)
2. Resolution Authorizing Chairman to Sign Grant Agreement - NYS LGRMIF (History and Archives)
3. Resolution Authorizing Chairman to Sign Grant Application - Snowmobile Trails Grant-in-Aid Application (Economic Opportunity and Development)
4. Resolution Authorizing Chairman to Sign Agreement - Mohawk Valley Snowmobile Clubs, Inc. (Economic Opportunity and Development)
5. Presentation Cornell Cooperative Extension of Fulton and Montgomery Counties - Mid-Year Update
6. Discussion regarding funding Agriculture Economic Development Project
7. Other

Item #1: Supervisor Dybas asked for a copy of the policy and procedure manual as stated in the Resolution.

Supervisors Paton and DiMezza made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Dybas and Haak made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisors Schumann and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #4: Supervisors DiMezza and Schumann made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #5: Marilyn Smith, Cornell Coop Extension, disseminated a document outlining the new grant funded "Food, Fun and Fitness" project, addressing childhood obesity. She also talked about financial literacy and credit management workshops which are in the works.

Chairman Quackenbush inquired about Cornell moving to FMCC or BOCES. Ms. Smith stated that the BOCES building doesn't have enough space. She also stated that there is currently no existing space on the FMCC campus, but the previously discussed REDC concept may be revisited with the new FMCC President.

Ms. Smith also disseminated a document written by the Dairy Specialist David Balvian outlining the effects the flood had on the County farmers and farmland, and the uncertainty of grant-in-aid. She also disseminated David Balvian's Ag News article to be published, titled "What a Year, What to Do?".

Ms. Smith spoke briefly about the flood damaged Ag building at the Fonda Fairgrounds. She stated that several volunteers from Fulton County fire departments have cleaned the mud from the Ag building, and that many items will need replacing, such as the snack bar appliances and fixtures. There is a question on who is responsible for clean-up and repairs. She stated that she will be attending the Fonda Fair Board meeting tomorrow night to learn how much additional work will be needed to be done to the buildings and fairgrounds in general. She stated that the Fair is schedule to begin in four weeks.

Ms. Smith disseminated a document outlining the spending of the Ag & Economic Development dollars, including the four farmer's markets, the scavenger hunt, and website projects.

Item #6: EOD Director Ken Rose received a letter from Marilyn Smith (Cornell Cooperative) regarding the Montgomery County Ag Economic Development Project, requesting that the appropriation be reinstated at \$15,000 through the General Fund, as opposed to the Community Development Fund.

Supervisor Haak recommended that the subject be addressed at budget time. There were no objections.

Item #7, Other: Add-on RESOLUTION APPROVING HOSPITALITY GRANT AWARD AND TRANSFERRING FUNDS - OCCUPANCY TAX RESERVE. Supervisor Dybas stated that he would like to see a document outlining the grant funding received.

Supervisors Dybas and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #7, Other: Chairman Quackenbush stated that he has been approached by County Attorney Doug Landon regarding the recent decision of paying for employee comp time during the flood. Attorney Landon is inquiring how the plan was developed, it's legality and about future policy.

Supervisors Schumann and Dybas stated that Attorney Landon should be present for this discussion.

Supervisor DiMezza spoke in support of the Board's decision to pay for comp time.

Supervisor Cechnicki stated the need for communication with all Supervisors if urgent decision-making is necessary.

Supervisor DiMezza stated that there will be improved communication between Supervisors during disasters via email, phone and meetings.

Marilyn Smith, Cornell Extension, spoke about the possibility of obtaining special ID's for Extension employees who must be on the road during a disaster. Supervisor DiMezza stated that Personnel could assist with that.

Item #7, Other: Ken Rose gave a brief update on the status of the large manufacturers in the County, post-flood. He stated that the Big M in Ft. Plain will not be re-opening, but has a revolving loan with the County which must be discussed at a future date. He also stated that the Ft. Plain Agway will be closing because of landlord issues.

Supervisors Schumann and Haak made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Johnson adjourned the Personnel Committee meeting at 8:08 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
6:55 PM, August 8, 2006

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for August 8, 2006 was called to order at 6:53 PM by Chairman Quackenbush.

SALUTE TO THE FLAG

Chairman Quackenbush led the salute to the Flag.

ROLL CALL

Roll call indicated that Supervisors Quackenbush, Johnson, McMahon, Strevy, Haak, Dybas, Thomas, Jonker, and DiMezza were present. Supervisors Cechnicki, Schumann, Paton and Mancini were absent.

Supervisors Greco and Paton entered Chamber at 7:01 PM.

PUBLIC COMMENT

Chairman Quackenbush opened Public Comment at 6:54 PM.

There were no speakers.

Chairman Quackenbush adjourned Public Comment at 6:54 PM.

STATEMENT OF PURPOSE OF MEETING

A. Resolutions establishing relief efforts related to the Montgomery County Flooding of 2006

B. Other

Treasurer Shawn Bowerman clarified Resolution 254 as it pertains to tracking flood damaged inventory.

Treasurer Bowerman stated that the County doesn't currently have flood insurance, which may have been an oversight on the part of the insurance company.

Supervisor Haak stated that the insurance company discussion will be entertained on the Finance Committee agenda for August 15, 2006.

RESOLUTION NO. 254 of 2006

DATED: August 8, 2006

RESOLUTION AMENDING BUDGET - 6/28/06 FLOOD DISASTER - EMERGENCY MANAGEMENT

Resolution by Supervisor: Haak

Seconded by Supervisor: Thomas

WHEREAS, on June 28th the County experienced severe flooding causing major damage and resulting in a state of emergency being declared by the Governor, and

WHEREAS, the County is in the process of applying for State and Federal disaster assistance, and

WHEREAS, costs and bills associated with the clean-up and recovery effort have come into the County,

RESOLVED, that the Board of Supervisor hereby authorizes and directs the County Treasurer to amend the 2006 Operating Budget as follows:

INCREASE:

REVENUES

A-599	Appropriated Fund Balance	\$ 500,000
A-02-3-2680-01	Insurance Recoveries	\$1,000,000
A-02-3-3960-01	Emerg. Disaster Assist-State	\$ 375,000

A-02-3-4960-01	Emerg. Disaster Assist-Fed.	\$1,125,000
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APPROPRIATIONS

A-02-4-3640-01-2230	Motor Vehicle Equipment	\$ 45,000
A-02-4-3640-01-2259	Computer Equipment	\$ 80,000
A-02-4-3640-01-2260	Other Equipment	\$ 68,000
A-02-4-3640-01-4407	Office Equipment	\$ 5,000
A-02-4-3640-01-4408	Office Supplies	\$ 20,000
A-02-4-3640-01-4409	Office Furniture	\$ 25,000
A-02-4-3640-01-4411	Telephone	\$ 5,000
A-02-4-3640-01-4422	Equip. Rental/Lease/Repair	\$ 250,000
A-02-4-3640-01-4438	Misc. Supporting Services	\$2,440,000
A-02-4-3640-01-4441	Gasoline, Oil, Diesel Fuel	\$ 60,000
A-02-4-3640-01-4446	Food Supplies	\$ 2,000

RESOLUTION ADOPTED with Aye(1477). Supervisors Schumann, Mancini, Walters and Cechnicki were absent. (8/8/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

OTHER

Supervisor Quackenbush clarified a memo that he disseminated to all Supervisors on August 8, 2006 requesting the submission of any flood-related Resolutions by Monday, August 14, 2006, to be entertained at the full Board meeting on August 22, 2006.

EXECUTIVE SESSION

MOTION TO ENTER EXECUTIVE SESSION pursuant to Section 105 (d) of NYS Open Meeting Law to discuss pending litigation was made by Supervisor Strevy, seconded by Supervisor Dybas, passed with Aye(1477). Supervisors Schumann, Mancini, Walters and Cechnicki were absent. Executive Session began at 7:11 PM.

MOTION TO EXIT EXECUTIVE SESSION by Supervisor Dybas, seconded by Supervisor Haak, passed with Aye(1477). Supervisors Schumann, Mancini, Walters and Cechnicki were absent. The Executive Session was adjourned at 8:09 PM.

As a result of the Executive Session, Attorney Doug Landon will be submitting a Resolution for consideration in a Special Meeting at 6:30PM on Tuesday, August 15, 2006.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Johnson, seconded by Supervisor Haak, passed with Aye(1477). Supervisors Schumann, Mancini, Walters and Cechnicki 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 - PUBLIC SAFETY
7:00 PM, August 8, 2006

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 7:42 PM.

Roll call indicated Committee members present included Supervisors Greco, Jonker, Dybas and Haak. Supervisors Cechnicki and Schumann were absent.

Additional Supervisors present were Quackenbush, Johnson, Paton, McMahon, Strevy, and DiMezza. Absent were Supervisors Mancini and Walters.

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

1. Resolution Authorizing Chairman to Sign Renewal Agreement - NYS Unified Court System (Sheriff)
2. Discussion regarding Resolution Supporting the Goals of New York City to Restore Critical Homeland Security Funding
3. Other

Chairman Thomas stated that he will be entertaining the discussion item lastly on the agenda.

Item #1: Supervisors Haak and Greco made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2 (formerly Item #3, Other): Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT AND AMENDING 2006 OPERATING BUDGET - CHILDHOOD LEAD POISONING PREVENTION PROGRAM GRANT (PUBLIC HEALTH). Supervisors DiMezza and Greco made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3 (formerly item #2, "Discussion regarding Resolution Supporting the Goals of New York City to Restore Critical Homeland Security Funding"): Supervisors DiMezza and Greco made a motion and seconded, respectively, to sponsor and move a mirror draft Resolution to the full Board with a positive recommendation. There were no objections.

Motion was made and seconded by Supervisors Dybas and Greco, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Thomas adjourned the Public Safety Committee meeting at 7:44 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
7:05 PM, August 8, 2006

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 7:45 PM.

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

Additional Supervisors present were Supervisors Thomas, Johnson, Quackenbush, Haak, Greco and McMahon. Supervisors Cechnicki and Mancini were absent.

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

1. Discussion regarding Accounts Receivables - Montgomery Meadows
2. Other

Item #1: Chairman Strevy requested a Motion to go into Executive Session Pursuant to Section 105 (f) of NYS Open Meeting Law to discuss the financial history of particular persons. A motion to enter Executive Session was made by Supervisor Dybas and seconded by Supervisor DiMezza. Executive Session began at 7:45 PM.

Supervisors Dybas and Jonker made a motion and seconded, respectively, to adjourn Executive Session. The Executive Session was adjourned at 8:09 PM.

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

Motion was made and seconded by Supervisors Dybas and Jonker, respectively, to adjourn the Committee meeting.

Chairman Strevy adjourned the Health & Human Services Committee meeting at 8:10PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
TOWN OF CANAJOHARIE MEETING HALL, 12 MITCHELL STREET, CANAJOHARIE, NY
PUBLIC HEARING
9:00 AM, August 9, 2006

Governor's Office for Small Cities 2006 State Disaster Relief, Temporary Housing Assistance Grant Program

PUBLIC HEARING DISCUSSION

Town of St. Johnsville Supervisor Haak called the Public Hearing to order at 9:00 AM.

The following notice was read:

NOTICE OF TWO PUBLIC HEARINGS

GOVERNOR'S OFFICE FOR SMALL CITIES 2006 STATE DISASTER RELIEF, TEMPORARY HOUSING ASSISTANCE GRANT PROGRAM

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Montgomery will meet at the Town of Canajoharie Meeting Hall, 12 Mitchell Street, Canajoharie, New York at 9:00 a.m. on Wednesday, August 9, 2006 and in the Chambers of the Board of Supervisors, County Office Building, (Route 30-A) Broadway, Fonda, New York at 7:00 p.m. on Wednesday, August 9, 2006 for the purpose of holding public hearings on GOVERNOR'S OFFICE FOR SMALL CITIES 2006 STATE DISASTER RELIEF, TEMPORARY HOUSING ASSISTANCE GRANT PROGRAM.

□FURTHER NOTICE is hereby given that copies of said GRANT APPLICATION are available at the office of the Economic Development Office, Old County Courthouse, Park Street, Fonda, New York, where they 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 of Supervisors

DATED: July 26, 2006

Supervisor Haak noted that there was no one present to speak. Supervisor Haak adjourned the public hearing at 9:02 AM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BUILDING, 64 BROADWAY, FONDA, NY
PUBLIC HEARING
7:00 PM, August 9, 2006

Governor's Office for Small Cities 2006 State Disaster Relief, Temporary Housing Assistance Grant Program

PUBLIC HEARING DISCUSSION

Chairman Quackenbush called the Public Hearing to order at 7:01 PM.

Present was Crystal Ricciuti from Economic Development.

The following notice was read:

NOTICE OF TWO PUBLIC HEARINGS

GOVERNOR'S OFFICE FOR SMALL CITIES 2006 STATE DISASTER RELIEF, TEMPORARY HOUSING ASSISTANCE GRANT PROGRAM

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Montgomery will meet at the Town of Canajoharie Meeting Hall, 12 Mitchell Street, Canajoharie, New York at 9:00 a.m. on Wednesday, August 9, 2006 and in the Chambers of the Board of Supervisors, County Office Building, (Route 30-A) Broadway, Fonda, New York at 7:00 p.m. on Wednesday, August 9, 2006 for the purpose of holding public hearings on GOVERNOR'S OFFICE FOR SMALL CITIES 2006 STATE DISASTER RELIEF, TEMPORARY HOUSING ASSISTANCE GRANT PROGRAM.

□ FURTHER NOTICE is hereby given that copies of said GRANT APPLICATION are available at the office of the Economic Development Office, Old County Courthouse, Park Street, Fonda, New York, where they 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 of Supervisors

DATED: July 26, 2006

There were no speakers.

Chairman Quackenbush noted that there was no one present to speak. Chairman Quackenbush adjourned the public hearing at 7:02 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
SPECIAL MEETING
6:30 PM, August 15, 2006

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for August 15 was called to order at 6:30 PM by Chairman Quackenbush.

SALUTE TO THE FLAG

County Attorney Doug Landon led the Salute to the Flag.

ROLL CALL

Roll call indicated that Supervisors Quackenbush, Johnson, Greco, McMahon, Dybas, Thomas, Jonker, Mancini and DiMezza were present. Supervisors Paton, Strevy, Haak, Schumann, Walters and Cechnicki were absent.

Supervisor Haak entered Chamber at 6:35 PM.

PUBLIC COMMENT

Chairman Quackenbush opened Public Comment at 6:31 PM.

There were no speakers.

Chairman Quackenbush closed Public Comment at 6:31 PM.

STATEMENT OF PURPOSE OF MEETING

- A. Resolution related to pending litigation
- B. Discussion related to Montgomery Meadows
- C. Other

RESOLUTION NO. 255 of 2006

DATED: August 15, 2006

RESOLUTION AUTHORIZING SETTLEMENT OF PENDING LITIGATION - MARRIOTT, ET. AL. V. COUNTY OF MONTGOMERY, ET. AL.

Resolution by Supervisor: Jonker

Seconded by Supervisor: McMahon

WHEREAS, Montgomery County is a defendant in federal class action civil litigation known as Marriott, et. al. v. County of Montgomery, et. al. which alleges unconstitutional policies and procedures in searching inmates upon entry to the Montgomery County Correctional Facility, and

WHEREAS, Montgomery County is defended in said litigation by four insurance carriers which provided liability insurance coverage to the County during the periods of time such policies and procedures allegedly were in practice, and

WHEREAS, members of the Board of Supervisors have been made aware of the terms of a tentative settlement resolving the litigation without admission of liability which has been agreed to by the representatives of the various parties involved, including said insurance carriers,

RESOLVED, that the Montgomery County Board of Supervisors hereby consents to settlement of said litigation, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the county attorney, is hereby authorized to execute a Consent to Settlement in the above referenced case on behalf of the county, as well as other documents necessary to effectuate such settlement.

RESOLUTION ADOPTED with Aye(1268). Supervisors Schumann, Walters, Strevy, Paton, Cechnicki and Haak were absent. (8/15/2006)

Douglas Landon

Kimberly Sanborn

County AttorneyClerk, Board of Supervisors

CHAIRMAN'S COMMENT

Chairman Quackenbush stated that the discussion related to Montgomery Meadows will be postponed until the Tuesday, August 22, 2006 Full Board Meeting, due to a scheduling conflict with the Collections Agency.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Jonker, seconded by Supervisor Johnson, passed with Aye(1364). Supervisors Schumann, Walters, Strevy, Paton and Cechnicki 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 - GENERAL SERVICES
7:00 PM, August 15, 2006

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:00 PM.

Roll call indicated Committee members present included Supervisors Greco, Johnson, Mancini, Paton and Strevy. Absent was Supervisor Cechnicki.

Additional Supervisors present were Quackenbush, McMahon, Thomas, Jonker, DiMezza and Haak. Absent were Supervisors Schumann and Dybas.

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

1. Resolution Awarding Retaining Wall Replacement Contract (Public Works)
2. Other

Chairman Walters stated that he will be entertaining six add-on Resolutions at the end of the agenda.

Item #1: Supervisors Haak and Jonker made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

It was noted that advertising for the bid began today, so the Resolution will need to be amended at a later date.

Item #2, Other: Add-on RESOLUTION SETTING UP CAPITAL PROJECT - FLOOD DAMAGED WAGNERS HOLLOW ROAD BRIDGE (PUBLIC WORKS).

Supervisors Jonker and Mancini made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3, Other: Add-on RESOLUTION SETTING UP CAPITAL PROJECT - FLOOD DAMAGED CRUMB CREEK ROAD, TOWN OF ST. JOHNSVILLE (PUBLIC WORKS).

Supervisors Haak and Johnson made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #4, Other: Add-on RESOLUTION AWARDED BID - WEATHERGUARD INDUSTRIES, INC. - LIBRARY ROOF REPLACEMENT PROJECT (FMCC).

Supervisors McMahon and DiMezza made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #5, Other: Add-on RESOLUTION REJECTING ALL BIDS & AUTHORIZING CHAIRMAN TO SIGN AMENDMENT #1 WITH CLARK PATTERSON ASSOCIATES - REVISED PLANS & SPECIFICATIONS & AUTHORIZING THE READVERTISEMENT FOR BIDS - ELECTRICAL VAULT WATER INFILTRATION PROJECT (FMCC).

Supervisors McMahon and DiMezza made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #6: Add-on RESOLUTION AUTHORIZING FMCC TO PURCHASE CERTAIN COMPUTER EQUIPMENT AS PART OF TECHNOLOGY UPGRADE - SERVER/SMART CLASSROOMS PROJECT (2006 CAPITAL PLAN).

Supervisors Greco and Johnson made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #7, Other: Add-on RESOLUTION AUTHORIZING CLOSEOUT OF CONTRACT WITH TRANE FOR THE HVAC CONTROL CONVERSION PROJECT AT FULTON-MONTGOMERY COMMUNITY COLLEGE (2005 CAPITAL PLAN).

Supervisors Paton and DiMezza made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Motion was made and seconded by Supervisors Greco and Johnson, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Walters adjourned the Public Safety Committee meeting at 7:06 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
7:15 PM, August 15, 2006

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 7:15 PM.

Roll call indicated Committee members present are Supervisors Johnson, Greco, McMahon, Walters, Thomas, Jonker, and Mancini.

Additional Supervisors present were Quackenbush, Paton, Strevy, Haak. Absent were Supervisors Dybas, Cechnicki and Schumann.

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

1. Resolution Authorizing Chairman to Sign Agreement M.M. Hayes - ID Badge System Maintenance Agreement (Personnel)
2. Resolution Authorizing Chairman to Sign Agreement - National Employers Council, Inc. (Personnel)
3. Discussion regarding Planning
4. Other

Item #1: Supervisors Thomas and Greco made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Johnson and Mancini made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #3: This item was discussed prior to the Committee meeting.

EOD Director Ken Rose stated that there have been two applicants not suited for the position.

The general consensus of the Board was to advertise the Senior Planner position for between \$45,000-\$48,000 annual pay in hopes of attracting a suitable candidate.

Item #4, Other: Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LETTER OF APPROVAL TO ACCEPT FUNDS FOR DNA TESTING.

Supervisors Thomas and Strevy made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Supervisors Thomas and Johnson made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman DiMezza adjourned the Personnel Committee meeting at 7:18 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
7:30 PM, August 15, 2006

COMMITTEE MEETING DISCUSSION

Chairman Haak presided over the meeting commencing at 7:35 PM.

Roll call indicated Committee members present included Supervisors DiMezza, Greco, McMahon, Strevy and Thomas. Absent was Supervisor Cechnicki.

Additional Supervisors present were Supervisors Quackenbush, Mancini, Walters, Paton, Jonker and Johnson. Absent were Supervisors Dybas and Schumann.

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

1. Discussion regarding Proposed Legislation to Provide Real Property Tax Incentives for New Construction and Additions for Residential Property
2. Discussion regarding FMCC Capital Projects for 2007
3. Discussion regarding 2006 Technology Upgrade Capital Project - FMCC
4. Discussion regarding Vehicle Deductible (Veterans Agency)
5. Discussion regarding Vehicle Purchase (Sheriff)
6. Discussion regarding Revolving Loan - Freedom Packaging (Economic Development)
7. Other

Item #1: Based on Board discussion prior to the start of the Finance Committee meeting, Supervisors DiMezza and Strevy spoke in support of a draft Resolution on Real Property Tax incentives.

Supervisor DiMezza noted that he would like the County Attorney to take a look at the newly adopted legislation and provide a recommendation to the Board prior to drafting a Resolution. There were no objections.

Item #2 (formerly item #7, Other): Add-on discussion regarding Resolution 251 of 2006. Based on Board discussion prior to the start of the Finance Committee meeting, a new Resolution will be drafted rescinding Resolution 251 of 2006 and adjusting to \$50,000, sponsored and seconded by Supervisors Strevy and Greco, respectively, and moved to the full Board with a positive recommendation.

Supervisor McMahon stated that he would like to support a \$75,000 increase.

Supervisor DiMezza stated that he does not support matching Fulton County.

Chairman Quackenbush stated that a Special Meeting would be appropriate with the Fulton County Board of Supervisors to consider the \$100,000.

Supervisor Jonker inquired if a one-time "special projects" contribution could be made to FMCC that would cover a situation like this. Supervisor Greco spoke in support of this idea.

County Attorney Doug Landon stated that he will check with the Dept. of Education, as this may be setting a precedence.

Item #3 (formerly item #2, "Discussion regarding FMCC Capital Projects for 2007"): Dave Morrow, VP of Administration and Finance, gave a summary of upcoming capital projects for 2007, including the Wastewater Treatment Plant upgrade, and he stated his appreciation of the Board's support.

Item #4 (formerly item #3, "Discussion regarding 2006 Technology Upgrade Capital Project - FMCC"): This item was entertained as an add-on Resolution in General Services Committee, held prior to this Committee meeting.

Item #5 (formerly item #4, "Discussion regarding Vehicle Deductible (Veterans Agency)": Veteran's Director William Mullarkey asked the Board to support paying for a \$200 deductible on a flood damaged van used privately by a part-time employee to provide medical appointment transportation to veterans.

Supervisors Thomas and DiMezza made a motion and seconded, respectively, to sponsor a draft

Resolution and move it to the full Board with a positive recommendation, stating that this will be a one-time deal, based on the unique circumstances of the flood. There were no objections.

Item #6 (formerly item #5, "Discussion regarding Vehicle Purchase (Sheriff)"): County Sheriff Mike Amato stated that six out of thirteen patrol cars are currently out of service. He stated that of those six, two vehicles were lost in the flood. He stated that three new patrol cars will be arriving in September. He stated that the flood insurance money would help offset the cost of the new cruisers.

Treasurer Shawn Bowerman stated that the money is already available in the special Flood account to pay for the two patrol vehicles damaged in the flood, and the money should be used to replace the two vehicles immediately.

Sheriff Amato stated that more vehicles will need replacing in 2007 also.

Item #7 (formerly item #6, "Discussion regarding Revolving Loan - Freedom Packaging (Economic Development)"): Chairman Haak stated that Freedom Packaging is behind on the loan payments.

County Attorney Landon stated that the letter which previously the Board directed him to send regarding the lack of payments wasn't answered.

Supervisors Haak and Thomas made a motion and seconded, respectively, to sponsor a draft resolution directing the County Attorney to take any necessary, additional steps for collection.

Item #7, Other: Discussion regarding the Cornell Cooperative Snack Bar at the Fonda Fairgrounds which was destroyed in the flood. Chairman Haak confirmed that the Board is bound by Article 8 section 1 of the NYS Constitution.

Supervisor Thomas stated that Senator Farley recently gave Cornell \$15,000 to help with equipment replacement, so no further action is needed.

The motion was made and seconded by Supervisors Strevy and Thomas, respectively, to adjourn the Finance Committee.

Chairman Haak adjourned the Finance Committee meeting at 8:26 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, FONDA, NY
REGULAR MEETING
7:00 PM, August 22, 2006

CALL TO ORDER

Chairman Quackenbush called the Regular Meeting of the Montgomery County Board of Supervisors for August 22, 2006 to order at 7:00 PM.

SALUTE TO THE FLAG

Chairman Quackenbush led the salute to the Flag.

CHAIRMAN'S COMMENT

Chairman Quackenbush asked for a moment of silence for Supervisor Mancini (in recovery from surgery) and Supervisor Dybas (recent loss of mother).

ROLL CALL

Roll Call indicated Supervisors Quackenbush, Johnson, Greco, Paton, McMahon, Strevy, Haak, Schumann, Walters, Thomas, Jonker and DiMezza were present. Supervisors Cechnicki, Dybas and Mancini were absent.

Supervisor Cechnicki entered Chamber at 7:03 PM.

PRIVILEGE OF THE FLOOR

- A. Med-Rev Recoveries, Inc. - Pam Siechen
Discussion Regarding Montgomery Meadows Litigation Accounts
- B. Public Comment

The Board recognized Pam Siechen, who gave a brief update on three outstanding, overdue accounts. Ms. Siechen answered general questions from the Board.

Chairman Quackenbush disseminated three documents: "Annual Statement of Financial Disclosure for Montgomery County for Calendar Year Ending December 31, 2005", "Annual Statement of Financial Disclosure for Montgomery County for Calendar Year Ending December 31, 2006" and "Local Law 5 of 1992" to the present Supervisors for consideration. He reminded the Board that the Controller's office will be meeting in Fonda on Thursday, Aug. 24, 2006.

Chairman Quackenbush read aloud a card sent from Grace Veeder Dougan expressing her appreciation to the Board for the proclamation and dedication of the Records building to her late brother, Volkert Veeder.

Chairman Quackenbush adjourned the Privilege of the Floor at 7:18 PM.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (July 25 - Aug. 15, 2006) by Supervisor McMahon, seconded by Supervisor DiMezza, passed with Aye(1595). Supervisors Dybas and Mancini were absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Jonker, seconded by Supervisor DiMezza, passed with Aye(1499). Supervisor Haak voted Nay. Supervisors Dybas and Mancini were absent.

UNFINISHED BUSINESS

NEW BUSINESS

RESOLUTION NO. 256 of 2006**DATED:** August 22, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LETTER OF APPROVAL TO ACCEPT FUNDS FOR DNA TESTING**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Strevy

WHEREAS, the Montgomery County Probation Dept. is required by law to collect DNA samples from certain designated individuals on Probation Supervision

WHEREAS, Governor Pataki has signed legislation expanding the list of designated offenders on whom a DNA sample is mandatory

WHEREAS, the State Division of Probation and Correctional Alternatives has appropriated funds in the amount of \$1 million dollars available to counties to assist in the collection of these samples

WHEREAS, Montgomery County's share of these funds is \$4,028

WHEREAS, in order to accept these funds a letter of approval must be executed by the Chairman of the Board of Supervisors

RESOLVED, that the Board of Supervisors approves the authorization of the Probation Department to accept \$4,028 for the collection of DNA samples, 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 contractual agreement with the NYS Division of Probation and Correctional Alternatives for this purpose.

RESOLUTION ADOPTED with Aye(1595). Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 257 of 2006**DATED:** August 22, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT AND AMENDING 2006 OPERATING BUDGET - CHILDHOOD LEAD POISONING PREVENTION PROGRAM GRANT (PUBLIC HEALTH)**

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Greco

WHEREAS, Montgomery County has been awarded an Childhood Lead Poisoning Prevention Program Grant for the period of April 1, 2006 and ending on March 31, 2007,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the 2006-07 Childhood Lead Poisoning 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 the 2006-2007 grant contract, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget, as follows:

TRANSFER:**FROM:**

A-16-4-4010-05.4526	Public Health Grant	
.4526	Education Programs	\$ 409.00

TO:

A-16-4-4010-05	Public Health Grant	
.4436	Medical Fees	\$ 309.00
.4445	Medical Supplies	\$ 100.00

RESOLUTION ADOPTED with Aye(1595). Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 258 of 2006**DATED:** August 22, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - NYS UNIFIED COURT SYSTEM (SHERIFF)**

Resolution by Supervisor: Haak

Seconded by Supervisor: Greco

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, 2006 and UCS has recommended a new period beginning April 1, 2006 through March 31, 2007, all terms and conditions to continue except that compensation shall be increased from a maximum of \$50,000 to a maximum of \$55,000,

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 Unified Court System from April 1, 2006 through March 31, 2007 for a total reimbursement which shall not exceed \$55,000.

RESOLUTION ADOPTED with Aye(1595). Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 259 of 2006**DATED:** August 22, 2006**RESOLUTION APPROVING HOSPITALITY GRANT AWARD AND TRANSFERRING FUNDS - OCCUPANCY TAX RESERVE**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, resolution no. 123 of 2005 approved the guidelines and application for the Hospitality Grant Program, and

WHEREAS, the Occupancy Tax Advisory Board has received an application for funding through this grant program; the Fort Plain Museum for their annual "Holding Down The Fort" festival,

RESOLVED, the Occupancy Tax Advisory Board has recommended the funding of this event in the amount of \$2,000.00 for the Fort Plain Museum.

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget, as follows:

INCREASE:

A 511	Appropriated Reserve - Occupancy Tax	\$2,000.00
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A-06-4-1325-00-4579	County Contribution - Tourism	\$2,000.00
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RESOLUTION ADOPTED with Aye(1595). Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 260 of 2006**DATED:** August 22, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MOHAWK VALLEY SNOWMOBILE CLUBS, INC. (ECONOMIC OPPORTUNITY AND DEVELOPMENT)**

Resolution by Supervisor: DiMezza
 Seconded by Supervisor: Schumann

WHEREAS, the 2005-2006 snowmobile season was the third 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. for the use and maintenance for the New York State Canal way trail within Montgomery County,

FURTHER RESOLVED, that the portion of said trail located in the Village of Canajoharie is excluded from said agreement.

RESOLUTION ADOPTED with Aye(1595). Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
 County Attorney

Kimberly Sanborn
 Clerk, Board of Supervisors

RESOLUTION NO. 261 of 2006

DATED: August 22, 2006

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

Resolution by Supervisor: Schumann
 Seconded by Supervisor: Jonker

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation's Snowmobile Trails Grant-In-Aid program for the 2006-2007 snowmobile season is due September 1, 2006; 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 2006-2007 snowmobile season.

RESOLUTION ADOPTED with Aye(1595). Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
 County Attorney

Kimberly Sanborn
 Clerk, Board of Supervisors

RESOLUTION NO. 262 of 2006

DATED: August 22, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS LGRMIF (HISTORY AND ARCHIVES)

Resolution by Supervisor: Dybas
 Seconded by Supervisor: Haak

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 a \$34,072 grant award to be applied toward the cost of said project,

RESOLVED, that the Board of Supervisors hereby accepts a \$34,072 grant award from the New York State Local Government Records Management Improvement Fund for the period ending July 31, 2007, 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 all documents, related to said grant award, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2005

Capital Project, as follows:

INCREASE:

H-22-4-7510-16-2202 Records Retention Project \$34,072

REVENUE:

H-22-3-3889-16 Other Culture and Recreation \$34,072

RESOLUTION ADOPTED with Aye(1595). Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 263 of 2006

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

DATED: August 22, 2006

RESOLUTION APPROVING DEACCESSION OF ARCHIVAL RECORDS (HISTORY AND ARCHIVES)

Resolution by Supervisor: Paton

Seconded by Supervisor: DiMezza

WHEREAS, the Montgomery County Board of Supervisors has established a Policy and Procedures Manual for Records Management, and

WHEREAS, said procedures should include deaccession provisions,

RESOLVED, that the Board of Supervisors hereby authorizes deaccession of records from the Archives as recommended by the Records Management Advisory Board and the Records Management Officer and,

FURTHER RESOLVED, that a summary of the records be attached and made part of this resolution.

RESOLUTION ADOPTED with Aye(1595). Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 264 of 2006

DATED: August 22, 2006

RESOLUTION AUTHORIZING PAYMENT OF VEHICLE DEDUCTIBLE (VETERANS AGENCY)

Resolution by Supervisor: Thomas

Seconded by Supervisor: DiMezza

WHEREAS, On June 28, 2006 Montgomery County experienced unprecedented and devastating flooding requiring the evacuation of certain county properties; and

WHEREAS, A part-time employee of the Veterans Services Agency was unable to evacuate and move his vehicle due to the fact that, in the scope of his employment with Montgomery County, he was in Albany with clients of the Veterans Services Agency who were undergoing medical treatment; and

WHEREAS, Because said employee sustained damage to his personal vehicle due to the fact that he was unable to evacuate and move said vehicle because of his absence from the County on County business; and

WHEREAS, Said employee has been compensated by his insurance company for all losses sustained except for a \$200 deductible charge; and

WHEREAS, This Board of Supervisors is desirous of said employee being made whole; now, therefore, be it

RESOLVED, That the Board of Supervisors does hereby authorize the payment of \$200 to David Giovannone in compensation to said employee for the uncompensated damages sustained in the unique circumstances of this case; and be it

FURTHER RESOLVED, That this payment is based on the unique circumstances of this case and it is not the intention of this Board of Supervisors to establish precedent for future cases.

RESOLUTION ADOPTED with Aye(1595). Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 265 of 2006

DATED: August 22, 2006

RESOLUTION SETTING UP CAPITAL PROJECT - FLOOD DAMAGED CRUM CREEK ROAD, TOWN OF ST. JOHNSVILLE - PUBLIC WORKS

Resolution by Supervisor: Haak

Seconded by Supervisor: Johnson

WHEREAS, on June 28, 2006, severe flooding occurred in the County and washed out a portion of Crum Creek Road in the Town of St. Johnsville, and

WHEREAS, Federal and State disaster assistance will fund this project in the amount of \$558,000.

RESOLVED, the Board of Supervisors hereby approves this project and directs the County Treasurer to establish a capital project for the reconstruction of a portion of Crum Creek Road.

RESOLUTION ADOPTED with Aye(1595). Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 266 of 2006

DATED: August 22, 2006

RESOLUTION SETTING UP CAPITAL PROJECT - FLOOD DAMAGED WAGNERS HOLLOW ROAD BRIDGE - PUBLIC WORKS

Resolution by Supervisor: Jonker

Seconded by Supervisor: Mancini

WHEREAS, on June 28, 2006, severe flooding occurred in the County and washed out the bridge on Wagners Hollow Road (BIN 3309780), and

WHEREAS, Federal and State disaster assistance will fund this project in the amount of \$817,600.

RESOLVED, the Board of Supervisors hereby approves this project and directs the County Treasurer to establish a capital project for the replacement of the Wagners Hollow Road Bridge (BIN 3309780).

RESOLUTION ADOPTED with Aye(1595). Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 267, Supervisor Walters disseminated a letter to all Supervisors present outlining the bid acceptance recommendations of Transportation Manager Roger Laime from EarthTech. The letter was addressed to Public Works Commissioner Paul Clayburn.

RESOLUTION NO. 267 of 2006

DATED: August 22, 2006

RESOLUTION AWARDING RETAINING WALL REPLACEMENT CONTRACT (PUBLIC WORKS)

Resolution by Supervisor: Haak

Seconded by Supervisor: Johnson

WHEREAS, the Commissioner of Public Works has recommended that a contract be awarded to the low bidder on a retaining wall replacement project,

RESOLVED, that the Board of Supervisors hereby awards a contract to _____ of _____ for the retaining wall replacement project as follows:

Crum Creek Road, County Road No. 57

, 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 _____ of

_____, and

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

MOTION TO AMEND by Supervisor Walters, seconded by Supervisor Haak, as follows:

in the first RESOLVED clause and in the first FURTHER RESOLVED clause to insert "Stephen Miller General Contractors, Inc., of Mayfield",

and in the last FURTHER RESOLVED clause, to insert "331,037.10",

passed with Aye(1595). Supervisors Dybas and Mancini were absent. (8/22/2006)

RESOLUTION ADOPTED with Aye(1595). Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 268 of 2006

DATED: August 22, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - M.M. HAYES - ID BADGE SYSTEM MAINTENANCE AGREEMENT (PERSONNEL)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Greco

WHEREAS, the Personnel Officer is requiring a Maintenance Agreement for the Identocard IVIS Plus Badge System, Software, Digital Camera, Badge Printer, and 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 Door Access System with M.M. Hayes, at a cost not to exceed \$6,200.00, for the period commencing on September 1, 2006 and ending on August 31, 2007.

RESOLUTION ADOPTED with Aye(1595). Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 269 of 2006

DATED: August 22, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NATIONAL EMPLOYERS COUNCIL, INC. (PERSONNEL)

Resolution by Supervisor: Johnson

Seconded by Supervisor: Mancini

WHEREAS, Montgomery County has contracted with the National Employers Council, Inc. for various human resource management services, and

WHEREAS, the Personnel Officer had 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, 2006 to August 31, 2007 at a cost not to exceed \$8,400.

RESOLUTION ADOPTED with Aye(1595). Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 270 of 2006

DATED: August 22, 2006

RESOLUTION AWARDING BID - WEATHERGUARD INDUSTRIES, INC. - LIBRARY ROOF REPLACEMENT PROJECT (FMCC)

Resolution by Supervisor: McMahon

Seconded by Supervisor: DiMezza

WHEREAS, Resolution 125 of 2005 approved the 2005 Capital Plan at FMCC which included the Library Roof Replacement Project at Fulton-Montgomery Community College, and

WHEREAS, Resolution 233 of 2006 authorized the Fulton County Purchasing Agent to advertised for sealed bids from Contractors for the Library Roof Replacement Project at Fulton-Montgomery Community College, and

WHEREAS, bids have been received and recommendations have been made for 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 the following contract associated with the Library Roof Replacement Contract at Fulton-Montgomery Community College:

1. Library Roof Replacement Contract:

Contractor	:	WeatherGuard Industries, Inc.
Base Bid	:	\$87,376.00
Alternate Bids 1	:	\$19,619.00
Alternate Bids 2	:	\$12,400.00

Total Contract	:	\$119,395.00

, 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(1456). Supervisor Schumann abstained. Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 271 of 2006

DATED: August 22, 2006

RESOLUTION ADOPTING 2006-2007 FMCC OPERATING BUDGET AND RESCINDING RESOLUTION 251 OF 2006

Resolution by Supervisor: Strevy

Seconded by Supervisor: Greco

WHEREAS, The Fulton-Montgomery Community College Board of Trustees has presented Fulton and Montgomery Counties, the sponsoring counties, with a 2006-2007 budget request; and

WHEREAS, The required public hearing on said tentative budget has been held; and

WHEREAS, This Board of Supervisors adopted Resolution 251 of 2006 on July 25, 2006 approving the 2006-2007 FMCC Operating Budget and establishing the amount of \$1,395,821 as Montgomery County's funding commitment for said operating budget; and

WHEREAS, The Fulton County Board of Supervisors subsequently met and adopted a resolution adopting the said FMCC Operating Budget, but establishing the amount of \$1,345,821 as Fulton County's contribution to said FMCC Operating Budget; and

WHEREAS, This Board of Supervisors is desirous of ensuring that the funding commitments from the two sponsoring counties remain equivalent; now, therefore, be it

RESOLVED, That the Fulton-Montgomery Community College Operating Budget for the fiscal year beginning September 1, 2006 and ending August 31, 2007, with appropriations totaling \$15,384,243, hereby is accepted and approved; and be it

FURTHER RESOLVED, That the amount to be appropriated by the County of Montgomery as its sponsor share of said Budget shall be \$1,345,821; and be it

FURTHER RESOLVED, That said sponsor's share shall be included in the Montgomery County Operating Budget for 2007, as required by the Education Law of the State of New York; and be it

FURTHER RESOLVED, Resolution 251 of 2006 be and hereby is rescinded.

RESOLUTION ADOPTED with Aye(1390). Supervisor Cechnicki voted Nay. Supervisor Schumann abstained. Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 272 of 2006

DATED: August 22, 2006

RESOLUTION REJECTING ALL BIDS & AUTHORIZING CHAIRMAN TO SIGN AMENDMENT #1 WITH CLARK PATTERSON ASSOCIATES - REVISED PLANS & SPECIFICATIONS & AUTHORIZING THE READVERTISEMENT FOR BIDS - ELECTRICAL VAULT WATER INFILTRATION PROJECT (FMCC)

Resolution by Supervisor: McMahon

Seconded by Supervisor: DiMezza

WHEREAS, Resolution 125 of 2005 Approves the 2005 Capital Plan at FMCC which identified the Electrical Vault Water Infiltration Project, and

WHEREAS, Resolution 233 of 2006 authorized the solicitation of bids for said project, and

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

WHEREAS, FMCC, in conjunction with the Fulton County Planning department have recommended that all proposals received be rejected, and

WHEREAS, further recommendation has been made to amend the current contract with Clark Patterson Associates to prepare revised plans and specifications to readvertise for bids for said project,

RESOLVED, that all proposals tendered to the Fulton County Purchasing Agent, in response to Electrical Vault Water Infiltration Project at Fulton Montgomery Community College are hereby rejected, 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 an amended agreement with Clark Patterson Associates, of Albany NY, for revised plans and specifications related to said project, and

FURTHER RESOLVED, that in conjunction with the Fulton County Board of Supervisors, the Fulton County Purchasing Agent is hereby authorized and directed to readvertise for sealed bids from Contractors for the revised Electrical vault Water Infiltration Project at Fulton Montgomery Community College, 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 a similar resolution by the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1456). Supervisor Schumann abstained. Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 273 of 2006

DATED: August 22, 2006

RESOLUTION AUTHORIZING FMCC TO PURCHASE CERTAIN COMPUTER EQUIPMENT AS PART OF TECHNOLOGY UPGRADE-SERVERS/SMART CLASSROOMS PROJECT (2006 CAPITAL PLAN)

Resolution by Supervisor: Greco

Seconded by Supervisor: Johnson

WHEREAS, the approved 2006 FMCC Capital Plan identifies a Technology Upgrade-Servers/Smart Classrooms Project at Fulton-Montgomery Community College; and

WHEREAS, the purpose of the project is to update selected computer servers and peripherals within the College's Information Technology infrastructure; and

WHEREAS, it is now necessary to procure the planned computer equipment for said project, and

College officials have indicated that all purchases will be made from current NYS Office of General Services contracts, in accordance with the terms and conditions therein; and

WHEREAS, the Fulton County Board of Supervisors Committee on Finance recommends that FMCC be authorized to directly purchase said computer equipment to allow for direct delivery to the College, with all warranties and documentation identifying the College,

RESOLVED, that Fulton-Montgomery Community College is authorized to purchase the following equipment from current bona-fide NYS Office of General Services contracts, in accordance with terms and conditions identified therein, as part of the 2006 Technology Upgrade-Servers/Smart Classrooms Capital Project:

Equipment	Total Cost
I. Campus Server Updates: (OGS #PT60652, PT55666)	
Packeteer Bandwidth Mgmt.	\$ 16,618.80
Backup System (Phase I)	23,496.01
Domain Controllers (Phase I)	4,804.50
Terminal Server System Update (Monitors)	5,649.00
Terminal Server System Update (Neoware Terminal)	8,631.00
Total	\$ 59,199.31
II. Classroom Updates: (OGS #PT55666, PC61396)	
Smart Classroom Computers	\$ 4,330.50
Smart Classroom Consoles	15,467.50
Lab Computers	11,634.72
Computer Classroom Computers	19,587.75
Total	\$ 51,020.47
Grand Total	\$110,219.78
Capital Project Funding	110,000.00
Balance (FMCC to fund)	\$ 219.78

and,

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

RESOLUTION ADOPTED with Aye(1456). Supervisor Schumann abstained. Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 274 of 2006

DATED: August 22, 2006

RESOLUTION AUTHORIZING CLOSEOUT OF CONTRACT WITH TRANE FOR THE HVAC CONTROL CONVERSION PROJECT AT FULTON-MONTGOMERY COMMUNITY COLLEGE (2005 CAPITAL PLAN)

Resolution by Supervisor: Paton

Seconded by Supervisor: DiMezza

WHEREAS, Resolution 251 of 2005 awarded a bid and contract to Trane, of Latham, NY, for the HVAC Control Conversion Project at Fulton-Montgomery Community College; and

WHEREAS, Phillips Associates, the design engineer for said project, has determined that the work is substantially complete and recommend closeout of said contract; now, therefore be it

RESOLVED, That upon the recommendation of Phillips Associates, the Fulton County Treasurer be and hereby is authorized to close out the contract with Trane, of Latham, NY, for the HVAC Control Conversion Project at FMCC and release of all retainage due, contingent upon receipt of written notification from the Fulton County Planning Director that all punchlist items have been completed:

Original Contract Amount:	\$154,500.00
Less Change Orders	0.00
FINAL CONTRACT AMOUNT	\$154,500.00

and,

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

RESOLUTION ADOPTED with Aye(1456). Supervisor Schumann abstained. Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 275 of 2006

DATED: August 22, 2006

RESOLUTION AUTHORIZING AND DIRECTING THE COUNTY ATTORNEY TO TAKE ALL NECESSARY LEGAL ACTION AGAINST FREEDOM PACKAGING COMPANY, INC. TO SECURE AND/OR FORECLOSE UPON OUTSTANDING REVOLVING LOAN FUND BALANCE

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, A loan in the original amount of \$85,000 was made in 1999 from the County's Revolving Loan Fund to Freedom Packaging Company, Inc., of Amsterdam to provide financial assistance for the acquisition and installation of manufacturing equipment and inventory at 5 Sam Stratton Road for the purpose of producing corrugated totes and to assist in the creation of 11 full time positions; and

WHEREAS, It has been reported to this Board of Supervisors that said Freedom Packaging Company, Inc. is in default on said loan by being 30 months in arrears; and

WHEREAS, The County has made every effort short of legal action to recoup the moneys owed to the Revolving Loan Fund from Freedom Packaging Company, Inc; and

WHEREAS, Said efforts by the County have been of no avail; now, therefore, be it

RESOLVED, That the County Attorney is hereby authorized and directed to take all necessary legal action against said Freedom Packaging Company, Inc. for the purpose of securing and/or foreclosing upon the outstanding balance due and owing to the Revolving Loan Fund.

RESOLUTION ADOPTED with Aye(1595). Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 276 of 2006

DATED: August 22, 2006

RESOLUTION SUPPORTING WESTCHESTER COUNTY IN ITS CALL FOR THE RESTORATION OF NEW YORK CITY'S HOMELAND SECURITY FUNDING

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Greco

WHEREAS, New York City as well as other municipal members of NYSAC, the New York State Association of Counties, were tragically impacted by the 9/11 terrorist attack on the World Trade Center, and

WHEREAS, Westchester, one of those member counties and a critical emergency responder to that attack, lost 109 residents on 9/11, and

WHEREAS, the federal Department of Homeland Security has announced 2006 grants, slashing New York City by 40.1%, and

WHEREAS, Representative Peter T. King, Chairman of the House Committee on Homeland Security, has called the allocation formula flawed and is working along with Senator Hillary Rodham Clinton and other New York area federal legislators to restore this cutback, and

WHEREAS, Westchester shares the concerns of New York City in preventing any more such tragedies, and

WHEREAS, on June 5, 2006, the Westchester County Board of Legislators unanimously passed a resolution supporting the goals of New York City in protecting the region and backing the full restoration of Homeland Security funding needed to help accomplish these goals, and

WHEREAS, the Westchester Board of Legislators, in that same resolution, directed its Chairman, William J. Ryan, in his capacity as the At-large Member of the NYSAC Board, to ask that body to support Westchester's resolution, thereby lending its voice to the restoration of New York City's Homeland Security Funding, and

WHEREAS, the NYSAC Board has asked its member counties to also lend their voice to the restoration of New York City's Homeland Security Funding,

RESOLVED, that the Montgomery County Board of Supervisors does hereby back Westchester County in its call for the restoration of New York City's Homeland Security Funding.

RESOLUTION ADOPTED with Aye(1595). Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Schumann disseminated a document to all Supervisors present outlining a proposed amendment to Resolution 277.

Supervisor Schumann clarified the proposed amendment.

Supervisor DiMezza stated that he supports Chief Executive Officer Thomas Quackenbush's executive decisions made during the flood, and doesn't support the Resolution or the proposed amendment.

Supervisor Cechnicki spoke in support of the proposed amendment.

Several Supervisors spoke in support of the County workers who responded to the emergency well above and beyond the call of duty.

Supervisor Strevy stated that some Supervisors were not kept informed as certain decisions were being made during the crisis.

RESOLUTION NO. 277 of 2006

DATED: August 22, 2006

RESOLUTION INSTRUCTING THE COUNTY ATTORNEY TO SUBMIT A REQUEST FOR AN INFORMAL OPINION FROM THE NYS ATTORNEY GENERAL REGARDING A COMPENSATION PROGRAM IMPLEMENTED DURING THE FLOOD OF 2006

Resolution by Supervisor: Schumann

Seconded by Supervisor: Cechnicki

WHEREAS, On June 28, 2006 Montgomery County experienced unprecedented and devastating flooding requiring the evacuation & closing of certain county properties; and

WHEREAS, during such period of time, regular compensation and in some cases, additional compensation was provided to County Employees and Officials; and

WHEREAS, as the event itself was a unique circumstance, it is not clear as to whether the provision for said compensation falls under the authority provided under Section 2-B of NYS Executive Law,

RESOLVED, the Montgomery County Board of Supervisors does hereby authorize and direct the County Attorney to submit a request for an informal opinion to the New York State Attorney General regarding this matter.

MOTION TO CALL THE QUESTION by Supervisor Thomas, seconded by Supervisor Walters, was defeated with Aye(970). Supervisors Greco, Johnson, DiMezza, McMahon, Walters, Strevy, Thomas and Haak voted Aye. Supervisors Dybas and Mancini were absent. (8/22/2006)

MOTION TO AMEND by Supervisor Schumann, seconded by Supervisor Cechnicki, by striking the Resolution's text and inserting the following:

"WHEREAS, on June 28, 2006 Montgomery County experienced unprecedented and devastating flooding necessitating emergency responses by various governmental officials; and

WHEREAS, Pursuant to Executive Law Section II-b and Montgomery County Executive Order Number 1 of 2006, certain decisions were made and expenses incurred outside the normal governmental processes, including, but not limited to, the securing of waste disposal services without standard purchasing procedures, the authorization of additional compensation to county employees and officials, and freeze drying of records; and

WHEREAS, County officials desire ascertaining the appropriate scope of authority during a time of emergency in an effort to plan and prepare for any future emergency; now, therefore, be it

RESOLVED, The Montgomery County Board of Supervisors does hereby authorize and direct the County Attorney to submit a request for an informal opinion to the New York State Attorney General regarding this matter.",

was defeated with Aye(404). Supervisors Schumann, Strevy, Cechnicki and Haak voted Aye. Supervisors Dybas and Mancini were absent. (8/22/2006)

RESOLUTION DEFEATED with Aye(308). Supervisors Schumann, Strevy and Cechnicki voted Aye. Supervisors Dybas and Mancini were absent. (8/22/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Greco, seconded by Supervisor Haak, passed with Aye(1595). Supervisors Dybas and Mancini 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 - AGRICULTURE, PLANNING & DEVELOPMENT
7:00 PM, September 5, 2006

COMMITTEE MEETING DISCUSSION

Chairman Johnson presided over the meeting commencing at 7:00 PM.

Roll call indicated Committee members present are Supervisors Dybas, Jonker and Paton. Supervisors Mancini, Haak and Schumann were absent.

Additional Supervisors present were Quackenbush, Greco, Thomas, Strevy, McMahon, Cechnicki and DiMezza. Absent was Supervisor Walters.

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

1. Resolution Granting Approval of Extension No. 1 - Town of Florida Water and Sewer District - Mead Subdivision
2. Discussion Regarding 2006 Restore NY Communities Initiative Grant Program
3. Resolution Authorizing Chairman to Sign Extension of Memorandum of Agreement Between Fulton-Montgomery-Schoharie Workforce Development Board and Consortium for One-Stop Operator Services
4. Resolution Authorizing Chairman to Sign Agreement - Continuation of CLEO Agreement Between the County of Montgomery and the Counties of Fulton and Schoharie to Comply with Implementation Requirements of the Workforce Investment Act of 1990
5. Other

Item #1: Supervisor Strevy stated that the Town of Florida and City of Amsterdam have officially approved the project.

Supervisors Strevy and Johnson made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #2: EOD Director Ken Rose and Joe Hyland, Project Developer from C.T. Male, clarified the new Montgomery county RestoreNY Grant, administered by Empire State Development Corporation, for revitalizing commercial and/or residential structures.

Mr. Hyland disseminated a set of documents outlining the plan to revitalize Montgomery County. He asked the Board to submit properties that would be best served by the grant, and stated that flood damaged communities will get special consideration.

He stated that three public hearings are needed and a legislative resolution must be completed no later than Sept. 29, 2006. The purpose of the public hearings are to notify the public of the buildings chosen for demolition and/or revitalization.

Regarding the old County Jail, Director Rose stated that demolition and revitalization are the next step. Each county has \$5M available in grant funds per municipality, with 10% matching. He stated that an Engineering firm is needed to prepare and write the grant.

The Supervisors discussed buildings that would be prime candidate, including the Pioneer Building.

Supervisors Thomas and DiMezza made a motion and seconded, respectively, to sponsor a draft Resolution in support of writing the grant and move it to the full Board with a positive recommendation. There were no objections.

Mr. Hyland stated that Charles Voss would be writing the grant.

Chair Johnson stated that a special meeting of the Agriculture, Planning & Development Committee on Tuesday, Sept. 12, 2006. The purpose of the meeting will be to vote on the Resolution and schedule the three public hearings needed.

Item #3: Gail Breen, FMS Workforce Development Board, spoke in support of the Resolution.

Supervisors DiMezza and Dybas made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #4: Supervisors Dybas and DiMezza made a motion and seconded, respectively, to sponsor the

Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #5, Other: Add-on RESOLUTION AUTHROZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYSED LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND (LGRMIF) - DISASTER RECOVERY GRANT (HISTORY AND ARCHIVES).

Supervisors Thomas and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #6, Other: Supervisor DiMezza requested a Motion to go into Executive Session Pursuant to Section 105 (h) of NYS Open Meeting Law to discuss the proposed acquisition, sale or lease of real property. A motion to enter Executive Session was made by Supervisor DiMezza and seconded by Chairman Quackenbush. Executive Session began at 7:28 PM.

Supervisors Greco and Dybas made a motion and seconded, respectively, to adjourn Executive Session. The Executive Session was adjourned at 8:30 PM.

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

Supervisors Dybas and Greco made a motion and seconded, respectively, to adjourn the Committee meeting.

Chair Johnson adjourned the Personnel Committee meeting at 8:30 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, September 12, 2006

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for Sept. 12 was called to order at 7:00 PM by Chairman Quackenbush.

SALUTE TO THE FLAG

Chairman Quackenbush led the salute to the Flag.

ROLL CALL

Roll call indicated that Supervisors Quackenbush, Johnson, Greco, McMahon, Dybas, Paton, Haak, Schumann, Walters, Cechnicki, Thomas, Jonker and DiMezza were present. Supervisor Mancini and Strevy were absent.

Supervisor Strevy entered Chamber at 7:03 PM.

PUBLIC COMMENT

Chairman Quackenbush opened Public Comment at 7:01 PM.

There were no speakers.

Chairman Quackenbush closed Public Comment at 7:02 PM.

STATEMENT OF PURPOSE OF MEETING

- A. Resolutions Related to Montgomery County RestoreNY Grant Application
- B. Resolutions Related to Montgomery Meadows Personnel Vacancies
- C. other

RESOLUTION NO. 278 of 2006

DATED: September 12, 2006

RESOLUTION ESTABLISHING REQUIRED PUBLIC HEARING - EMPIRE STATE DEVELOPMENT CORPORATION - 2006 RESTORE NY (EOD)

Resolution by Supervisor: Johnson

Seconded by Supervisor: Greco

WHEREAS, Montgomery County is eligible for funding for economic development purposes with Empire State Development Corporation's 2006 Restore NY program, and

WHEREAS, Montgomery County has prioritized economic development including the provision of assistance to municipalities, businesses, and residents affected by the June 2006 flooding, and

WHEREAS, Montgomery County has supplied a request for funding on behalf of the properties listed below, under the terms set forth by Empire State Development Corporation's 2006 Restore NY program, and

WHEREAS, program requirements include the provision to hold a public hearing and the printing of the list of properties in the newspaper(s) of record for three consecutive days prior to said public hearing.

RESOLVED, that the Montgomery County Board of Supervisors hereby schedules a Public Hearing on its application to Empire State Development Corporation's 2006 Restore NY program for September 26, 2006 at 6:55 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 and also the printing of the properties listed below in the daily newspaper(s) of record for three consecutive days prior to said public hearing.

Funding Priority	Site Name	Location	Residential Commercial Or Mixed-Use	Demolition Deconstruction Rehabilitation Reconstruction
1-Old Montgomery County Jail & Sheriff's Residence		Park Street Fonda, NY	Municipal	Demolition
2-Canajoharie Village Offices		75 Erie Blvd Canajoharie, NY	Municipal	Rehabilitation
3-VanWagen Veterinary Clinic		VanWagen Drive Fultonville, NY	Commercial	Rehabilitation
4-Property @ 9 Railroad Street Fort Plain, NY SBL#46.46-2-18		2 Railroad Street Fort Plain, NY	Residential	Demolition
5-Former Eagle Oil Property		Willett Street Fort Plain, NY	Commercial	Rehabilitation
6-Village Civic Center		86 Pawling Street Hagaman, NY	Commercial	Rehabilitation
7-Property @ 1 School Street Nelliston, NY		1 School Street Nelliston, NY	Municipal	Rehabilitation
8-Property @ 188 Pioneer St. Amsterdam, NY		188 Pioneer Street Amsterdam, NY	Commercial	Demolition
9-Robert Burkhardt Property		VanWagen Drive Fultonville, NY	Residential	Rehabilitation

MOTION TO AMEND by Supervisor Johnson, seconded by Supervisor Greco, by adding in the FURTHER RESOLVED clause the following:

"10-Richard A. Papa Office Building Park Street Municipal Rehabilitation
Fonda, NY"

, and by adding to the end of the Resolution the following:

"FURTHER RESOLVED, that a non-refundable application fee of \$250.00 is hereby authorized to be issued to Empire State Development Corp. upon submittal of the grant application."

, passed with Aye(1499). Supervisors Dybas and Haak voted Nay. Supervisor Mancini was absent. (9/12/2006)

RESOLUTION ADOPTED with Aye(1595). Supervisor Dybas abstained. Supervisor Mancini was absent. (9/12/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 278, Supervisor Haak stated his objection to the grant application fee, as did Supervisor Dybas.

RESOLUTION NO. 279 of 2006

DATED: September 12, 2006

RESOLUTION INCREASING SALARY GRADES FOR NURSES AT THE MONTGOMERY MEADOWS RESIDENTIAL HEALTH CARE FACILITY AND AMENDING 2006 OPERATING BUDGET

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Johnson

WHEREAS, the Montgomery County Meadows Nursing Home has numerous openings for Registered Professional Nurses that need to be filled, and

WHEREAS, the recruitment of these nurses is critical in the operation of the facility, and

WHEREAS, in an effort to try to recruit more nurses, the Nursing Home Administrator has recommended increasing the salary grades for certain nursing position at the facility,

RESOLVED, the Montgomery County Board of Supervisors does hereby approve the following upgrades and changes in titles at the Montgomery Meadows Residential Health Care Facility:

Current Head Nurse	Grade O - \$40,299 base salary
Upgraded to Supervising Nurse	Grade P - \$42,640 base salary
Current Nurse Assessment Care Coordinator	Grade P - \$42,640 base salary
Change in title to Supervising Nurse	Grade P - \$42,640 base salary
Current RPN	Grade J - \$32,297 base salary
Upgraded to Supervising Nurse	Grade P - \$42,640 base salary
Current Nurse Service Training Coordinator	Grade N - \$37,930 base salary
Upgraded to Supervising Nurse	Grade P - \$42,640 base salary

, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget effective September 13, 2006 as follows:

TRANSFER FROM:

EH-34-4-6020-00-1110(134)	Head Nurse	\$13,750
EH-34-4-6020-00-1110(138)	Head Nurse	\$13,750
EH-34-4-6020-00-1110(168)	Nurse Assessment Care Coordinator	\$13,750
EH-34-4-6020-00-1110(397)	RPN	\$13,750
EH-34-4-6020-00-1110(475)	Nurse Service Training Coordinator	\$13,750

TRANSFER TO:

EH-34-4-6020-00-1110(460)	Supervising Nurse	\$13,750
EH-34-4-6020-00-1110(462)	Supervising Nurse	\$13,750
EH-34-4-6020-00-1110(463)	Supervising Nurse	\$13,750
EH-34-4-6020-00-1110(464)	Supervising Nurse	\$13,750
EH-34-4-6020-00-1110(465)	Supervising Nurse	\$13,750

, and

FURTHER RESOLVED, that the Personnel Officer is hereby authorized and directed to advertise for these new titles as soon as possible.

RESOLUTION ADOPTED with Aye(1448). Supervisor Paton voted Nay. Supervisor Dybas abstained. Supervisor Mancini was absent. (9/12/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

CHAIRMAN'S COMMENT

Chairman Quackenbush stated today is Primary Day, and that electronic voting is available at the Board of Elections office.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor DiMezza, seconded by Supervisor Johnson, passed with Aye(1731). Supervisor Mancini was absent.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 PARK STREET, FONDA, NY
COMMITTEE MEETING - PUBLIC SAFETY
7:05 PM, September 12, 2006

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 7:23 PM.

Roll call indicated Committee members present included Supervisors Greco, Jonker, Dybas, Cechnicki, Schumann and Haak.

Additional Supervisors present were Quackenbush, Johnson, Paton, McMahon, Strevy, Walters and DiMezza. Absent was Supervisor Mancini.

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

1. Resolution Authorizing Chairman to Sign Grant Agreement - NYS Office of Homeland Security - State Homeland Security Program - SHSP (Emergency Management) and Law Enforcement Terrorism Prevention Program - LETPP (Sheriff)
2. Resolution Authorizing the Purchase of a Vehicle and Amending the 2006 Operating Budget (District Attorney)
3. Resolution Amending the 2006 Operating Budget - Forfeiture Monies (District Attorney)
4. Other

Item #1: Supervisors Haak and DiMezza made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: Chairman Thomas clarified the Resolution.

Supervisors DiMezza and Schumann made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisors Cechnicki and Schumann made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Motion was made and seconded by Supervisors Dybas and Haak, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Thomas adjourned the Public Safety Committee meeting at 7:28 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
7:10 PM, September 12, 2006

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:28 PM.

Roll call indicated Committee members present included Supervisors Greco, Johnson, Cechnicki, Paton and Strevy. Absent was Supervisor Mancini.

Additional Supervisors present were Quackenbush, McMahon, Thomas, Jonker, Schumann, Dybas and DiMezza. Absent was Supervisor Haak.

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

1. Discussion regarding Montgomery County Recyclables
2. Discussion regarding the adoption of a new user fee schedule - Montgomery County Sanitary District #1
3. Resolution Authorizing Chairman to Sign Agreement - SCS/IBM - Mainframe/Backup Computer Leasing (Data Processing)
4. Resolution Amending 2006 Operating Budget - CHIPS Funds (Public Works)
5. Resolution Authorizing Chairman to Sign Agreement - Snow and Ice Control (Public Works)
6. Other

Supervisor Walters recognized Joseph Emanuelle III, Mayor of Amsterdam, who congratulated the Board on their combined efforts during the recent flood.

Item #1: Mayor Emanuelle explained the current Amsterdam curbside recycling contract situation in Amsterdam. He stated that the contract would be ending with the vendor who transports the recyclables to Schoharie County. The City would like to explore using MOSA's Randall Transfer Station as a recyclables drop-off site. He stated that RFP's having been solicited yet, and that the MOSA station would be a good drop point, and the City could pick up the tip fee.

The Committee recognized Ray Halgas (DPW Director of the City of Amsterdam and MOSA Board Representative) who stated that MOSA is having an Operations Meeting next Tuesday, so more information regarding MOSA's services will be forthcoming after that. He suggested that a letter of support from the Board of Supervisors to the MOSA Board recognizing the Randall Station as a good drop-off site for recyclables would be appreciated.

The Full Board made a motion to sponsor and move a draft Resolution to the full Board with a positive recommendation, supporting the use of MOSA Randall Transfer Station site for recyclables. There were no objections.

Mayor Emanuelle stated that he will contact the Board of Supervisors Office to help draft the Resolution.

Item #2: Chairman Walters stated that this item will be tabled until October, due to lack of information.

Item #3: Supervisor Schumann stated that RFP's must be pursued, according to General Municipal Law. County Attorney Doug Landon concurred.

Supervisor Haak inquired if this particular item was under state contract. If so, RFPs would not be needed. Data Processing Director Deb Bain will research the status of the Mainframe computer and report back to the Board at the Full Board meeting.

Supervisor Schumann stated that Purchasing Dept. should be responsible for getting this information together.

Supervisor Dybas stated that all Department Heads should be made aware that they are responsible for contacting Purchasing to solicit RFPs at least three months prior to the end of any contracts.

Supervisors DiMezza and Quackenbush made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with no recommendation, pending Director Bain's investigation. There were no objections.

Item #4: Supervisors Dybas and Paton made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #5: Supervisor DiMezza clarified the need for a rate of \$5,000 per centerline mile.

Supervisor Schumann stated that the Committee doesn't have enough information to make a decision on centerline rate. She stated that towns and villages need to show their numbers to justify the large increase.

Chairman Cechnicki supports Supervisor Schumann's request.

Chairman Walters stated that due to drastic fuel price increase in the past few years, the centerline rate must be drastically increased to compensate.

Supervisors Greco and Strevy made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Motion was made and seconded by Supervisors Greco and Johnson, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Walters adjourned the Public Safety Committee meeting at 8:25 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
7:30 PM, September 12, 2006

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 8:26 PM.

Roll call indicated Committee members present included Supervisors DiMezza, Dybas, Jonker, Paton, Schumann and Walters.

Additional Supervisors present were Supervisors Thomas, Johnson, Quackenbush, Greco and McMahon. Supervisors Cechnicki, Haak and Mancini were absent.

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

1. Resolution Authorizing Chairman to Sign Agreement - 2007 - 2009 Child and Family Service Plan (Social Services & Youth Bureau)
2. Resolution Authorizing Chairman to Sign Agreement - Med-Rev Recoveries, Inc. - Receivable Recovery (Montgomery Meadows)
3. Resolution Authorizing Chairman to Sign Agreement - Linda Praetorius - Beautician Services (Montgomery Meadows)
4. Resolution Authorizing Chairman to Sign Agreement - Favorite Healthcare Staffing, Inc. - Supplemental Nursing Personnel Svcs (Montgomery Meadows)
5. Resolution Authorizing Chairman to Sign Agreement - Med Staff (Visiting Nurses Association of Albany of Home Care Corp) - Supplemental Nursing Personnel Services (Montgomery Meadows)
6. Resolution Authorizing Chairman to Sign Agreement - Cornerstone Telephone Company - telephone service (Montgomery Meadows)
7. Resolution Authorizing Chairman to Sign Agreement - Lisa Volk - PRI Assessments (Montgomery Meadows)
8. Resolution Authorizing Chairman to Sign Agreement - Sondra Lyga - PRI Assessments (Montgomery Meadows)
9. Resolution Establishing Workers Compensation Medical Only for Public Health Volunteer Services
10. Other

Item #1: Supervisors Schumann and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Schumann and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisors Dybas and Schumann made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #4: Supervisors DiMezza and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #5: Supervisors Dybas and DiMezza made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #6: Supervisors Schumann and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #7: Supervisors Dybas and DiMezza made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #8: Supervisors Jonker and DiMezza made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #9: Public Health Director Kim Conboy clarified the Resolution.

Supervisors Walters and Johnson made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #10, Other: Chairman Strevy acknowledged a letter addressed to Barbara Clements (Board Administrator, Montgomery Meadows) from TLSG, a fund locating service. The letter stated that TLSG has located funds belonging to the Meadows, and charges a 25% recovery fee. Chairman Strevy stated that a Resolution would be needed to enter into a contract with TLSG to allow them to recover said funds for the Meadows, and pay their requested fee.

Supervisors Dybas and Jonker made a motion and seconded, respectively, to sponsor the draft Resolution and move it to the full Board with a positive recommendation. There were no objections.

Motion was made and seconded by Supervisors Dybas and DiMezza, respectively, to adjourn the Committee meeting.

Chairman Strevy adjourned the Health & Human Services Committee meeting at 8:50 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
7:00 PM, September 19, 2006

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 7:02 PM.

Roll call indicated Committee members present are Supervisors McMahon, Thomas and Greco. Absent were Supervisors Johnson, Mancini and Walters.

Additional Supervisors present were Quackenbush, Strevy, Jonker and Dybas. Absent were Supervisors Paton, Haak, Cechnicki and Schumann.

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

1. Resolution Upgrading Computer Programmer Position to Computer Programmer Analyst Specialist and Amending 2006 Operating Budget (Data Processing)
2. Discussion regarding Meadows Personnel
3. Other

Item #1: Supervisors McMahon and Thomas made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Supervisor Walters entered Chamber at 7:03 PM.

Item #2 (formerly item #3, "Other"): Personnel Officer Richard Baia disseminated a document to all Board members outlining a salary comparison of County Dept. Heads in 19 similar Counties in NYS. This is in response to a request made by the Board of Supervisors a couple of months ago.

Supervisors Paton and Cechnicki entered Chamber at 7:04 PM.

Supervisor Johnson entered Chamber at 7:08 PM.

Chairman DiMezza stated that at the next Personnel meeting, he would make a recommendation to adjust the salaries (to be adjusted over a two year period of 2007 and 2008) by Resolution, to be comparable with other Counties.

Supervisors Greco and Dybas asked for additional written clarification of Montgomery County's Dept. Heads base salary, longevity and any other related information from Personnel Officer Baia. There were no objections.

Supervisor Haak entered Chamber at 7:12 PM.

Chairman DiMezza stated that the adjustment would be approx. \$25,000 per year for two years.

Supervisor Dybas applauded Officer Baia's efforts in putting the document together.

Also, Personnel Officer Baia disseminated a document outlining the Non-bargaining agreement, as it has been recently updated (updates in bold print).

Chairman DiMezza stated there would be a Resolution updating the Non-bargaining employee policy presented to the Committee next month.

Item #3 (formerly item #2, "Discussion regarding Meadows Personnel"): Chairman DiMezza requested Executive Session to discuss Meadows Personnel. Chairman Quackenbush asked that discussion of the sale of the Meadows be also included in the Executive Session. There were no objections. County Attorney Doug Landon had no objection, also.

Supervisor DiMezza requested a Motion to go into Executive Session Pursuant to Section 105 (h) and (f) of NYS Open Meeting Law to discuss the proposed sale of real property and the employment history of certain individuals. A motion to enter Executive Session was made by Supervisor DiMezza and seconded by Chairman Quackenbush. Executive Session began at 7:24 PM.

Supervisors Greco and McMahon made a motion and seconded, respectively, to adjourn Executive Session. The Executive Session was adjourned at 8:08 PM.

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

Supervisors Thomas and McMahon made a motion and seconded, respectively, to adjourn the meeting.

Chairman DiMezza adjourned the Personnel Committee meeting at 8:09 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
7:15 PM, September 19, 2006

COMMITTEE MEETING DISCUSSION

Chairman Haak presided over the meeting commencing at 8:09 PM.

Roll call indicated Committee members present included Supervisors DiMezza, Greco, McMahon, Strevy, Cechnicki and Thomas.

Additional Supervisors present were Supervisors Quackenbush, Dybas, Walters, Paton, Jonker and Johnson. Absent were Supervisors Mancini and Schumann.

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

1. Resolution Authorizing Chairman to Sign Letter of Approval to Accept Funds for Supervision of Level 3 Sex Offenders (Probation)
2. Discussion regarding 2006 -2007 Real Property Tax Administration Technology Improvement Grant Program
3. Discussion regarding Revolving Loan to Collect, LLC - St. Johnsville (Economic Development)
4. Discussion regarding Montgomery County Procurement Policy
5. Discussion regarding General Liability Insurance Renewal
6. Other

Chairman Haak stated that there are two add-on Resolutions to be entertained, and that agenda items may be shifted to suit.

Item #1: Supervisors DiMezza and Quackenbush made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: Real Property Tax Director Flo Stanton explained the grant to the Committee and the benefits of said Grant to the County.

She stated that a vendor has volunteered to write the grant at no cost, with the contingency that should the grant application be successful, the vendor would be the guaranteed professional service provider.

Several Supervisors were uncomfortable with that idea, and asked related legal questions to County Attorney Doug Landon, such as should the grant be awarded and then cancelled by the County, would the County be in breach of contract with the vendor.

Chairman Haak stated that a draft Resolution could be brought before the Full Board at next week's meeting, and any other concerns can be addressed at that time prior to the vote.

Supervisors DiMezza and Walters made a motion and seconded, respectively, to sponsor a draft Resolution authorizing the application of the grant using the vendor, and move it to the full Board with a positive recommendation.

Chairman Haak stated for the record that he would move the Resolution with no recommendation, until all concerns can be answered in a satisfying manner.

Item #3 (formerly item #6, Other): Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CT MALE ASSOCIATES PC - RESTORE NY COMMUNITIES INITIATIVE (ECONOMIC DEVELOPMENT). Supervisors Dybas and Johnson made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation.

Chairman Haak stated for the record that he would move the Resolution with no recommendation.

Item #4 (formerly item #3 "Discussion regarding Revolving Loan to Collect, LLC - St. Johnsville (Economic Development)": Director of Economic Development Ken Rose clarified Collect's application. He stated the IDA supports the application.

Supervisors Haak and Thomas made a motion and seconded, respectively, to sponsor a draft Resolution approving the application. The Resolution will be moved to the full Board with a positive recommendation. There were no objections.

Supervisors Dybas and Strevy left Chamber at 8:33 PM.

Item #5: Chairman Haak stated that NYMIR has made a provisional vote to not renew the County's coverage in 2007, based in part on the loss runs. He stated that on Thursday a representative from NYMIR will be meeting with various County Dept. Heads to discuss internal practices and policies in an effort to limit exposure to potential losses. He stated that NYMIR would like to see positive changes in the County so that the provisional vote won't become their final vote.

Chairman Quackenbush stated that the County will be working with NYMIR closely to eliminate exposure to potential losses.

Supervisor Johnson left Chamber at 8:38 PM.

Chairman Haak stated that a few vendors have already been approached by the County's current broker Mang and have declined the County coverage based on losses.

Supervisor DiMezza stated that an RFP should be put out for a broker that would provide more insurance carrier options to the County.

Supervisors DiMezza and McMahon made a motion and seconded, respectively, to sponsor a draft Resolution to pursue an RFP for a broker for 2007 with an option to renew for 2008 and 2009. The Resolution will be moved to the full Board with a positive recommendation.

Chairman Haak stated his objection, for the record.

Item #6 (formerly item #4 "Discussion regarding Montgomery County Procurement Policy"): Chairman Quackenbush stated that the policy hasn't been reviewed since 1992, and one part must be addressed. He stated that the County has 90 days to submit a corrective action plan.

Supervisors Quackenbush and DiMezza made a motion and seconded, respectively, to sponsor and move a draft Resolution to remove certain wording from the purchasing policy to the full Board with a positive recommendation. There were no objections.

Chairman Haak stated that the Board should take a look at other purchasing policies to make sure they are up-to-date.

Clerk's Note: Purchasing Agent Scott Surrento or Supervisor Brian Haak will write the Resolution.

Item #7 (formerly item #6, Other): Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FRASER AND ASSOCIATES - ENGINEERING DESIGN SERVICES - FMCC WASTEWATER TREATMENT PLANT UPGRADE PROJECT - PROPOSED 2007 CAPITAL PLAN (FMCC).

Supervisors McMahon and Greco made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #8 (formerly item #6, Other): Chairman Haak stated that the County Sheriff recommends that a corporate credit card be made available for business-related travel. The Sheriff stated that he's used his personal credit card in the past, and that it is no longer an option.

County Auditor Marco Zumbolo explained the options and benefits of Procurement Cards vs. Credit Cards.

Supervisors Thomas and Cechnicki made a motion and seconded, respectively, to sponsor and move a draft Resolution to obtain a County Procurement Card to the full Board with a positive recommendation. There were no objections.

Item #9 (formerly item #6, Other): Supervisor Cechnicki stated that the Root Town Board approved filing a notice of claim against Canal Corporation against the 90 day window for flood claims. He stated that the town is not formally filing a lawsuit, but protecting the town's rights in the future. He stated that the County might consider doing the same.

Chairman Haak stated that, in summary, Root authorized a notice of claim.

Supervisor DiMezza stated that he doesn't support any lawsuit, and spoke in support of FEMA and Canal Corporation.

Supervisors Cechnicki and Haak made a motion and seconded, respectively, to sponsor and move a draft Resolution to authorize a notice of claim to the full Board with a positive recommendation.

Supervisors DiMezza and McMahon made a motion to table the draft Resolution. Supervisors Haak and Cechnicki opposed.

Clerk's note: Chairman Haak stated that he will write the Resolution, but that it won't appear on the agenda of the full Board meeting because it was tabled.

The motion was made and seconded by Supervisors Thomas and McMahon, respectively, to adjourn the Finance Committee.

Chairman Haak adjourned the Finance Committee meeting at 9:08 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
PUBLIC HEARING
6:55 PM, September 26, 2006

MONTGOMERY COUNTY APPLICATION TO EMPIRE STATE DEVELOPMENT CORPORATION - 2006 RESTORE NY PROGRAM

ACTION ON BUSINESS

Present were Supervisors Quackenbush, Johnson, Greco, Paton, McMahon, Strevy, Dybas, Walters, Thomas and Mancini.

Absent were Supervisors Jonker, DiMezza, Cechnicki, Schumann and Haak.

Chairman Quackenbush opened Public Hearing at 6:55 PM and read the following notice:

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Montgomery will meet at the Supervisor's Chambers, County Office Building, Route 30A(Broadway), Fonda, New York on Tuesday, September 26, 2006 at 6:55 p.m. for the purpose of holding a public hearing on MONTGOMERY COUNTY APPLICATION TO THE EMPIRE STATE DEVELOPMENT CORPORATION - 2006 RESTORE NY PROGRAM.

By order of the Board of Supervisors of Montgomery County.

There were no speakers.

Chairman Quackenbush adjourned Public Hearing at 6:56 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, September 26, 2006

CALL TO ORDER

Chairman Quackenbush called the Regular Meeting of the Montgomery County Board of Supervisors for September 26, 2006 to order at 7:00 PM.

SALUTE TO THE FLAG

Chairman Quackenbush led the salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors Quackenbush, Johnson, Greco, Paton, McMahon, Strevy, Haak, Dybas, Schumann, Walters, Thomas, Jonker and Mancini were present. Supervisors Cechnicki and DiMezza were absent.

Supervisor Cechnicki entered Chamber at 7:11 PM.

OTHER

MOTION TO AMEND AGENDA by Supervisor Quackenbush, seconded by Supervisor Greco to entertain the draft RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NEXTEL OF NEW YORK INC. (CELL PHONES) during the New Business section, was defeated with Aye(1212). Supervisors Schumann, Dybas and Haak voted Nay. Supervisors DiMezza and Cechnicki were absent.

Clerk's Note: The draft Resolution will be entertained in the next Finance Committee meeting on October 17, 2006.

PRIVILEGE OF THE FLOOR

A. Proclamation - Montgomery County Office for the Aging, 2006 Older Worker of the Year

B. Public Comment

Supervisor Strevy presented to Margaret Streeter the "2006 Older Worker of the Year" proclamation which acknowledges her dedication and enthusiasm toward the Office of the Aging.

The Board recognized Root resident Evelyn Lindley and Mohawk Resident Bill Holden, who both spoke in support of Resolution 291 (regarding snow and ice control agreement).

Chairman Quackenbush adjourned the Privilege of the Floor at 7:09 PM.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (August 22 - Sept. 19, 2006) by Supervisor Greco, seconded by Supervisor Johnson, passed with Aye(1583). Supervisors DiMezza and Cechnicki were absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Dybas, seconded by Supervisor Jonker, passed with Aye(1583). Supervisors DiMezza and Cechnicki were absent.

UNFINISHED BUSINESS

None.

NEW BUSINESS

A. Resolutions

B. Other

RESOLUTION NO. 280 of 2006**DATED:** September 26, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYSED LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND (LGRMIF) - DISASTER RECOVERY GRANT (HISTORY AND ARCHIVES)**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

WHEREAS, the Records Management Officer has been advised that Montgomery County has been offered a \$20,000 Local Government Records Management Improvement Fund Grant to help offset the costs of records recovery expenses due to the flooding that occurred in Montgomery County in June 2006, and

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement accepting a \$20,000 NYSED Local Government Records Management Improvement Fund Disaster Recovery Grant.

RESOLUTION ADOPTED with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (9/26/2006)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 281 of 2006****DATED:** September 26, 2006**RESOLUTION REQUESTING GRANT FUNDING FROM THE NEW YORK STATE EMPIRE STATE DEVELOPMENT CORPORATION TO IMPLEMENT THE RESTORE NY COMMUNITIES INITIATIVE MUNICIPAL GRANT PROGRAM**

Resolution by Supervisor: Thomas

Seconded by Supervisor: DiMezza

WHEREAS, the New York State Empire State Development Corporation is soliciting projects to implement Governor George E. Pataki's efforts to provide assistance for the revitalization of local communities, and

WHEREAS, funding for a grant program to implement the vision of the governor and the State Legislature was approved in the 2006-2007 New York State Budget, and Empire State Development Corporation received a \$300 million appropriation to implement the Restore NY Communities Initiative for the sole purpose of revitalizing urban areas and stabilizing neighborhoods as a means to attract residents and businesses, thereby improving municipal finances and the wherewithal to grow their tax and resource base, and

WHEREAS, the municipal project sponsor shall find that the proposed projects are consistent with existing local and/or regional plans; the proposed financing is appropriate for the specific facility or project; the project facilitates effective and efficient use of existing and future public resources so as to promote both economic development and preservation of community resources; and where applicable, the project develops and enhances infrastructure and/or other facilities in a manner that will attract, create, and sustain employment opportunities, and

WHEREAS, it is further anticipated that in building vibrant communities and diverse economies, municipalities can lessen their dependence on state aid,

RESOLVED, the County of Montgomery supports the principals, intent, and establishment of the Restore NY Communities Initiative, as proposed by the Governor and the State Legislature, and deems it to be in the public interest and benefit, and

FURTHER RESOLVED, the County of Montgomery firmly supports the submission of an application for funding from the New York State Empire State Development Corporation through the Restore NY Communities Initiative Municipal Grant Program for the properties listed within the Restore NY Grant Application submitted herein, and

FURTHER RESOLVED, by the County of Montgomery that the Chairman of the Board of Supervisors is the representative authorized to act in behalf of the applicant in all matters related to this application to participate in the Restore NY Communities Initiative and is authorized to sign and submit the enclosed application, and

FURTHER RESOLVED, should the applicant, as a result of this application receive state assistance, the representative is also authorized, following review and approval of the County Attorney, to act on behalf of the applicant in all matters related to the project and to State assistance.

RESOLUTION ADOPTED with Aye(1583). Supervisors DiMezza and Cechnicki were absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Thomas recommended tabling Resolution 282, as there may be a question of the cost of services. There were no objections.

RESOLUTION NO. 282 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - C.T. MALE ASSOCIATES, P.C. - RESTORE NY COMMUNITIES INITIATIVE (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Johnson

WHEREAS, Montgomery County has applied to New York State Empire State Development Corporation for funding through its Restore NY Communities Initiative, and

WHEREAS, C.T. Male Associates, P.C. submitted a proposal to develop the application for Montgomery County, and

WHEREAS, C.T. Male Associates, P.C. prepared the application in accordance with their proposal, and

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with C.T. Male of Latham, New York for the aforementioned services in an amount not to exceed \$5,400.

MOTION TO TABLE by Supervisor Thomas, seconded by Supervisor Haak, passed with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 283 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING REVOLVING LOAN FUND AGREEMENT - COLLECT, LLC

Resolution by Supervisor: Haak

Seconded by Supervisor: Thomas

WHEREAS, Montgomery County administers an Economic Development Program for the purpose of creating and retaining jobs, and

WHEREAS, the Montgomery County Industrial Development Agency (MCIDA) has reviewed a business loan application from Collect, LLC, and

WHEREAS, said applicant has requested a loan from the Economic Development Program for the purposes of working capital to restore their factory and equipment in St. Johnsville which was damaged in the June 2006 flooding event,

RESOLVED, the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement, and any other legal documents necessary to process and economic development loan, in a principal amount not to exceed \$300,000, to Collect, LLC.,

FURTHER RESOLVED, that the proceeds shall come from Montgomery County's Program Income Account, and

FURTHER RESOLVED, that said loan shall be made payable immediately upon the borrower receiving funds through other State and Federal sources as part of any disaster relief aid, and

FURTHER RESOLVED, in the event that disaster relief assistance funding is not received within one hundred eighty (180) days of closing and there remains an outstanding balance on this loan, said loan shall be payable in not more than 60 monthly installments starting on the one hundred eighty-first (181) day, with an interest rate of prime -2 (at time of closing) beginning to accrue on the one hundred eighty-first (181) day, and

FURTHER RESOLVED, that Collect, LLC. shall satisfy all conditions recommended by the MCIDA, and

FURTHER RESOLVED, that, at the time of closing, a sum of \$1,500 shall be deducted, to allow for closing fees.

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 284 of 2006

DATED: September 26, 2006

RESOLUTION GRANTING APPROVAL OF EXTENSION NO. 1 - TOWN OF FLORIDA WATER AND SEWER DISTRICTS - MEAD SUBDIVISION

Resolution by Supervisor: Strevy

Seconded by Supervisor: Johnson

WHEREAS, Montgomery County entered into an intermunicipal cooperation agreement with the Town of Florida and the City of Amsterdam to provide water and sewer services to the Florida Business Park, and

WHEREAS, as part of the project, various water and sewer improvements were completed in the City of Amsterdam and the Town of Florida to provide said services in the interest of promoting economic development in Montgomery County, and

WHEREAS, a provision of the intermunicipal cooperation agreement stipulates that all three municipal parties must approve any future extension of water and sewer service, and

WHEREAS, Ronald and Barbara Mead have subdivided a portion of their land on Broadway Extension in the Town of Florida into 89 single-family lots of which approximately 38 lots are already in the previously approved Water and Sewer Districts, and

WHEREAS, the remaining 51 lots are in the Extension No. 1 of the Town of Florida Water and Sewer District, duly formed by the Town of Florida Town Board, and

WHEREAS, the City of Amsterdam has also approved the formation of Extension No. 1 to the water and Sewer Districts.

RESOLVED, that the Montgomery County Board of Supervisors hereby approves Extension No. 1 of the Water and Sewer Districts to serve a portion of the Mead Subdivision outside the boundary of the existing districts.

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 285 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FRASER AND ASSOCIATES - ENGINEERING DESIGN SERVICES - FMCC WASTEWATER TREATMENT PLANT UPGRADE PROJECT - PROPOSED 2007 CAPITAL PLAN (FMCC)

Resolution by Supervisor: McMahan

Seconded by Supervisor: Greco

WHEREAS, Fulton County Resolution 147 of 2005 established the Fulton County Sewer District No.1 and Fulton County Resolution 381 of 2005 suspended all work on the Fulton County Sewer District No. 1 Project and authorized Fraser and Associates to prepare an engineering evaluation of the FMCC Wastewater Treatment Plant to determine if said facility could properly handle and treat all wastewater coming from FMCC and HFM BOCES, and

WHEREAS, said evaluation determined that the FMCC Wastewater Treatment Plant could handle wastewater flows from both facilities and recommended a series of improvements, and

WHEREAS, Montgomery County Resolution 168 of 2006 endorsed the FMCC Wastewater Treatment Plant Renovation Project and its submittal to SUNY, and

WHEREAS, Fraser and Associates has submitted a proposal to prepare design plans and bid documents for said project, at a cost not to exceed \$55,000, and

WHEREAS, Fraser and Associates has also agreed to bill for said services in 2007,

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 Fraser and Associates of

Rensselaer, NY for engineering design services for the FMCC Wastewater Treatment Plan Upgrade Project as follows:

Design	\$41,000
DEC Reviews/Design Report	7,000
Preparation of Bid Documents	7,000 (includes reproduction)
	<u>\$55,000</u>

, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors agrees to include an appropriation for said expense in the 2007 County Operating Budget, 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(1374). Supervisor Dybas voted Nay. Supervisor Schumann abstained. Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 286 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CONTINUATION OF CLEO AGREEMENT BETWEEN THE COUNTY OF MONTGOMERY AND THE COUNTIES OF FULTON AND SCHOHARIE TO COMPLY WITH IMPLEMENTATION REQUIREMENTS OF THE WORKFORCE INVESTMENT ACT OF 1990

Resolution by Supervisor: Dybas

Seconded by Supervisor: DiMezza

WHEREAS, in accordance with the Workforce Investment Act (WIA) of 1998, Fulton, Montgomery, and Schoharie Counties entered into an agreement prescribed by WIA to govern the management structure for the Fulton Montgomery and Schoharie Counties Workforce Development Board, and

WHEREAS, the Chief Local Elected Officials (CLEO) agreement authorizes the FMS Workforce Development Board to provide planning guidance, monitoring, support, oversight and regulation to ensure the highest quality workforce development system; and,

WHEREAS, said CLEO agreement should be renewed on a yearly basis on July 1 of each year,

RESOLVED, That the Chairman of the Board, upon review and approval of the County Attorney, is hereby authorized and directed to sign a formal Chief Local Elected Officials (CLEO) agreement between the County of Montgomery and the Counties of Fulton and Schoharie to continue to meet the requirements of the Workforce Investment Act, and

FURTHER RESOLVED, this agreement is effective July 1, 2006 and continues through June 30, 2007, and

FURTHER RESOLVED, if a new agreement is not in place at that time, provisions of this agreement will continue in effect until a new agreement is signed and accepted by the Chief Elected Officials.

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 287 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN EXTENSION OF MEMORANDUM OF AGREEMENT BETWEEN FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD AND CONSORTIUM FOR ONE-STOP OPERATOR SERVICES

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Dybas

WHEREAS, The Fulton-Montgomery-Schoharie Workforce Development Board utilizes a consortium of the Schoharie County Community Action Program, NYS Department of Labor and Schoharie County Department of Social Services to operate its local Workforce Solution Centers in Gloversville,

Amsterdam and Cobleskill, and

WHEREAS, under Section 121 of the workforce Investment Act, the local workforce Investment Board must "with the agreement of the chief elected official(s)" designate or certify one-stop operators, and

WHEREAS, a Memorandum of Agreement between the FMS workforce Development Board and consortium for one-stop operator services had been in place and expired on June 30, 2006, and

WHEREAS, said consortium is requesting and the One-Stop Oversight Committee is recommending that the FMS workforce Development Board and the chief elected officials of Fulton, Montgomery and Schoharie Counties continue this designation through June 30, 2008,

RESOLVED, that the Montgomery County Board of Supervisors is in agreement with the continued designation of said consortium and hereby consents to the extension of the Memorandum of Agreement between Fulton-Montgomery-Schoharie Workforce Development Board and the Schoharie County Community Action Program, NYS Department of Labor and Schoharie County Department of Social Services to operate its local workforce Solution Centers in Gloversville, Amsterdam and Cobleskill, and

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

FURTHER RESOLVED, that this agreement is effective July 1, 2006 and continues through June 30, 2008, and

FURTHER RESOLVED, that if a new agreement is not in place at that time, provisions of this agreement will continue in effect until a new agreement is signed and accepted by the Chief Elected Local Officials of each participating County.

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 288 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SCS/IBM - MAINFRAME/BACKUP COMPUTER LEASING (DATA PROCESSING)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Quackenbush

WHEREAS, the current lease for the County's mainframe will be up in October of 2006, and

WHEREAS, the County will need to upgrade to a newer more powerful machine, and

WHEREAS, the cost of the lease of said upgrade will come in significantly less than the current lease agreement, and

WHEREAS, the Data Processing Director recommends updating the County mainframe and the leasing of a 2nd computer which will be located in the Sheriff's Office and used as a backup to the mainframe as well as housing the software and files used by the Sheriff's Office for dispatch and 911,

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 lease agreement with SCS and IBM for the provision of a mainframe and backup computer for a period of 3 years, in an amount not to exceed \$107,892 total for the term of the lease.

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 289 of 2006

DATED: September 26, 2006

RESOLUTION UPGRADING COMPUTER PROGRAMMER POSITION TO COMPUTER PROGRAMMER ANALYST SPECIALIST AND AMENDING 2006 OPERATING BUDGET (DATA PROCESSING)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Thomas

WHEREAS, a position of Computer Programmer currently exists in the Data Processing Department which is an entry level position,

WHEREAS, the Data Processing Director recommends that the current Computer Programmer position be upgraded to the position of Computer Programmer Analyst Specialist to fairly reflect and compensate the skill level necessary, and the responsibilities associated with the programming duties required,

RESOLVED, that the position of Computer Programmer Analyst Specialist at a Grade Level (J) and a base salary of \$32,297 is hereby established and the position of Computer Programmer abolished in the Data Processing Department, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-14-4-1680-00-1110 (291)	Computer Programmer	\$7,928.90
A-14-4-1680-00-1111 (324)	Overtime	\$1,258.00

TRANSFER TO:

A-14-4-1680-00-1110 (1349)	Computer Programmer Analyst Specialist	\$9,186.90
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RESOLUTION ADOPTED with Aye(1553). Supervisor Haak voted Nay. Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 290 of 2006

DATED: September 26, 2006

RESOLUTION REQUESTING THE MONTGOMERY - OTSEGO - SCHOHARIE SOLID WASTE AUTHORITY (MOSA) TO RESEARCH AND ASSESS THE FEASIBILITY OF A SINGLE RECYCLING DISPOSAL SITE AT ITS WESTERN TRANSFER STATION

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, on September 12, 2006 the General Services Committee met to discuss a request from the City of Amsterdam to consider establishing a County-wide site for recyclables to be dropped off and processed, and

WHEREAS, said Committee has recommended that said proposal has merit and should be explored further by MOSA,

RESOLVED, that the Montgomery County Board of Supervisors does hereby formally request that the Montgomery - Otsego - Schoharie Solid Waste Authority (MOSA) research and assess the feasibility of a single recycling disposal site at its western transfer station for the City, Towns and Villages of Montgomery County.

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Walters spoke in support of Resolution 291.

Supervisor Schumann stated that, based on her research, Fulton County pays \$4750 per center mile. She stated that she will support the Resolution if the Board commits to exploring other options other than "per centerline mile".

In response to a query, Treasurer Shawn Bowerman stated that the budget's line item for snow/ice removal is currently \$1,184,000, and based on the Resolution as stands, an additional \$789,000 would need to be allocated to cover the cost.

Supervisor Strevy stated his support of exploring other options also.

DPW Commissioner Paul Clayburn stated that there has been no increase in the cost for six years, and should any towns, villages or City refuse to sign the agreements, a private contractor would need to be hired to do the job, as the County doesn't have the needed equipment.

Supervisor Dybas stated that, for the record, he will abstain his vote as it isn't clear where the extra money will come from.

Supervisor Johnson stated that the residents of Montgomery County must come first.

RESOLUTION NO. 291 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SNOW AND ICE CONTROL (PUBLIC WORKS)

Resolution by Supervisor: Greco

Seconded by Supervisor: Strevy

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 ten 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 \$5,000 per centerline mile, during the winter of 2006-2007.

MOTION TO AMEND by Supervisor Jonker, seconded by Supervisor Haak, as follows:

In the FURTHER RESOLVED clause, strike "\$5,000" and insert "\$4,500"

and to insert at the end of the FURTHER RESOLVED clause "and a rate of \$4,700 per centerline mile, during the winter of 2007-2008, as a two-year contract",

was defeated with Aye(689). Supervisors Schumann, Dybas, Mancini, Jonker, Cechnicki and Haak voted Aye. Supervisor DiMezza was absent. (9/26/2006)

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Jonker as follows:

by inserting before the period at the end of the FURTHER RESOLVED clause, " and 2007-2008, as a two-year contract",

passed with Aye(1139). Supervisors Greco, Schumann, Dybas and Haak voted Nay. Supervisor DiMezza was absent. (9/26/2006)

RESOLUTION ADOPTED with Aye(1278). Supervisors Schumann and Haak voted Nay. Supervisor Dybas abstained. Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 292 of 2006

DATED: September 26, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - CHIPS FUNDS (PUBLIC WORKS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Paton

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 2006 Operating Budget, as follows:

INCREASE:

Revenue:

D-12-3-3501	Consolidated Highway Aid	\$150,237
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Appropriations:

D-12-4-9900-00.9950 Interfund Transfer Cap. Proj. Fund \$150,237

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 293 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS OFFICE OF HOMELAND SECURITY- STATE HOMELAND SECURITY PROGRAM - SHSP (EMERGENCY MANAGEMENT) & LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM - LETPP (SHERIFF)

Resolution by Supervisor: Haak

Seconded by Supervisor: DiMezza

WHEREAS, the County has been notified of the award of a \$36,100 FY06 State Homeland Security Program (SHSP) Grant and a \$29,500 FY06 Law Enforcement Terrorism Prevention Program (LETPP) Grant, and

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

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes acceptance of a \$36,100 State Homeland Security Grant and a \$29,500 Law Enforcement Terrorism Prevention Program Grant, and

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

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 294 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING THE PURCHASE OF VEHICLE AND AMENDING THE 2006 OPERATING BUDGET (DISTRICT ATTORNEY)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Schumann

WHEREAS, the District Attorney has requested permission to purchase a vehicle under state contract to be used by him for the purpose of travel relating to drug investigations and duties in connection with said office,

RESOLVED, that the Board of Supervisors hereby authorizes the purchase of a vehicle to be paid for with a portion of the monies currently on deposit in the designated line item which represents forfeiture of crime proceeds (.4522) in connection with Montgomery County prosecutions, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement providing for the purchase of a vehicle to be used by the District Attorney, per terms established by state contract, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 operating budget, as follows:

ADD EXPENDITURE LINE ITEM

A-25-4-1165-00-2230 (Motor Vehicle Equip)

TRANSFER FROM:

A-25-4-1165-00-4522 (DA/Law Enforce) \$15,000.00

TRANSFER TO:

A-25-4-1165-00-2230 (Motor Vehicle Equip) \$15,000.00

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 295 of 2006

DATED: September 26, 2006

RESOLUTION AMENDING THE 2006 OPERATING BUDGET - FORFEITURE MONIES (DISTRICT ATTORNEY)

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Schumann

WHEREAS, the District Attorney has received forfeiture crime proceeds in the amount of \$3,063.68 from a drug related investigation and arrest conducted by local law enforcement agencies in Montgomery County, and

WHEREAS, the District Attorney would utilize said forfeiture monies to purchase necessary equipment for law enforcement agencies in Montgomery County,

RESOLVED, that the Montgomery County Treasurer amend the 2006 operating budget for the office of District Attorney as follows:

INCREASE:

REVENUE:

A-25-3-2626 Forftr Cr Proc Rest \$3,063.68

APPROPRIATIONS:

A-25-4-1165-00-4452 DA/Law Enforcement Programs \$3,063.68

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 296 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LETTER OF APPROVAL TO ACCEPT FUNDS FOR SUPERVISION OF LEVEL 3 SEX OFFENDERS (PROBATION)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Quackenbush

WHEREAS, the Montgomery County Probation Dept. supervises sex offenders in the community, and

WHEREAS, sex offenders are classified as part of the Sex Offender Registration Act at three levels of risk, and

WHEREAS, Level 3 sex offenders present the greatest risk to the community and require the most intense level of supervision from the Probation Dept., and

WHEREAS, the New York State Division of Probation and Correctional Alternatives has received funds for fiscal year 2006-07 to provide financial assistance to counties for Probation Departments to provide enhanced supervision services to Level 3 sex offenders, and

WHEREAS, Montgomery County's share of these funds is \$4,000

WHEREAS in order to accept these funds a letter of approval must be executed by the Chairman of the Board of Supervisors,

RESOLVED, that the Board of Supervisors hereby approves the Probation Department to accept \$4,000 from the New York State Department of Probation and Correctional Alternatives for the enhanced supervision of Level 3 sex offenders, 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 a contractual agreement with the NYS Division of Probation and Correctional Alternatives for this purpose.

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 297 of 2006

DATED: September 26, 2006

RESOLUTION ESTABLISHING WORKERS COMPENSATION MEDICAL ONLY FOR PUBLIC HEALTH VOLUNTEER SERVICES

Resolution by Supervisor: Walters

Seconded by Supervisor: Johnson

WHEREAS, the Public Health Director has identified the need for Volunteer Services within the Public Health Department, and

WHEREAS, the Public Health Director has identified that County Volunteers are currently covered under the County's General Liability Insurance, and

WHEREAS, the Public Health Director has identified the County has a Self-Insured Workers Compensation Program, and

WHEREAS, the Public Health Director recommended workers Compensation Medical Only be established for individuals providing Public Health Volunteer Services, and

RESOLVED, that the Personnel Director amend the County's Self-Insured Workers Compensation Program to include workers Compensation Medical Only for Public Health Volunteers.

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 298 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2007 - 2009 CHILD AND FAMILY SERVICE PLAN (SOCIAL SERVICES AND YOUTH BUREAU)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

WHEREAS, the Commissioner of Social Services and Youth Bureau Director have requested that the County enter into a three-year Child and Family Service Plan with the New York State Office of Children and Family Services, and

WHEREAS, the Commissioner of Social Services and Youth Bureau Director recommend acceptance of said proposal, and

WHEREAS, said Agreement will enable the County to remain eligible for Federal and State Aid reimbursement,

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed, following review and approval by the County Attorney, to sign the Child and Family Service Plan Agreement for the period commencing on January 1, 2007 and ending on December 31, 2009.

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Due to current circumstances, Supervisor Jonker recommended tabling Resolution 299.

RESOLUTION NO. 299 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MED-REV RECOVERIES, INC. - RECEIVABLE RECOVERY (MONTGOMERY MEADOWS)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

WHEREAS, the Nursing Home Administrator has deemed it necessary to renew the agreement with Med-Rev Recoveries for the provision of recovery of past due residents' accounts for Montgomery Meadows Residential Health Care Facility,

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 Med-Rev Recoveries for the provision of recovery of residents' past due accounts for Montgomery Meadows Residential Health Care Facility, and

RESOLVED, that said agreement will be for a one year period from August 1, 2006, and

FURTHER RESOLVED, pursuant to the pending sale of Montgomery Meadows Residential Health Care Facility, this agreement may be terminated upon thirty (30) days written notice by either party without cause.

MOTION TO TABLE by Supervisor Jonker, seconded by Supervisor Paton, passed with Aye(1231). Supervisors Schumann, Dybas and McMahon voted Nay. Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 300 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - LINDA PRAETORIUS - BEAUTICIAN SERVICES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

WHEREAS, the Nursing Home Administrator has deemed it necessary to renew the agreement with Linda Praetorius, for the provision of beautician services for the residents of Montgomery Meadows Residential Health Care Facility,

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 Linda Praetorius, for the provision of beautician services to the residents of Montgomery Meadows Residential Health Care Facility, and

RESOLVED, that said agreement will be for a one year period from August 1, 2006, and

FURTHER RESOLVED, pursuant to the pending sale of Montgomery Meadows Residential Health Care Facility, this agreement may be terminated upon thirty (30) days written notice by either party without cause.

RESOLUTION ADOPTED with Aye(1553). Supervisor Haak voted Nay. Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 301 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FAVORITE HEALTHCARE STAFFING, INC. - SUPPLEMENTAL NURSING PERSONNEL SVCS (MONTGOMERY MEADOWS)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Jonker

WHEREAS, the Nursing Home Administrator has deemed it necessary to enter into an agreement with Favorite Healthcare Staffing, Inc. for the provision of supplemental nursing personnel to work various shifts in the facility,

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 Favorite Healthcare Staffing, Inc. for the provision of supplemental nursing personnel to work various shifts in the facility, and

RESOLVED, that said agreement will be for a six month period from the date of signing, and

FURTHER RESOLVED, pursuant to the pending sale of Montgomery Meadows RHC, this agreement may be terminated upon thirty (30) day written notice by either party without cause.

RESOLUTION ADOPTED with Aye(1553). Supervisor Haak voted Nay. Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 302 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - THE LOCATOR SERVICES GROUP - FUND RECOVERY SERVICES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

WHEREAS, the Health and Human Services Committee has recommended that the County enter into an agreement with The Locator Services Group, Ltd. To assist in recovering funds due to the facility, and

WHEREAS, there is no upfront cost for said services, as said vendor would charge a fee equal to 25% of the recovery after it was made,

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 Locator Services Group, Ltd, of Boston, MA for the provision of fund recovery services at a cost not to exceed 25% of the funds recovered.

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 303 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MED STAFF (VISITING NURSES ASSOCIATION OF ALBANY OF HOME CARE CORP - SUPPLEMENTAL NURSING PERSONNEL SERVICES (MONTGOMERY MEADOWS))

Resolution by Supervisor: Dybas

Seconded by Supervisor: DiMezza

WHEREAS, the Nursing Home Administrator has deemed it necessary to enter into an agreement with Med-Staff, a division of Visiting Nurse Association of Albany Home Care Association for the provision of supplemental nursing personnel to work various shifts in the facility,

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 Med-Staff for the provision of supplemental nursing personnel to work various shifts in the facility, and

RESOLVED, that said agreement will be for a six month period from the date of signing, and

FURTHER RESOLVED, pursuant to the pending sale of Montgomery Meadows RHC, this agreement may be terminated upon thirty (30) day written notice by either party without cause.

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 304 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CORNERSTONE TELEPHONE COMPANY - TELEPHONE SERVICE (MONTGOMERY MEADOWS)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

WHEREAS, the Nursing Home Administrator has deemed it necessary to enter into an agreement with Cornerstone Telephone Company for the provision of telephone service to Montgomery Meadows Residential Health Care Facility,

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 Cornerstone Telephone Company for the provision of telephone service to Montgomery Meadows Residential Health Care Facility, and

RESOLVED, that said agreement will be for a three (3) year period from May 7, 2006, and

FURTHER RESOLVED, pursuant to the pending sale of Montgomery Meadows Residential Health Care Facility, this agreement may be terminated, with no penalties owed by the facility, upon thirty (30) days written notice by either party without cause.

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 305 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - LISA VOLK - PRI ASSESSMENTS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: DiMezza

WHEREAS, the Nursing Home Administrator has deemed it necessary to enter into an agreement with Lisa Volk for the completion of PRI assessments for Montgomery Meadows Residential Health Care Facility,

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 Lisa Volk for the completion of PRI assessments for Montgomery Meadows Residential Health Care Facility, and

RESOLVED, that said agreement will be for a one year period from August 1, 2006, and

FURTHER RESOLVED, pursuant to the pending sale of Montgomery Meadows Residential Health Care Facility, this agreement may be terminated upon thirty (30) days written notice by either party without cause.

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 306 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SONDR LYGA - PRI ASSESSMENTS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Jonker

Seconded by Supervisor: DiMezza

WHEREAS, the Nursing Home Administrator has deemed it necessary to enter into an agreement with Sondra Lyga for the completion of PRI assessments for Montgomery Meadows Residential Health Care Facility,

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 Sondra Lyga for the completion of PRI assessments for Montgomery Meadows Residential Health Care Facility, and

RESOLVED, that said agreement will be for a one year period from August 1, 2006, and

FURTHER RESOLVED, pursuant to the pending sale of Montgomery Meadows Residential Health Care Facility, this agreement may be terminated upon thirty (30) days written notice by either party without cause.

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 307 of 2006

DATED: September 26, 2006

**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - REAL PROPERTY TAX
ADMINISTRATION TECHNOLOGY IMPROVEMENT GRANT PROGRAM (REAL PROPERTY)**

Resolution by Supervisor: DiMezza

Seconded by Supervisor: walters

WHEREAS, the Real Property Tax Director has made recommendation that the County prepare application to NYS for a Real Property Tax Administration Technology Improvement Grant, and

WHEREAS, said grant program will provide funding for a multi-purpose web-based parcel-related software application that promotes the integration and use of parcel data among multiple levels of government, and

WHEREAS, the Director has also recommended that said grant application be written by Fountains Spatial, Inc. of Schenectady, NY at no cost to the County,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign a grant application to the NYS Real Property Tax Administration Technology Improvement Grant Program, 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 an agreement with Fountains Spatial, Inc. of Schenectady, NY for the provision of grant writing services.

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 308, Marco Zumbolo, County Auditor, spoke in support of a credit card over a procurement card. He stated that the credit card, carrying the name of Shawn Bowerman, would be held in the Purchasing office, and would be used via the general requisition system, which is already in place.

RESOLUTION NO. 308 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING THE PURCHASING AGENT TO OBTAIN A SINGLE CREDITCARD

Resolution by Supervisor: Thomas

Seconded by Supervisor: Cechnicki

WHEREAS, County personnel have often been required to use personal credit cards in order to make travel arrangements and accommodations or to make allowable purchases that are part of county business; and

WHEREAS, It has been recommended that Montgomery County obtain procurement cards in accordance with state contract pricing to eliminate the need for allowable county expenses to be placed on personal credit cards and to facilitate the procurement of certain items; now, therefore, be it

RESOLVED, That the Purchasing Agent is hereby authorized and directed to obtain Purchasing and Travel Card Services from Citibank USA in accordance with state contract pricing; and be it

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 appropriate agreements.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Haak as follows:

In the second WHEREAS clause, strike "procurement cards in accordance with state contract pricing" and insert in its place "a single credit card", and

In the RESOLVED clause, strike "Purchasing and Travel Card Services from Citibank USA in accordance with state contract pricing" and insert in its place "a single credit card",

passed with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Schumann left Chamber at 8:21 PM.
Supervisor Schumann entered Chamber at 8:22 PM.

RESOLUTION NO. 309 of 2006

DATED: September 26, 2006

RESOLUTION AMENDING THE PROCUREMENT POLICY OF MONTGOMERY COUNTY

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: DiMezza

WHEREAS, The Montgomery County Board of Supervisors had previously adopted Procurement Policies and Procedures to comply with the provisions of the General Municipal Law, Section 104-b; and

WHEREAS, As a result of an examination by the Office of the State Comptroller covering the period January 1, 2004 to March 31, 2005 certain findings regarding the County's procurement policies and procedures were noted; and

WHEREAS, One finding expressed concern with Provision III.B.2. of the County's Procurement Policies and Procedures providing that if a procurement can be made for less than state contract pricing, no further documentation shall be required; and

WHEREAS, The County is desirous of complying with the findings of the Office of the State Comptroller and ensuring that the County's procurement policies comply fully with State law and requirements; now, therefore, be it

RESOLVED, That Provision III.B.2. of the County's Procurement Policies and Procedures is hereby amended by deleting all language and substituting with the following: "If a procurement can be made for less than state contract pricing, the County shall follow the procedures set forth in either Sections I or II of these policies and procedures as appropriate".

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Jonker, by inserting at the end of the Resolution the following:

"FURTHER RESOLVED, That the Finance Committee shall annually review and make necessary and appropriate recommendations for amendment of County's Procurement Policies and Procedures no later than June 30th",

passed with Aye(1510). Supervisors Schumann and DiMezza were absent. (9/26/2006)

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Haak spoke in support of the June 30th date as stated in the new FURTHER RESOLVED clause, stating that the date won't interfere with budget considerations.
Chairman Quackenbush stated that a Risk Management document was presented to all Supervisors.

Supervisor Haak stated that he met with a Loss Representative from NYMIR. NYMIR will be presenting to the County a quote for the January 2007 renewal.

He stated that, based on discussion with NYMIR, Dept. heads must submit loss claims weekly. He also stated that fixed assets must be report weekly so that they can be covered by insurance.

Chairman Haak stated that \$50,000 in Capitalization costs are outstanding with NYMIR, even if the RFP is successful in locating a more reasonable provider.

Supervisors Quackenbush and Jonker state that Risk Management techniques should be in place prior to pursuing any RFP.

Supervisor Dybas stated that he supports the Resolution.

Supervisor McMahon withdrew his seconded sponsorship. Supervisor Dybas seconded the Resolution.

Supervisor Strevy stated that Risk Management is a separate issue, but that the RFP should be held off until a cost quote from NYMIR is received.

Supervisor Schumann stated that the RFP could include a clause stating the need for Risk

Management identification and coordination.

RESOLUTION NO. 310 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING SOLICITATION OF PROPOSALS - GENERAL LIABILITY AND OTHER PERTINENT INSURANCE COVERAGE (PURCHASING)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Dybas

WHEREAS, it has been recommended by the Finance Committee that the County Solicit proposals for provision of general liability and other pertinent insurance coverages,

RESOLVED, that the Board of Supervisors authorizes the Purchasing Agent to solicit proposals for provision of general liability and other pertinent insurance coverages for the period from January 1, 2007 to December 31, 2007 with the option to renew for 2008 and 2009 in accordance with the County procurement policy, and

FURTHER RESOLVED, proposals from qualified insurance agencies will be received and reviewed by the Purchasing Agent.

MOTION TO TABLE by Supervisor Jonker, seconded by Supervisor Strevy, was defeated with Aye(564). Supervisors Johnson, McMahon, Strevy, Jonker and Cechnicki voted Aye. Supervisor DiMezza was absent. (9/26/2006)

RESOLUTION DEFEATED with Aye(846). Supervisors Greco, Schumann, Dybas, Mancini, McMahon, Walters and Strevy voted Aye. Supervisor DiMezza was absent. (9/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

OTHER2

Discussion item: Filing a notice of claim with the State of New York and the Canal Corporation regarding the recent flooding.

This item was discussed during the 9/19/06 Finance Committee meeting to write a potential Resolution that would allow Montgomery County to file notice. The potential Resolution was tabled.

Supervisor Haak, pursuant to the Board's Rules of Procedure, Rule #29e, made a motion to discharge from Committee the tabled discussion item (and potential Resolution). Supervisor Schumann seconded.

The Supervisors further discussed the option, pros and cons of filing a notice of claim.

A motion was made by Supervisor Haak to call the question of the motion to discharge the discussion (and potential Resolution) from Committee. There were no objections. Supervisor DiMezza was absent.

A motion to discharge from Committee failed. Supervisors Johnson, Greco, Paton, McMahon, Strevy, Walters and Thomas voted Nay. Supervisor DiMezza was absent.

The discussion (and potential Resolution) will be entertained in Finance Committee meeting on October 17, 2006.

EXECUTIVE SESSION

Pursuant to Section 105 (h) of NYS Open Meeting Law, MOTION TO ENTER EXECUTIVE SESSION by Supervisor Mancini, seconded by Supervisor Strevy, passed with Aye(1649). Supervisor DiMezza was absent. Executive Session commenced at 9:03 PM.

MOTION TO EXIT EXECUTIVE SESSION by Supervisor Thomas, seconded by Supervisor Dybas, passed with Aye(1649). Supervisor DiMezza was absent. Executive Session adjourned at 9:53 PM.

As a result of Executive Session, no action was taken.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Haak, seconded by Supervisor Greco, passed with Aye(1649). Supervisor DiMezza 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 - FINANCE
6:30 PM, October 2, 2006

COMMITTEE MEETING DISCUSSION

Chairman Haak presided over the meeting commencing at 6:34 PM.

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

Additional Supervisors present were Supervisors Jonker, Johnson, Paton and Mancini. Absent were Supervisors Quackenbush, Dybas, Schumann and Walters.

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

1. 2007 Tentative Operating Budget workshop - The Finance Committee will be holding Departmental Reviews as listed below.

6:30 Board of Supervisors
6:50 Treasurer
7:10 Sheriff
7:30 Public Health
7:50 DPW
8:10 Emergency Management - Fire Coordinator

(These times are approximate; the next scheduled department will follow at the conclusion of each.)

2. Other

Chairman Haak stated that the order of the scheduled departments may change for the convenience of Dept. Heads present.

Chairman Haak acknowledged Treasurer Shawn Bowerman, who gave an overview of the process of putting the tentative budget together in general, and the steps taken to keep the budget reasonable. The budget is 5% over last year. He stated there is no money allotted in the budget for the Meadows. If the Meadows must be funded the way it was last year, the budget would contain an 11% increase.

Board of Supervisors: The upgrade for Account Clerk Typist (shown in line item 1010 00 748 "Sr. Account Clerk Typist") was briefly discussed. It has been rejected by the County Treasurer, and is expected to be revisited at a future date.

Public Health: Director Kim Conboy listed her current staff positions and the roles they play. She stated that she wishes to reinstate the full-time Early Intervention 3-5 Program Manager (titled "PHC Coordinator" 4010 00 257 in the tentative budget for \$27,000), which is currently contracted out on a part-time basis.

Total departmental increase would be approx. 5.9%.

Sheriff: Sheriff Mike Amato disseminated a document on 2007 budget highlights to all present Supervisors. He stated there's one new Road Patrol position and one new Jail position are requested.

He stated that arrests (800 to date) are up slightly compared to last year's numbers.

Sheriff stated that on line item 3020 14 1411 1110 "Dispatcher" should have been funded, and this is a typo. He will find the correct figure and present it to Treasurer Bowerman.

He stated that the Dept. is in need for an additional officer in the jail (line item of 3150 00 1317 1110 "Corrections Officer").

Supervisor Walters entered Chamber at 7:30 PM.

Total departmental increase is approx. 9%, with the two added positions. 90% of the increase is wages.

DPW: Commissioner Paul Clayburn stated that the new snow and ice numbers are in the budget.

He stated that the A fund (1671 00 83 111) "Mail Clerk" has been upgraded, and the salary request is \$26,774, not \$25,533. Personnel has recommended the upgrade, but it hasn't been approved by Resolution by the Board yet.

He stated that the decrease in revenue is offset by the decrease in expenses elsewhere.

Total departmental increase in A Fund is approx. 0%.

Regarding Fund D, Commissioner Clayburn disagrees with the Treasurer's cuts in 5110 00 144 1110 "Highway Labor" and 5110 00 xxxx 4448 "Const. & Maint. Supplies". He stated that he may request the funding in his Capital Plan at another time.

The Treasurer stated that the cuts help balance out the dramatic increase in line item 5142 00 xxx 4469 "Snow Contracts".

Total departmental increase in D Fund is approx. 27%, which reflects the snow contract. The increase would have been 10% without the snow contract.

Regarding DM Fund, the increase is a little over 3% (appropriations side).

Supervisor Mancini left Chamber at 7:50 PM.

Emergency Management: Director Gary Nestle stated that one radio tower is down, and will need repair.

Total departmental increase is 6% for Fund A "Emergency Management".

Total departmental increase is 4% for Fund A "Fire Service".

Supervisor Greco requested a copy of the Emergency Management Plan from Director Nestle.

Supervisor McMahon left Chamber at 8:18 PM.

Treasurer: Shawn Bowerman stated that line item 1325 00 113 "Accountant" will be funded at \$29,098, and changed from the current "\$0".

He stated his departmental increase is 1%, which includes a tuition increase.

The motion was made and seconded by Supervisors Jonker and Greco, respectively, to adjourn the Finance Committee.

Chairman Haak adjourned the Finance Committee meeting at 8:25 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
6:30 PM, October 3, 2006

COMMITTEE MEETING DISCUSSION

Chairman Haak presided over the meeting commencing at 6:30 PM.

Roll call indicated Committee members present included Supervisors DiMezza, Greco, McMahon, Strevy and Thomas. Absent was Supervisor Cechnicki.

Additional Supervisors present were Supervisors Quackenbush, Dybas, Walters, Paton, Jonker and Johnson. Absent were Supervisors Mancini and Schumann.

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

1. 2007 Tentative Operating Budget Workshop - The Finance Committee will be holding Departmental Reviews as listed below.

6:30 Montgomery Meadows

6:40 Economic Opportunity and Development

6:55 County Attorney

(These times are approximate; the next scheduled department will follow at the conclusion of each.)

2. Other

Chairman Haak stated that the Office of the Aging will be substituted for Montgomery Meadows, due to the pending sale.

Item #1: Office for Aging: Exec. Director Eileen Broyles gave an overview of the department and budget. She stated the need for an additional vehicle for outreach. She also stated repairs are needed in the kitchen facility in Palatine Bridge, and are seeking grant money for the same.

Supervisor Dybas entered Chamber at 6:34 PM.

EOD: Director Ken Rose stated that the Senior Planner hired started recently in the office.

Chairman Quackenbush entered Chamber at 6:38 PM.

The departmental increase is 60%, due to the Senior Planner position as well as transfer from CD Fund.

County Attorney: Attorney Doug Landon requested adjustments to the .4 line item, which basically represent inflationary increases.

The departmental increase is 5.6%. Total appropriations are \$106,883.

Item #2, Other: Treasurer Bowerman stated that Fulton Co. has cut a major project out for 2007, so there is a change in the figure for line item 9900 00 9950 (reduction of \$626,726).

Supervisor Paton entered Chamber at 6:45 PM.

The motion was made and seconded by Supervisors Jonker and Greco, respectively, to adjourn the Finance Committee.

Chairman Haak adjourned the Finance Committee meeting at 6:47 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
7:00 PM, October 3, 2006

COMMITTEE MEETING DISCUSSION

Chairman McMahon presided over the meeting commencing at 7:01 PM.

Roll call indicated Committee members present included Supervisors Jonker, Paton, Dybas and Schumann. Supervisors Cechnicki and Mancini were absent.

Additional Supervisors present were Supervisors Greco, Strevy, Quackenbush, Johnson, DiMezza, Thomas, and Haak. Absent were Supervisors Walters.

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

1. Discussion regarding changing Local Law #5 of 1992 - A Local Law Amending Local Law #1 of 1990 Relative to the filing of Financial Disclosure Statements by Certain County Officials and Employees and Providing for a County Code of Ethics as Authorized by Section 812 of General Municipal Law.
2. Discussion regarding the reactivation of the County Ethics Board
3. Discussion Regarding 2007 FMCC Capital Projects Request
4. Other

Chairman McMahon asked for a moment of silence in recognition of the many Amish families in Lancaster County, PA, recently impacted by the school shooting tragedy.

Item #1: The Committee discussed options on ways to rescind and replace the Local Law.

Chairman McMahon recommends rescinding Local Law #1 of 1990 ("Relative to the Filing of Financial Disclosure Statements by Certain County Officials and Employees and Providing for a County Code of Ethics as Authorized by Section 812 of the General Municipal Law").

He stated that the Resolution would set the date of public hearing (Nov. 28, 2006) to rescind the Local Law, and the body of the Resolution should include a WHEREAS clause stating that a new policy is being worked on. The new policy would be in effect until the Organizational Meeting in January, 2007.

Supervisor Dybas suggested that the Board hold one public hearing rescinding & replacing with new policy at the same time.

Supervisor Haak recommends leaving the Local Law as in until a replacement Local Law can be made.

Supervisor Schumann supports the filing of financial statements, which discloses potential conflicts.

Country Attorney Doug Landon stated that financial disclosure statements should be filed with the Board of Supervisor's Office, as the County doesn't have a County Administrator.

Supervisors DiMezza and McMahon made a motion and seconded, respectively, to sponsor a draft Resolution establishing a Public Hearing on Nov. 28, 2006 to rescind Local Law #1 of 1990 and make a new policy effective until the Organizational Meeting in January, 2007. By polling Committee members, the draft Resolution was passed and moved to the full Board meeting with no recommendation.

Clerk's note: County Attorney Landon will be speaking with Supervisor DiMezza about drafting the Resolution.

Item #2: County Attorney Doug Landon stated that anyone previously appointed to the Ethics Board who hasn't resigned or become disqualified from serving are still considered a member. Those members should be contacted, and any remaining spots could be filled.

Supervisor Haak recommended rescinding Local Law #5 of 1992 ("Amending Local Law No. 1 of 1990 Relative to the Filing of Financial Disclosure Statements by Certain County Officials and Employees and Providing for a County Code of Ethics as Authorized by Section 812 of the General Municipal Law").

Supervisor Strevy recommended resurrecting the Board and its members in the new Local Law. The Committee agreed.

Clerk's note: This subject will be revisited at a future date.

Item #3: Chairman McMahon clarified the Capital Projects document that was disseminated to the Committee members, outlining projects to be included in the County's 2007 Capital Plan.

The Student Services Building Renovation capital project was postponed until 2008, changing the total amount of the County's share to \$194,663.00.

Item #4, Other: Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CONSTRUCTION INSPECTION SERVICES - FMCC LIBRARY ROOF REPLACEMENT PROJECT - CLARK PATTERSON ASSOCIATIONS (FMCC).

Supervisors Quackenbush and Paton made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Motion was made and seconded by Supervisors DiMezza and Paton, respectively, to adjourn the Committee meeting.

Chairman McMahon adjourned the Education/Government Committee meeting at 7:37 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 - AGRICULTURE, PLANNING & DEVELOPMENT
7:15 PM, October 3, 2006

COMMITTEE MEETING DISCUSSION

Chairman Johnson presided over the meeting commencing at 7:38 PM.

Roll call indicated Committee members present are Supervisors Dybas, Jonker, Haak and Paton. Supervisors Mancini and Schumann were absent.

Additional Supervisors present were Quackenbush, Thomas, Strevy, McMahon, and DiMezza. Absent were Supervisors Walters, Greco and Cechnicki.

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

1. Resolution Establishing Public Hearing - Review of Agricultural District No. 1 (Economic Development)
2. Resolution Approving the Issuance of Certain Bonds By Montgomery County Industrial Development Agency to Finance A Certain Manufacturing Facility Project for Adirondack Wood Pellet Company, LLC
3. Resolution Approving the Issuance of Certain Bonds By Montgomery County Industrial Development Agency to Finance A Certain Manufacturing Facility Project for Fiber Glass Industries, Inc.
4. Discussion regarding records storage
5. Presentation - Montgomery County Chamber of Commerce Tourism Director - Fall and Winter Calendar of Events
6. Other

Chairman Johnson stated that item #5 is being moved to the top of the agenda list.

Item #1 (formerly item #5, "Presentation - Montgomery County Chamber of Commerce Tourism Director - Fall and Winter Calendar of Events"): Tourism Director Erika Squillance gave an update regarding upcoming current events in Montgomery County, and discussed public relation efforts.

Item #2 (formerly item #1, "Resolution Establishing Public Hearing - Review of Agricultural District No. 1 (Economic Development)": Supervisors Haak and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #3 (formerly item #2, "Resolution Approving the Issuance of Certain Bonds By Montgomery County Industrial Development Agency to Finance A Certain Manufacturing Facility Project for Adirondack Wood Pellet Company, LLC"): Supervisors Thomas and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #4 (formerly item #3, "Resolution Approving the Issuance of Certain Bonds By Montgomery County Industrial Development Agency to Finance A Certain Manufacturing Facility Project for Fiber Glass Industries, Inc.") : Supervisors Dybas and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #5, (formerly item #6, Other): Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - GOVERNORS OFFICE FOR SMALL CITIES 2006 STATE DISASTER RELIEF, TEMPORARY HOUSING ASSISTANCE GRANT PELLET PROGRAM (ECONOMIC DEVELOPMENT). Supervisors Haak and Paton made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #6 (formerly item #4, "Discussion regarding records storage"): Chairman Johnson stated that some storage options include renting pods, storing them in schools (or other off-site facility), or converting to electronic files. Other options were discussed.

Data Processing Director Deb Bain stated that the DP department could convert the records to CD, and store on the AS-400.

Supervisor Strevy recommends Chairman Quackenbush write a letter to off-site locations inquiring about the storage options. There were no objections.

Chairman Quackenbush and Supervisor DiMezza left Chamber at 7:56 PM.

Chairman Johnson stated that she will be obtaining prices for pods.

Supervisors Jonker and Dybas made a motion and seconded, respectively, to adjourn the Committee meeting.

Chair Johnson adjourned the Agriculture, Planning & Development Committee meeting at 7:58 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE
6:30 PM, October 4, 2006

COMMITTEE MEETING DISCUSSION

Chairman Haak presided over the meeting commencing at 6:31 PM.

Roll call indicated Committee members present included Supervisors DiMezza, Greco and Thomas. Absent were Supervisors McMahon, Strevy and Cechnicki.

Additional Supervisors present were Supervisors Quackenbush and Jonker. Absent were Supervisors Paton, Mancini, Schumann, Johnson, Dybas and Walters.

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

1. 2007 Tentative Operating Budget workshop - The Finance Committee will be holding Departmental Reviews as listed below.

6:30 Historian
6:40 Coroner
6:50 Probation
7:10 Data Processing
7:30 Social Services
7:50 Purchasing
8:10 Auditing
8:20 Cornell Cooperative Extension
8:30 Office for the Aging

(These times are approximate; the next scheduled department will follow at the conclusion of each.)

2. Other

Chairman Haak stated that there the order of the agenda items may be shifted to suit, and that Office of the Aging was discussed in yesterday's Finance Committee meeting.

Chairman Haak also stated that the Public Defender, scheduled to appear on October 5, will actually appear at a special Finance Committee meeting on October 17, 2006 at 6:30 PM.

Auditing: Director Marco Zumbolo stated pending is the Sales Tax Refund application.

4.9% is the approx. departmental budget increase.

History & Archives: Historian Kelly Farquhar clarified the need for a full or part-time Library Aide, plus computer equipment replacement needs.

In regards to the storage of 1200 boxes of flood-damaged documents, she also stated that said documents would be prone to continued mold growth, and supports archiving the documents to CD format.

Historian Farquhar stated that the department is receiving increased inquiries from Genealogists via mail, email and visitations.

9.2% is the approx. departmental budget increase.

Probation: Director Lucille Sitterly stated that the biggest increase is for computer software. She also stated that case loads are increasing.

Director Sitterly stated that line item 3140 00 4409 "Office Furniture" needs to be reinstated to \$1,000 in order to replace certain office chairs.

Supervisor DiMezza recommended that the Probation Department pursue purchasing the furniture gently used.

3% is the approx. departmental budget increase.

Data Processing: Director Deb Bain stated that the decrease in revenue is based on removing the expected Meadows & FMCC payroll revenues. She stated that a "Senior Programmer" & "Micro Tech" positions have been added, and are well-needed.

Clerk's note: \$60,000 increase in personnel = \$15,000 (raises) plus \$30,000 (Micro Tech) plus \$15,000 (upgraded positions).

21% is the approx. departmental budget increase.

Purchasing: Purchasing Agent Scott Surento has requested two new computers in the budget. He also stated there will be an auction for surplus equipment.

NYMIR renewal proposal is due Nov. 1st. Flood insurance for buildings affected will be in the proposal, so reimbursement from FEMA can be collected.

An adjustment to the insurance line item will be revisited by Resolution after Nov. 1, 2006.

2% is the approx. departmental budget increase.

Social Services: Commissioner William Cranker stated that this budget is the lowest net increase he's ever seen in a Social Services budget. He clarified the Personnel changes that have occurred within the department during the year, and the changes desired in the 2007 budget.

Supervisor Cechnicki entered Chamber at 7:30 PM.

He stated the following increases from last year: 4.6% in appropriations and 2% in dept. costs.

He stated that by Spring, workers will be available to the City, Towns and Villages for supervised community service work, to be paid by grant money (received by Social Services).

Commissioner Cranker explained an alarming trend -- an increase in the number of disturbed youth who do not meet certain criteria for placement within off-site, live-in programs. This results in additional, unexpected expenditures for creating and maintaining special live-in programs off-site.

1% is the approx. departmental budget increase.

Cornell Cooperative Extension: Exec. Director Marilyn Smith stated that this County is the only County in the Capital region with no Ag staff.

She stated the need for an Ag Agent (\$50,000 salary) in Montgomery County, who would also respond to Fulton County needs. She stated that 60% of the land in Montgomery County is Agriculture, and 11% of the land in Fulton County is Agriculture.

She recommended transferring \$15,000 from EOD General Fund, plus adding \$35,000 to Cornell's base appropriation.

31% is the approx. departmental budget increase.

Clerk's Note: No one appeared on behalf of the Coroner's Office.

The motion was made and seconded by Supervisors Quackenbush and Greco, respectively, to adjourn the Finance Committee.

Chairman Haak adjourned the Finance Committee meeting at 8:35 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
6:30 PM, October 5, 2006

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting in Chairman Haak's stead, commencing at 6:35 PM.

Roll call indicated Committee members present included Supervisor Strevy. Absent were Supervisors Haak, Greco, McMahon, Cechnicki and Thomas.

Additional Supervisors present was Supervisor Jonker. Absent were Supervisors Mancini, Quackenbush, Dybas, Walters, Paton, Johnson and Schumann.

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

1. 2007 Tentative Operating Budget workshop - The Finance Committee will be holding Departmental Reviews as listed below.

6:30 Mental Health
6:40 District Attorney & Public Defender
6:55 Youth Bureau
7:10 Veterans
7:20 County Clerk
7:30 Board of Elections
7:45 Real Property

(These times are approximate; the next scheduled department will follow at the conclusion of each.)

2. Other

Chairman DiMezza stated that the order of items on the agenda may be changed to suit.

Item #1: Mental Health: Director of Comm. Services Jim Gumaer stated that there are only minor changes to the budget.

.5% is the expected budget increase.

Chairman DiMezza stated that District Attorney James Conboy is unable to attend tonight's session, and states in a memo to the Committee that there are no changes in the department's tentative 2007 budget, except for salary (negotiated raises).

Public Defender William Martuscello's office is requesting a part-time Clerk Typist. He was also unable to attend tonight.

Youth Bureau: Exec. Director Jennifer Petteys stated that she is requesting an upgrade from a part-time Clerk Typist position to a full-time Comm. Service Program Clerk in Community Services.

0% is the expected budget increase for DWI, 18% for the other three programs combined.

Veteran's: Director William Mullarkey stated the need for a Veterans Service Officer part-time (line item 6510 00 652 1120, salary of \$12,000). He also requested the following increases, not currently in the draft budget:

2259 - computer equipment - \$2500
4470 - travel - \$2000
4471 - mileage - \$2500
4475 - transportation - \$1200

Supervisor Cechnicki entered Chamber at 7:02 PM.

20% is the expected budget increase, without the unexpected add-ons.

County Clerk: Clerk Helen Bartone stated that the department expects to purchase a new reader printer, which has been put in the tentative budget.

She stated that the County should look at increasing their share of the mortgage tax expenses.

She also stated that she would like to purchase two computers and transfer the money from Personnel.

5% is the expected budget increase.

Board of Elections: Election Commissioners Joan Granier and Lyn May stated the need for two full-time Voting Machine/Election Coordinators, who would program and travel with the county-owned voting machines and train volunteers. The unknown transportation costs haven't been figured into the budget yet.

Commissioner Granier stated that line item 4452 "Printing/Copying" has already reached the \$10,000 mark for this year, and cannot be cut.

Chairman DiMezza stated that all necessary HAVA compliant signs and markers should be stored at the polling signs. Commissioner May stated that she'd like to see the sites responsible for their own HAVA compliancy, also.

Chairman DiMezza stated that he doesn't support the two full-time positions.

Treasurer Shawn Bowerman stated that he's increased line item 4452 (Printing/Copying) has been increased to \$10,000, and line item 4491 (Legal Notice & Advertising) has been decreased to \$5500.

33% is the expected budget increase.

Real Property: Director Flo Stanton stated that there is a need in the department for a new computer and a part-time Real Property Tax Aide.

10% is the expected budget increase.

The motion was made and seconded by Supervisors Cechnicki and Jonker, respectively, to adjourn the Finance Committee.

Chairman Haak adjourned the Finance Committee meeting at 7:40 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
7:00 PM, October 10, 2006

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 7:00 PM.

Roll call indicated Committee members present included Supervisors DiMezza, Dybas, Jonker, Paton and Walters. Absent was Supervisor Schumann.

Additional Supervisors present were Supervisors Thomas, Johnson, Cechnicki, Mancini, Quackenbush, Greco and McMahon. Supervisors Haak was absent.

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

1. Resolution Authorizing Chairman to Sign Agreement - Resource Allocation Plan (Youth Bureau)
2. Resolution Authorizing Funding Allocations - Delinquency Prevention Program (Youth Bureau)
3. Resolution Authorizing Chairman to Sign Program Agreements (Youth Bureau)
4. Resolution Amending 2006 Operating Budget - HEAP Program (Social Services)
5. Resolution Transferring Funds - Various Line Items (Montgomery Meadows)
6. Resolution Authorizing Chairman to Sign Agreement - Pharmacy Services Provider - NCS Healthcare (Montgomery Meadows)
7. Resolution Authorizing Chairman to Sign Agreement - Pharmacy Consulting Services - NCS Healthcare (Montgomery Meadows)
8. Resolution Authorizing Chairman to Sign Amended Agreement - Early Intervention/3-5 Program Manager and Early Intervention Official - Barbara Fiedler (Public Health)
9. Other

Item #1: Supervisors Jonker and Walters made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Supervisor Dybas stated that in the back-up paperwork, MC Youth Bureau Board of Directors Resolutions #4 & #5 have incorrect dating of 2007.

Clerk's note: Clerk will email Youth Services Exec. Director Jennifer Petteys and let her know of the error.

Item #2: Supervisors Walters and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisors DiMezza and Mancini made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #4: Supervisors Dybas and Cechnicki made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #5: Supervisors Dybas and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #6: Supervisors Dybas and Johnson made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #7: Supervisors Dybas and Johnson made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #8: Public Health Director Kim Conboy clarified the Resolution.

Supervisor Dybas inquired with Treasurer Shawn Bowerman as to the exact number of hours Barbara Fielder is working. Treasurer Bowerman will get back to Supervisor Dybas on that.

Supervisors Johnson and Paton made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. Supervisor Dybas abstained.

Item #9, Other: Chairman Strevy stated that, according to the Dept. of Health, contingencies on the Meadow's application are expected to be met in a timely manner, and the CON is expected to be issued shortly.

Supervisor DiMezza requested a Motion to go into Executive Session Pursuant to Section 105 (h) of NYS Open Meeting Law to discuss the proposed sale of real property. A motion to enter Executive Session was made by Supervisor DiMezza and seconded by Chairman Quackenbush. Executive Session began at 7:15 PM.

Supervisors Greco and Thomas made a motion and seconded, respectively, to adjourn Executive Session. The Executive Session was adjourned at 8:18 PM.

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

Motion was made and seconded by Supervisors Greco and Thomas, respectively, to adjourn the Committee meeting.

Chairman Strevy adjourned the Health & Human Services Committee meeting at 8:18 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLD, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - GENERAL SERVICES
7:15 PM, October 10, 2006

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 8:19 PM.

Roll call indicated Committee members present included Supervisors Greco, Johnson, Cechnicki, Paton, Mancini and Strevy.

Additional Supervisors present were Quackenbush, McMahon, Thomas, Jonker and DiMezza. Absent were Supervisors Dybas, Schumann and Haak.

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

1. Resolution Authorizing Chairman to Sign Agreement - Data Processing Services - FMCC (Data Processing)
2. Resolution Adopting New Commercial and Residential Rate Structure - Montgomery County Sanitary District #1
3. Discussion regarding Montgomery County Annex Building
4. Other

Item #1: Supervisors Paton and Strevy made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Strevy and McMahon made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3: DPW Commissioner Paul Clayburn stated that, due to the flooding, there are environmental issues in the County Annex building. He stated that some pipe wrap appears to be damaged, and there are some paint issues and perhaps a mold issue. Earth Tech Northeast has submitted a cost proposal for an environmental survey in the building at a cost of \$10,750. He stated that the cost of the service will be reimbursed by FEMA.

Commissioner Clayburn requested a Resolution authorization the Chair to enter into agreement with Earth Tech Northeast for the environmental survey of the Annex building. Supervisors Strevy and McMahon made a motion and seconded, respectively, to sponsor and move the draft Resolution to the full Board with a positive recommendation. There were no objections.

Clerk's note: Commissioner Clayburn will be writing the Resolution.

Item #4, Other: Paul Clayburn presented the Board a copy of the surplus equipment list from the County. Supervisor Strevy stated that the Town of Mohawk have submitted a letter of intent to purchase two Ford tractors with brooms from the County from said list.

Supervisors Cechnicki and McMahon made a motion and seconded, respectively, to sponsor and move the draft Resolution accepting the bid to the full Board with a positive recommendation. There were no objections.

Clerk's note: Commissioner Clayburn will write the Resolution.

Other: When queried, DPW Commissioner Paul Clayburn stated that he received an estimate of \$250,000 to remove asbestos, lead paint and pesticides from the old Jail.

Other: The Board of Supervisors have received a public inquiry letter regarding the deteriorating condition of the jail. Chairman Quackenbush asked if Doug Landon should respond to the letter stating what's been done at the jail so far. Attorney Landon stated that Commissioner Clayburn could respond more appropriately to that letter. Commissioner Clayburn was directed by the Board to write a response letter to the appropriate party.

Clerk's note: The Clerk will ask Commissioner Clayburn to officially cc the Chairman of the Board of Supervisors.

Other: Data Processing Director Deb Bain spoke regarding Resolution 288. She stated that a \$23,000 price quote error was made by the vendor. She is requesting that a new Resolution be drafted rescinding Resolution 288 and naming a different vendor, as this is the second time an error has been made by the vendor.

Supervisors Strevy and Paton made a motion and seconded, respectively, to sponsor and move the

draft Resolution to the full Board with a positive recommendation. There were no objections.

Clerk's note: Director Bain stated that she is working on the Resolution with Administrative Assistant to the Board Jacki Meola.

Motion was made and seconded by Supervisors Paton and Jonker, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Walters adjourned the Public Safety Committee meeting at 8:35 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, October 17, 2006

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 6:30 PM in Chairman Haak's stead.

Roll call indicated Committee members present included Supervisors McMahon, Thomas and Greco. Absent were Supervisors DiMezza, Haak and Cechnicki.

Additional Supervisors present was Supervisor Mancini. Absent were Supervisors Dybas, Walters, Paton, Jonker, Johnson and Schumann.

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

1. 2007 Tentative Operating Budget Workshop - The Finance Committee will be holding Departmental Reviews as listed below.

6:30 Public Defender
6:40 Weights and Measures
6:50 Personnel

(These times are approximate; the next scheduled department will follow at the conclusion of each.)

2. Resolution Authorizing Delinquent Receivables Write-Off (Montgomery Meadows)
3. Resolution Authorizing Chairman to Sign Agreement - Research Foundation for Mental Hygiene, Inc. - FEMA Crisis Counseling Recovery Grant (Mental Health)
4. Resolution Authorizing Chairman to Sign Agreement - Nextel of NY Inc. (County-wide Cell Phones)
5. Resolution Amending 2006 Operating Budget - Radio Tower Repairs (Emergency Management)
6. Resolution Adopting 2007 STOP DWI Plan (Stop DWI)
7. Resolution Amending 2006 Operating Budget - Forfeiture of Monies (District Attorney)
8. Discussion Regarding Amendments to the 2007 Tentative Budget
9. Other

Chairman Quackenbush stated that the order of items on the agenda may be changed to suit.

Item #1: Public Defender: Defender William Martuscello spoke of the need for a "PT Account Clerk Typist" position (line item #1170 00 734) due to increasing workload.

Supervisors Thomas and DiMezza (in absentia) made a motion to recommend an amendment to the budget to reestablish the stated line item.

Weights and Measures: Director Nicholas Bartosik stated that there are only minor changes in the budget. He also stated that there is a small hike in the fuel budget. He stated that new inspection protocols to be put in place in June, 2007 will have a budget impact. More information will be forthcoming at a later date.

Supervisor Strevy and Dybas entered Chamber at 6:35 PM.

Personnel: Personnel Officer Rich Baia stated that in the A budget, the largest change is line #1430 00 4438 ("Misc. Supporting Services"), reflecting new Civil Service software. He explained how he would transfer money to cover the salary of a temporary employee for the data entry needed for the software.

He also stated that line item #9001 00 8840 ("Unemployment Insurance") has increased dramatically to reflect the sale of the Meadows.

Supervisor Johnson and Paton entered Chamber at 6:45 PM.

Officer Baia stated that he would also like to purchase the Board of Supervisor's old copier, which is to be replaced.

He stated that line item #9001 00 8850 ("Hospital and Medical Ins") is an estimate only, and a more correct figure would be available next month. He will have the updated number for the special Nov. 4, 2006 meeting.

He stated that any changes to the MS Self Insurance Fund is reflecting the sale of the Meadows.

Supervisors Jonker and Cechnicki entered Chamber at 6:55 PM.

Item #2: Supervisors Johnson and Mancini made a motion and seconded, respectively, to sponsor the Resolution.

Chairman Haak entered Chamber at 6:56 PM. Chairman Quackenbush stepped down as temporary Chair of the Committee meeting.

Montgomery Meadows Business Manager Heather Reynicke stated that the write-offs have been approved by the Auditors. Supervisor Dybas asked for the written recommendation of the Auditors, or an in-person explanation about the write-offs.

County Attorney Doug Landon stated that the accounts are being taken off the books, but that doesn't preclude collection.

Supervisor Dybas stated that he would prefer the accounts be "reserved", not "written off", and stated that he hasn't seen the 2005 audit, and prefers the services of the former auditors, who kept the Board updated on all pertinent issues.

Supervisors Jonker and Greco stated that the Resolution is premature and should be tabled.

Supervisor Mancini removed his second. No one seconded the Resolution. The Resolution died.

Item #3: Director of Community Services Jim Gumaer clarified the Resolution. Supervisors Dybas and Cechnicki made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Supervisor Jonker expressed his displeasure that the FEMA money is going to be used toward mental health instead of rebuilding homes.

Item #4: Supervisors Strevy and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Auditor Marco Zumbolo stated that money will be saved consolidating the phone service with Nextel, and how billing would occur via transfers to DPW. He also stated that Department Heads and other critical employees who currently don't have a phone will be receiving one.

Bill Sullivan clarified the various state plan options for the 88 county phones and answered coverage questions.

Auditor Zumbolo stated that training on the use of the phones will be offered.

Item #5 (formerly item #9, "Other"): Supervisor Dybas requested a Motion to go into Executive Session Pursuant to Section 105 (h) of NYS Open Meeting Law to discuss the proposed acquisition, sale or lease of real property. A motion to enter Executive Session was made by Chairman Haak and seconded by Supervisor Strevy. Executive Session began at 7:32 PM.

Supervisors Thomas and Cechnicki made a motion and seconded, respectively, to adjourn Executive Session. The Executive Session was adjourned at 8:35 PM.

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

Supervisor Dybas left Chamber at 8:35 PM.

Item #6 (formerly item #5, "Resolution Amending 2006 Operating Budget - Radio Tower Repairs (Emergency Management)": Supervisors Thomas and Mancini made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #7 (formerly item #6, "Resolution Adopting 2007 STOP DWI Plan (Stop DWI)": Supervisors Strevy and Thomas made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #8 (formerly item #7, "Resolution Amending 2006 Operating Budget - Forfeiture of Monies (District Attorney): Supervisors Mancini and Greco made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Supervisor Mancini left Chamber at 8:39 PM.

Item #9 (formerly item #9, "Other"): Add-on RESOLUTION ESTABLISHING A PUBLIC HEARING ON THE 2007 TENTATIVE OPERATING BUDGET. Supervisors Quackenbush and Strevey made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Clerk's Note: Supervisors McMahon, Strevey, and Johnson left Chamber around 8:45 PM.

Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LEASE AGREEMENT/LEASE EXTENSION - I SERIES MAINFRAM - IBM GLOBAL FINANCING AND RESCINDING RESOLUTION 288 OF 2006 (DATA PROCESSING). Supervisors Strevey and Thomas made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Add-on RESOLUTION AUTHORIZING BUDGET TRANSFER OF \$519,270 FROM MONTGOMERY COUNTY GENERAL FUND TO MONTGOERY COUNTY COMMUNITY DEVELOPMENT REVOLVING LOAN FUND. Supervisors Quackenbush and Cechnicki made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Add-on RESOLUTION AMENDING 2006 OPERATING BUDGET - COPIER PURCHASE (BOARD OF SUPERVISORS). Supervisors Quackenbush and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #10 (formerly item #8, "Discussion Regarding Amendments to the 2007 Tentative Budget"): Chairman Haak stated that the Finance Committee will be making a report to the full Board at a special meeting on Nov. 4, 2007 regarding any amendments to the tentative budget. He asked for recommendations.

Supervisor Thomas reiterated his recommended amendment regarding the Public Defender's office, as stated earlier.

Supervisors Cechnicki and Thomas made a motion and seconded, respectively, to recommend an amendment to the 2007 tentative budget, increasing A-01-4-8751-4575 (Cornell Coop. Ext.) to \$169,000, decreasing Economic Development's A-24-4-6430-4570 (Travel) from \$1,500 to \$0 and also decreasing the Fund Balance as needed to cover the increase.

Clerk's Note: Supervisor Haak will be working with Administrative Aide Jacki Meola on these and other amendments to the tentative budget.

Chairman Quackenbush explained a memo that was sent to all County department heads on Oct. 10 outlining the 2007 tentative budget timeline.

Clerk's Note: Supervisor Cechnicki stated that Scott Bobar is returning to the Rural Grove Fire Department Advisory Board, as a member has left. Supervisors Cechnicki and Haak made a motion and seconded, respectively, to sponsor a draft Resolution stating such and move it to the full Board with a positive recommendation. There were no objections.

The motion was made and seconded by Supervisors Cechnicki and Jonker, respectively, to adjourn the Finance Committee.

Chairman Haak adjourned the Finance Committee meeting at 8:56 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 24, 2006

CALL TO ORDER

Chairman Quackenbush called the Regular Meeting of the Montgomery County Board of Supervisors for October 24, 2006 to order at 7:00 PM.

SALUTE TO THE FLAG

Chairman Quackenbush led the salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors Quackenbush, Johnson, Greco, Paton, McMahon, Strevy, Haak, Dybas, Cechnicki, Schumann, Walters, Thomas, Jonker, Mancini and DiMezza were present.

MOMENT OF SILENCE

Chairman Quackenbush asked for a moment of silence in respect of the following passages:

The wife of former Supervisor Gerald Keller and the husband of former Treasurer Bunny Palmer.

MOTION TO AMEND THE AGENDA

MOTION TO AMEND AGENDA by Supervisor DiMezza, seconded by Supervisor McMahon to entertain add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NMHC - RETIREE DRUG SUBSIDY ACTUARIAL RENEWAL ATTESTATION (PERSONNEL) at the start of NEW BUSINESS, passed with Aye(1431). Supervisors Schumann, Dybas, Cechnicki and Haak voted Nay.

PRIVILEGE OF THE FLOOR

A. Public Comment

No one spoke.

Chairman Quackenbush adjourned the Privilege of the Floor at 7:04 PM.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (Sept.26 -Oct. 17, 2006) by Supervisor Dybas, seconded by Supervisor Johnson, passed with Aye(1868).

APPROVAL OF BUDGETARY TRANSFER

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

UNFINISHED BUSINESS

A. Tabled Resolutions -

282 of 2006 - Resolution Authorizing Chairman to Sign Agreement -
C.T. Male Associates, P.C. - RESTORE NY Communities
Initiative (Economic Development)

299 of 2006 - Resolution Authorizing Chairman to Sign Agreement -
Med Rev Recoveries, Inc. - Receivable Recovery
(Montgomery Meadows)

RESOLUTION NO. 282 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - C.T. MALE ASSOCIATES, P.C. -
RESTORE NY COMMUNITIES INITIATIVE (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Johnson

WHEREAS, Montgomery County has applied to New York State Empire State Development Corporation for funding through its Restore NY Communities Initiative, and

WHEREAS, C.T. Male Associates, P.C. submitted a proposal to develop the application for Montgomery County, and

WHEREAS, C.T. Male Associates, P.C. prepared the application in accordance with their proposal, and

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with C.T. Male of Latham, New York for the aforementioned services in an amount not to exceed \$5,400.

MOTION TO TABLE by Supervisor Thomas, seconded by Supervisor Haak, passed with Aye(1649). Supervisor DiMezza was absent. (9/26/2006)

MOTION TO REMOVE FROM TABLE by Supervisor Thomas, seconded by Supervisor Dybas, passed with Aye(1772). Supervisor Haak voted Nay. (10/24/2006)

MOTION TO AMEND by Supervisor Thomas, seconded by Supervisor Dybas by striking in the RESOLVED CLAUSE "\$5,400" and inserting "\$4,875.00", passed with Aye(1772). Supervisor Haak voted Nay. (10/24/2006)

RESOLUTION ADOPTED with Aye(1657). Supervisors Jonker and Haak voted Nay. (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 299 of 2006

DATED: September 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MED-REV RECOVERIES, INC. - RECEIVABLE RECOVERY (MONTGOMERY MEADOWS)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Jonker

WHEREAS, the Nursing Home Administrator has deemed it necessary to renew the agreement with Med-Rev Recoveries for the provision of recovery of past due residents' accounts for Montgomery Meadows Residential Health Care Facility,

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 Med-Rev Recoveries for the provision of recovery of residents' past due accounts for Montgomery Meadows Residential Health Care Facility, and

RESOLVED, that said agreement will be for a one year period from August 1, 2006, and

FURTHER RESOLVED, pursuant to the pending sale of Montgomery Meadows Residential Health Care Facility, this agreement may be terminated upon thirty (30) days written notice by either party without cause.

MOTION TO TABLE by Supervisor Jonker, seconded by Supervisor Paton, passed with Aye(1231). Supervisors Schumann, Dybas and McMahon voted Nay. Supervisor DiMezza was absent. (9/26/2006)

THERE WAS NO MOTION TO REMOVE FROM TABLE, THEREFORE, THE RESOLUTION DIED. (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

NEW BUSINESS

A. Resolutions

B. Other

RESOLUTION NO. 340 of 2006**DATED:** October 24, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NMHC - RETIREE DRUG SUBSIDY ACTUARIAL RENEWAL ATTESTATION (PERSONNEL)**

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Johnson

WHEREAS, Montgomery County has the opportunity to apply with the Centers for Medicare and Medicaid Services (CMS) to receive a federal subsidy - the Retired Drug Subsidy (RDS) - for the continued maintenance of its retiree plan, and

WHEREAS, the application process requires an actuarial attestation stating that the Montgomery County plan is at least as good as the standard Medicare Part D benefit, and

WHEREAS, it is in the best interest of the County to pursue the RDS and the Personnel Officer has recommended utilizing a renewal attestation from NMHC, the County's Medicare Part D administrator, as it would be at a significant savings,

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 renewal actuarial attestation stating that the Montgomery County retiree prescription drug plan is at least as good as the standard Medicare Part D benefit in order to apply to the Centers for Medicare and Medicaid to receive the Retiree Drug Subsidy, and

FURTHER RESOLVED, that the cost of said attestation shall not exceed \$1,000.

RESOLUTION ADOPTED with Aye(1868). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 311 of 2006**DATED:** October 24, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CONSTRUCTION INSPECTION SERVICES - FMCC LIBRARY ROOF REPLACEMENT PROJECT - CLARK PATTERSON ASSOCIATES (FMCC)**

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Paton

WHEREAS, the approved 2005 Capital Projects at FMCC identified a Library Roof Replacement Project, and

WHEREAS, Resolution 290 of 2005 authorized a contract with Clark Patterson Associates for project design services, and

WHEREAS, bids have been awarded to commence said project and construction inspection services are required,

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 Clark Patterson Associates of Albany, NY, for construction inspection services for the Library Roof Replacement Project at FMCC, at a cost not to exceed \$5,000, and

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

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann abstained. (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 312, Supervisor Cechnicki stated that he is in the process of formulating a new Code of Ethics that could be reviewed and revised at the next Education/Government Committee Meeting.

Chairman Quackenbush advised the Board to table the Resolution.

RESOLUTION NO. 312 of 2006**DATED:** October 24, 2006

RESOLUTION ESTABLISHING A PUBLIC HEARING ON INTRODUCTORY LOCAL LAW #4 OF 2006 - A LOCAL LAW REPEALING LOCAL LAW #1 OF 1990 AND LOCAL LAW #5 OF 1992, WHICH CREATED A COUNTY CODE OF ETHICS

Resolution by Supervisor: DiMezza

Seconded by Supervisor: McMahon

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 4 of 2006, a Local Law Repealing Local Law No. 1 of 1990 and Local Law No. 5 of 1992, related to the filing of financial disclosure statements by certain County Official and Employees and which created a County Code of Ethics as authorized by Section 812 of NYS General Municipal Law,

RESOLVED, that Introductory Local Law No. 4 of 2006 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing as follows:

Section 1. The Local Laws which established a procedure related to the filing of financial disclosure statements by certain County Officials and Employees and which created a County Code of Ethics as authorized by Section 812 of NYS General Municipal Law are hereby repealed.

Section 2. This Local Law shall take effect when all applicable statutory requirements for its passage and adoption have been fully complied with and it has been filed in the Office of the Secretary of State.

, and

FURTHER RESOLVED, that said public hearing shall be held Tuesday, November 28, 2006 at 6:55pm in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

FURTHER RESOLVED, that the Board of Supervisors commits to formulating and adopting a policy to avoid conflicts of interest by County Officials for the remainder of 2006, with the issues of conflict avoidance and disclosure to be readdressed by the Board after its 2007 Organizational Meeting.

MOTION TO TABLE by Supervisor Jonker, seconded by Supervisor Schumann, passed with Aye(1270). Supervisors DiMezza, McMahon, Walters, Strevy and Thomas voted Nay. (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 313 of 2006

DATED: October 24, 2006

RESOLUTION ESTABLISHING PUBLIC HEARING - REVIEW OF AGRICULTURAL DISTRICT NO. 1 (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Haak

Seconded by Supervisor: Quackenbush

WHEREAS, Agricultural District No. 1 is required to undergo a review every eight years, pursuant to New York State Agricultural and Markets Law, Article 25AA, and

WHEREAS, the Montgomery County Agricultural and Farmland Protection Board and the Montgomery County Planning Board have conducted an in-depth review, recommending modifications to said district, and

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

RESOLVED, that the Board of Supervisors hereby schedules a Public Hearing on Agricultural District No. 1 to be held at 6:55 PM, Tuesday, November 28, 2006 in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

RESOLUTION ADOPTED with Aye(1868). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 314 of 2006

DATED: October 24, 2006

RESOLUTION APPROVING THE ISSUANCE OF CERTAIN BONDS BY MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO FINANCE A CERTAIN MANUFACTURING FACILITY PROJECT FOR ADIRONDACK WOOD PELLET COMPANY, LLC

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

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

WHEREAS, pursuant to Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended (the "Enabling Act") and Chapter 666 of the Laws of 1970 of the State of New York, as amended, constituting Section 895-d of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to the "Act"), the Board of Supervisors of Montgomery County (the "Board of Supervisors") has previously appointed the members of Montgomery County Industrial Development Agency (the "Agency") and has duly caused to be filed in the office of the Secretary of State of the State of New York the certificates required by Section 856 of the Act; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to issue its revenue bonds to finance the cost of acquisition, construction and installation of one or more "projects" (as defined in the Act), to acquire, construct and install said projects or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, Adirondack Wood Pellet Company, LLC (the "Company") has presented an application (the "Application") to the Agency, copies of which are on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") consisting of: (A) (1) the acquisition of an interest in a parcel of land located on Park Drive (Tax Map No. 52-4-03), in the Town of Glen, Montgomery County, New York (the "Land"), (2) the construction of certain buildings on the Land to contain in the aggregate approximately 15,000 square feet of space (the "Facility") and (3) the acquisition and installation therein and thereon of certain machinery and equipment (the "Equipment"), all of the foregoing to constitute a facility for the manufacturing of wood pellets and related activities (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility"); (B) the financing of all or a portion of the costs of the foregoing by the issuance of revenue bonds of the Agency in one or more issues or series in an aggregate principal amount sufficient to pay the cost of undertaking the Project, together with necessary incidental costs in connection therewith, presently estimated to not exceed approximately \$6,000,000 (the "Bonds"); (C) the granting of certain other "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including exemption from certain sales taxes, deed transfer taxes, mortgage recording taxes and real property taxes (collectively with the Bonds, the "Financial Assistance"); and (D) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, by resolution adopted by the members of the Agency on August 10, 2006 (the "Preliminary Inducement Resolution"), the members of the Agency preliminarily agreed, subject to numerous conditions, including satisfaction of the requirements of Section 859-a of the Act and the requirements of Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations", and collectively with the SEQR Act, "SEQRA"), to accept the Application and enter into a preliminary agreement (the "Preliminary Agreement") relating to the Project; and

WHEREAS, the Company has requested that interest on the Bonds be treated by the federal government as excludable from gross income for federal income tax purposes pursuant to Section 103 and section 144(a) of the Code; and

WHEREAS, the Board of Supervisors has been advised by the Agency that the Agency proposes to issue, subsequent to the adoption of this resolution, the Bonds from time to time in a principal amount sufficient to fund all or a portion of the costs of the Project; and

WHEREAS, interest on the Bonds will not be excludable from gross income for federal income tax purposes unless, among other things, pursuant to Section 147(f) of the Code, the issuance of the Bonds is approved by the "applicable elected representative" of Montgomery County, New York after the Agency has held a public hearing on the nature and location of the Project Facility and the issuance of the Bonds; and

WHEREAS, pursuant to the authorization contained in the Preliminary Inducement Resolution, the

Administrative Director of the Agency (A) caused notice of a public hearing of the Agency pursuant to Section 859-a of the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project (the "Public Hearing") to be mailed to the chief executive officer of the county and of each city, town, village and school district in which the Project is to be located on September 20, 2006, (B) caused notice of the Public Hearing to be published on September 23, 2006 in the Recorder, a newspaper of general circulation available to residents of the Town of Glen, Montgomery County, New York, (C) conducted the Public Hearing on October 23, 2006 at 10:30 o'clock a.m., local time at Town of Glen Town Hall located in the Town of Glen, Montgomery County, New York, and (D) prepared a report of the Public Hearing (the "Report") which fairly summarized the views presented at said public hearing and distributed same to the members of the Agency and to the Montgomery County Board of Supervisors (the "Board of Supervisors"); and

WHEREAS, pursuant to Section 147(f) of the Code, the Board of Supervisors desires to allow the interest on the Bonds to be excludable from gross income for federal income tax purposes; and

WHEREAS, Section 870 of the General Municipal Law of the State of New York specifically provides that neither the Bonds nor any other obligation of the Agency shall be a debt of Montgomery County, New York, nor shall Montgomery County, New York be liable thereon;

NOW, THEREFORE, BE IT

RESOLVED, that, for the sole purpose of qualifying the interest payable on the Bonds for exclusion from federal income taxation pursuant to the provisions of the Code, the Board of Supervisors, as the elected legislative body of Montgomery County, New York, hereby approves the issuance by the Agency of the Bonds, presently estimated to not exceed approximately \$6,000,000, provided that the Bonds, and the premium (if any) and interest thereon, shall be special obligations of the Agency and shall never be a debt of the State of New York, Montgomery County, New York or any political subdivision thereof (other than the Agency), and neither the State of New York, Montgomery County, New York nor any political subdivision thereof (other than the Agency) shall be liable thereon, and be it further

RESOLVED, that this resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1868). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 315 of 2006

DATED: October 24, 2006

RESOLUTION APPROVING THE ISSUANCE OF CERTAIN BONDS BY MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO FINANCE A CERTAIN MANUFACTURING FACILITY PROJECT FOR FIBER GLASS INDUSTRIES, INC.

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

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

WHEREAS, pursuant to Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended (the "Enabling Act") and Chapter 666 of the Laws of 1970 of the State of New York, as amended, constituting Section 895-d of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to the "Act"), the Board of Supervisors of Montgomery County (the "Board of Supervisors") has previously appointed the members of Montgomery County Industrial Development Agency (the "Agency") and has duly caused to be filed in the office of the Secretary of State of the State of New York the certificates required by Section 856 of the Act; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to issue its revenue bonds to finance the cost of acquisition, construction and installation of one or more "projects" (as defined in the Act), to acquire, construct and install said projects or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, Fiber Glass Industries, Inc. (the "Company") has presented an application (the "Application") to the Agency, copies of which are on file at the office of the Agency, requesting that the Agency consider undertaking a project (the "Project") consisting of: (A) the acquisition and installation of certain machinery and equipment (the "Project Facility"), all to be located at the Company's facilities located at 69 Edson Street and 1 Homestead Place in the City of Amsterdam, County of Montgomery, State of New York, all of the foregoing to constitute a manufacturing facility for the production of fiberglass strand and knitted/converted products and related activities; (B) the financing of all or a portion of the costs of the foregoing by the

issuance of its industrial development revenue bonds in one or more issues or series in an aggregate principal amount sufficient to pay a portion of the cost of undertaking the Project, together with necessary incidental costs in connection therewith, presently estimated to be approximately \$3,500,000 (the "Bonds"); (C) the granting of certain other "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemption from certain sales taxes (collectively with the Bonds, the "Financial Assistance"); and (D) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, by resolution adopted by the members of the Agency on September 14, 2006 (the "Preliminary Inducement Resolution"), the members of the Agency preliminarily agreed, subject to numerous conditions, including satisfaction of the requirements of Section 859-a of the Act and the requirements of Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act") and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations", and collectively with the SEQR Act, "SEQRA"), to accept the Application and enter into a preliminary agreement (the "Preliminary Agreement") relating to the Project; and

WHEREAS, the Company has requested that interest on the Bonds be treated by the federal government as excludable from gross income for federal income tax purposes pursuant to Section 103 and Section 144(a) of the Code; and

WHEREAS, the Board of Supervisors has been advised by the Agency that the Agency proposes to issue, subsequent to the adoption of this resolution, the Bonds from time to time in a principal amount sufficient to fund all or a portion of the costs of the Project; and

WHEREAS, interest on the Bonds will not be excludable from gross income for federal income tax purposes unless, among other things, pursuant to Section 147(f) of the Code, the issuance of the Bonds is approved by the "applicable elected representative" of Montgomery County, New York after the Agency has held a public hearing on the nature and location of the Project Facility and the issuance of the Bonds; and

WHEREAS, pursuant to the authorization contained in the Preliminary Inducement Resolution, the Administrative Director of the Agency (A) caused notice of a public hearing of the Agency pursuant to Section 859-a of the Act and Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") to hear all persons interested in the Project and the financial assistance being contemplated by the Agency with respect to the Project (the "Public Hearing") to be mailed to the chief executive officer of the county and of each city, town, village and school district in which the Project is to be located on September 20, 2006, (B) caused notice of the Public Hearing to be published on September 23, 2006 in the Recorder, a newspaper of general circulation available to residents of the City of Amsterdam, Montgomery County, New York, (C) conducted the Public Hearing on October 23, 2006 at 9:00 o'clock a.m., local time at Amsterdam City Hall located in the City of Amsterdam, Montgomery County, New York, and (D) prepared a report of the Public Hearing (the "Report") which fairly summarized the views presented at said public hearing and distributed same to the members of the Agency and to the Montgomery County Board of Supervisors (the "Board of Supervisors"); and

WHEREAS, pursuant to Section 147(f) of the Code, the Board of Supervisors desires to allow the interest on the Bonds to be excludable from gross income for federal income tax purposes; and

WHEREAS, Section 870 of the General Municipal Law of the State of New York specifically provides that neither the Bonds nor any other obligation of the Agency shall be a debt of Montgomery County, New York, nor shall Montgomery County, New York be liable thereon;

NOW, THEREFORE, BE IT

RESOLVED, that, for the sole purpose of qualifying the interest payable on the Bonds for exclusion from federal income taxation pursuant to the provisions of the Code, the Board of Supervisors, as the elected legislative body of Montgomery County, New York, hereby approves the issuance by the Agency of the Bonds, presently estimated to be approximately \$3,500,000, provided that the Bonds, and the premium (if any) and interest thereon, shall be special obligations of the Agency and shall never be a debt of the State of New York, Montgomery County, New York or any political subdivision thereof (other than the Agency), and neither the State of New York, Montgomery County, New York nor any political subdivision thereof (other than the Agency) shall be liable thereon, and be it further

RESOLVED, that this resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1868). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 316 of 2006**DATED:** October 24, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - GOVERNOR'S OFFICE FOR SMALL CITIES 2006 STATE DISASTER RELIEF, TEMPORARY HOUSING ASSISTANCE GRANT PROGRAM (ECONOMIC DEVELOPMENT)**

Resolution by Supervisor: Haak

Seconded by Supervisor: Paton

WHEREAS, Montgomery County was awarded \$250,000 from the Governor's Office for Small Cities 2006 State Disaster Relief, Temporary Housing Assistance Grant Program and,

WHEREAS, said funds will be used to provide disaster relief to Montgomery County residents affected by the June 2006 flooding,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, is hereby authorized and directed to sign and submit all grant agreement materials and all subsequent reports and grant close out documentation related to the Governor's Office for Small Cities 2006 State Disaster Relief, Temporary Housing Assistance Grant Program for an amount not to exceed \$250,000, and

FURTHER RESOLVED, that \$10,000 in proceeds will be allocated to the Montgomery County Department of Economic Development for project administration and program delivery.

RESOLUTION ADOPTED with Aye(1868). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 317 of 2006**DATED:** October 24, 2006**RESOLUTION AUTHORIZING BUDGET TRANSFER OF \$519,270 FROM MONTGOMERY COUNTY GENERAL FUND TO MONTGOMERY COUNTY COMMUNITY DEVELOPMENT REVOLVING LOAN FUND**

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, on November 30, 2005 the County received a written notification relative to the March 1997 Audit detailing the status of the findings and recommendations that remained open, this notification indicted that there was \$1,768,277 still outstanding, and

WHEREAS, the County submitted a detailed response to this report on April 11, 2006 seeking to dramatically reduce the amount of \$1,768,277 cited by HUD as having to be repaid by the County to the CDBG Revolving Loan Fund,

WHEREAS, the County received notification from HUD on or about June 22, 2006 that the original amount of \$1,768,277 identified as outstanding was reduced to \$573,270,

WHEREAS, the \$573,270 identified in HUD's June 2006 notification represented three outstanding items; alleged unauthorized payments to MCEDC for services in the absence of a contract in the amount of \$214,000, the DeGraff Street project loan in the amount of \$319,270, and a second unauthorized loan to American Composite Materials in the amount of \$40,000,

WHEREAS, the County, by Resolution 249 of 2006 made immediate payment of \$40,000 to the County Revolving Loan Fund as the County having reviewed the information seized from the now defunct MCEDC, could not locate supporting documentation relative to this \$40,000.00 loan to American Composite Materials, and

WHEREAS, the County sought further reduction of the amount of the remaining \$533,270, by preparing a Sur Reply to be submitted to HUD for further consideration,

WHEREAS, the County has since received notice from the US Department of Housing and Urban Development in a letter dated October 6, 2006 which states that based on the County's Sur Reply a further reduction of \$14,000 for administrative costs was taken into consideration thereby reducing the total amount due to the County's Revolving Loan Fund to \$519,270

RESOLVED, the Montgomery County Board of Supervisors hereby wishes to resolve all matters related to the Report on Audit issued by the HUD District Inspector General on March 14, 1997, Small Cities Community Development Block Grant Program Audit Case Number 97-NY-250-1003, Montgomery County, New York, and

FURTHER RESOLVED, in furtherance of that, the County Treasurer is hereby authorized and directed

to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-599 APPROPRIATED FUND BALANCE	\$519,270
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TRANSFER TO:

A-06-9900-00-9905	TRANS. TO CD FUND	\$519,270
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INCREASE REVENUE:

CD 24-3-5031	INTERFUND TRANSFER	\$519,270
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INCREASE APPROPRIATION:

CD 24-4-8668-00-4510	REVOLVING LOANS	\$519,270
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, and

FURTHER RESOLVED, said transfers to the CDBG Revolving Loan Fund will be in full satisfaction of all determinations of the letter to Chairman Thomas L. Quackenbush dated October 6, 2006 from the US Department of Housing and Urban Development, and

FURTHER RESOLVED, that all requested documents in said letter will be forwarded immediately to the requesting department, showing proof of said compliance.

RESOLUTION ADOPTED with Aye(1868). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 318 of 2006

DATED: October 24, 2006

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

Resolution by Supervisor: Jonker

Seconded by Supervisor: Walters

WHEREAS, the New York State Office of Children and Family Services has allocated \$110,893.00 to Montgomery County for 2007 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). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 319 & 320, Supervisor Haak stated that he is abstaining from the vote because he or his law firm represents Catholic Charities.

RESOLUTION NO. 319 of 2006

DATED: October 24, 2006

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

Resolution by Supervisor: Walters

Seconded by Supervisor: Jonker

WHEREAS, the Montgomery County Youth Board of Directors has recommended allocation of funds for the 2007 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 2007 Special Delinquency Prevention Program agreements, as follows:

Big Brothers/Big Sisters of Montgomery County (Partners to Assist Youth)	\$ 2,150.00
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Catholic Charities of Montgomery County (Begin Again)	\$ 9,070.00
Montgomery County Youth Bureau (Administration)	\$ 2,243.00
Montgomery County Probation Department (Juvenile Field Project)	\$ 9,000.00
Montgomery County Sheriff's Department (Drug, Alcohol & Safety Training)	\$ 2,800.00
Montgomery County Youth Bureau (Community Service Program)	\$ 7,000.00

FURTHER RESOLVED, that said Board also authorized allocation of 2007 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)	\$ 1,100.00
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)	\$ 713.00
Village of St. Johnsville (Village Recreation)	\$ 2,500.00

RESOLUTION ADOPTED with Aye(1772). Supervisor Haak abstained. (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 320 of 2006

DATED: October 24, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROGRAM AGREEMENTS (YOUTH BUREAU)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Mancini

WHEREAS, the Montgomery County Youth Board of Directors has recommended 2007 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 2007 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)	\$ 2,775.00

FURTHER RESOLVED, that said Chairman is authorized and directed to sign 2007 Youth Development/Delinquency Prevention Program agreements, as follows:

Catholic Charities/Montgomery County	\$ 6,367.00
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(Schools Aiding Family Environment)

City of Amsterdam Police Department (Juvenile Aid Bureau)	\$ 4,585.00
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Community Youth Center (Youth Center)	\$ 6,463.00
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St. Johnsville Youth Center (Youth Center)	\$ 5,000.00
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Mental Health Association (Forensic Youth Services)	\$ 2,500.00
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RESOLUTION ADOPTED with Aye(1772). Supervisor Haak abstained. (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 321 of 2006

DATED: October 24, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET HEAP PROGRAM (SOCIAL SERVICES)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Cechnicki

WHEREAS, the Commissioner of Social Services has requested an amendment to the 2006 budget in order to provide adequate funding for the 2006-2007 HEAP Program,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

INCREASE REVENUES:

A-18-3-4610-00	Federal Aid DSS Admin.	\$ 18,110
A-18-3-4641-00	Federal Aid HEAP	\$600,000

INCREASE APPROPRIATIONS:

A-18-4-6010-00.1130 (1061)	HEAP Personnel	\$ 11,110
A-18-4-6010-00.4438	Misc. Supporting Services	\$ 7,000
A-18-4-6011-00.6141	HEAP	\$600,000

RESOLUTION ADOPTED with Aye(1868). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 322 of 2006

DATED: October 24, 2006

RESOLUTION TRANSFERRING FUNDS - VARIOUS LINE ITEMS (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

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 2006 Operating Budget as follows:

TRANSFER FROM:

EH-34-4-6020-00-1110 (30)	Bldg. Maintenance worker	\$ 2,265
EH-34-4-6020-00-1110 (31)	Caseworker	\$ 17,240
EH-34-4-6020-00-1110 (44)	Cleaner	\$ 4,920
EH-34-4-6020-00-1110 (120)	Food Services Helper	\$ 1,380
EH-34-4-6020-00-1110 (129)	Food Services Helper	\$ 2,560
EH-34-4-6020-00-1110 (132)	Food Services Helper	\$ 8,550

EH-34-4-6020-00-1110	(134)	Head Nurse	\$ 10,245
EH-34-4-6020-00-1110	(138)	Head Nurse	\$ 18,240
EH-34-4-6020-00-1110	(143)	Patients Account Worker	\$ 2,000
EH-34-4-6020-00-1110	(166)	Leisure Time Activity	\$ 4,510
EH-34-4-6020-00-1110	(168)	Nurse Assess. & Care Coord.	\$ 28,890
EH-34-4-6020-00-1110	(175)	LPN	\$ 1,885
EH-34-4-6020-00-1110	(177)	LPN	\$ 14,700
EH-34-4-6020-00-1110	(178)	LPN	\$ 17,585
EH-34-4-6020-00-1110	(179)	LPN	\$ 4,210
EH-34-4-6020-00-1110	(184)	LPN	\$ 17,025
EH-34-4-6020-00-1110	(194)	LPN	\$ 8,255
EH-34-4-6020-00-1110	(206)	C.N.A.	\$ 2,645
EH-34-4-6020-00-1110	(215)	C.N.A.	\$ 22,820
EH-34-4-6020-00-1110	(218)	C.N.A.	\$ 6,610
EH-34-4-6020-00-1110	(219)	C.N.A.	\$ 6,165
EH-34-4-6020-00-1110	(221)	C.N.A.	\$ 10,835
EH-34-4-6020-00-1110	(223)	C.N.A.	\$ 2,445
EH-34-4-6020-00-1110	(227)	C.N.A.	\$ 5,720
EH-34-4-6020-00-1110	(234)	C.N.A.	\$ 22,520
EH-34-4-6020-00-1110	(236)	C.N.A.	\$ 2,855
EH-34-4-6020-00-1110	(237)	C.N.A.	\$ 4,585
EH-34-4-6020-00-1110	(238)	C.N.A.	\$ 4,065
EH-34-4-6020-00-1110	(239)	C.N.A.	\$ 14,835
EH-34-4-6020-00-1110	(240)	C.N.A.	\$ 21,870
EH-34-4-6020-00-1110	(241)	C.N.A.	\$ 6,605
EH-34-4-6020-00-1110	(247)	C.N.A.	\$ 12,010
EH-34-4-6020-00-1110	(248)	C.N.A.	\$ 10,325
EH-34-4-6020-00-1110	(250)	C.N.A.	\$ 22,520
EH-34-4-6020-00-1110	(252)	C.N.A.	\$ 6,020
EH-34-4-6020-00-1110	(253)	C.N.A.	\$ 22,520
EH-34-4-6020-00-1110	(264)	Orderly	\$ 12,555
EH-34-4-6020-00-1110	(266)	Orderly	\$ 2,800
EH-34-4-6020-00-1110	(267)	Orderly	\$ 20,107
EH-34-4-6020-00-1110	(306)	LPN	\$ 29,635
EH-34-4-6020-00-1110	(329)	Bldg. Maint. Svcs. Sup.	\$ 30,817
EH-34-4-6020-00-1110	(342)	Supervising Nurse	\$ 12,820
EH-34-4-6020-00-1110	(397)	RPN	\$ 1,469
EH-34-4-6020-00-1110	(457)	Supervising Nurse	\$ 9,350
EH-34-4-6020-00-1110	(727)	Sr. Account Clerk Typist	\$ 3,891
EH-34-4-6020-00-1110	(1057)	LPN	\$ 15,691
EH-34-4-6020-00-1111	(926)	Overtime Pay	\$ 30,000
EH-34-4-6020-00-1113	(1211)	Shift Differential	\$ 10,000
EH-34-4-6020-00-1120	(289)	Physician/Medical Dir.	\$ 21,000
EH-34-4-6020-00-4445		Medical Supplies	\$100,435

			\$673,000

TRANSFER TO:

EH-34-4-6020-00-1110	(23)	Bldg. Maintenance Sup.	\$ 11,952
EH-34-4-6020-00-1110	(208)	C.N.A.	\$ 17,808
EH-34-4-6020-00-1120	(115)	Part Time Employees	\$ 45,000
EH-34-4-6020-00-1120	(125)	Nursing - Per Diem	\$ 95,000
EH-34-4-6020-00-1130	(216)	Temp. Employees	\$ 25,000
EH-34-4-6020-00-1140	(67)	Sick Leave Buyback	\$ 3,740
EH-34-4-6020-00-4436		Medical Fees	\$369,500
EH-34-4-6020-00-4438		Misc. Supporting Services	\$105,000

			\$673,000

RESOLUTION ADOPTED with Aye(1868). (10/24/2006)

Douglas Landon
County AttorneyKimberly Sanborn
Clerk, Board of Supervisors**RESOLUTION NO. 323 of 2006****DATED:** October 24, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PHARMACY SERVICES PROVIDER - NCS HEALTHCARE (MONTGOMERY MEADOWS)**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Johnson

WHEREAS, the Nursing Home Administrator has recommended that Montgomery County enter into an

agreement with NCS Healthcare for the provision of pharmacy services to Montgomery Meadows Residential Health Care Facility, and

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 NCS Healthcare for the provision of pharmacy services to Montgomery Meadows Residential Health Care Facility, and

FURTHER RESOLVED, that said agreement will commence on August 1, 2006 and continue through and include July 31, 2007, and

FURTHER RESOLVED, pursuant to the pending sale of Montgomery Meadows Residential Health Care Facility, this agreement may be terminated, upon thirty (30) days written notice by either party without cause.

RESOLUTION ADOPTED with Aye(1868). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 324 of 2006

DATED: October 24, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PHARMACY CONSULTING SERVICES - NCS HEALTHCARE (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Johnson

WHEREAS, the Nursing Home Administrator has recommended that Montgomery County enter into an agreement with NCS Healthcare for the provision of pharmacy consulting services to Montgomery Meadows Residential Health Care Facility, and

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 NCS Healthcare for the provision of pharmacy consulting services to Montgomery Meadows Residential Health Care Facility, and

RESOLVED, that said agreement will commence on August 1, 2006 and continue through and include July 31, 2007, and

FURTHER RESOLVED, pursuant to the pending sale of Montgomery Meadows Residential Health Care Facility, this agreement may be terminated, upon thirty (30) days written notice by either party without cause.

RESOLUTION ADOPTED with Aye(1868). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Pertaining to Resolution 325, Supervisors Dybas and Cechnicki abstain from voting because they are employed by affiliated organizations.

RESOLUTION NO. 325 of 2006

DATED: October 24, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - EARLY INTERVENTION/3-5 PROGRAM MANAGER AND EARLY INTERVENTION OFFICIAL - BARBARA FIEDLER (PUBLIC HEALTH)

Resolution by Supervisor: Johnson

Seconded by Supervisor: Paton

WHEREAS, as per Resolution 305 of 2005, the Public Health Department currently contracts with Barbara Fiedler for the provision of Early Intervention/3-5 Preschool program management services for the period January 1 - December 31, 2006, and

WHEREAS, due to program staff vacancies and training of new staff, the contractual provider has been required to work extra hours in order for the programs to continue operation and remain in compliance with mandated requirements,

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 agreement with Barbara Fiedler for the provision of said services for the period January 1, 2006 - December 31, 2006 at an amount not to exceed \$42,000.00, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget, as follows:

TRANSFER FROM:

A-16-4-4010-00.1110(163)	Public Health: Account Clerk Typist - F/T	\$ 7907.00
A-16-4-4010-01.4408	Public Health Grant: Office Supplies	\$ 100.00
A-16-4-4010-01.4438	Misc. Support Services	\$ 400.00
A-16-4-4010-01.4446	Food Supplies	\$ 94.00
A-16-4-4010-01.4470	Travel Related Expense	\$ 114.00
A-16-4-4010-01.4471	Mileage	\$ 35.00
A-16-4-4010-01.4526	Education Programs	\$ 350.00

TRANSFER TO:

A-16-4-4010-00.4431	Public Health: Professional Services	\$ 7907.00
A-16-4-4010-01.4431	Public Health Grant: Professional Services	\$ 1093.00

RESOLUTION ADOPTED with Aye(1666). Supervisors Dybas and Cechnicki abstained. (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Dybas spoke in support of Resolution 326.

Supervisor Jonker stated that he feels the money could be better spent replacing furnaces or the like.

RESOLUTION NO. 326 of 2006

DATED: October 24, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - RESEARCH FOUNDATION FOR MENTAL HYGIENE, INC. & MENTAL HEALTH ASSOCIATION FOR FULTON AND MONTGOMERY COUNTIES - FEMA CRISIS COUNSELING RECOVERY GRANT - (MENTAL HEALTH)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Cechnicki

WHEREAS, the NYS Office of Mental Health and the NYS State Emergency Management Office (SEM0) reports show that there is a potential for 362 people to be in need of crisis counseling services in the effected communities,

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,

WHEREAS, the Director of Community Services, in consultation with the Community Services Board of Montgomery County, recognizes the need for crisis counseling services in the communities effected by the flooding,

WHEREAS, the Director of Community Services has recommended that Montgomery County enter into a contract with the New York State Research Foundation for Mental Hygiene (RFMH) to provide crisis counseling services to people who experienced the flooding in western Montgomery County under a Federal Emergency Management Agency (FEMA) grant titled Project Recovery: Crisis Counseling Assistance and Training Program Regular Services Program,

WHEREAS, the Director of Community Services has further recommended that the Mental Health Association for Fulton and Montgomery Counties, who has provided mental health education, advocacy and counseling services under contract to Montgomery County for many years, and whose management of the association is knowledgeable about the agricultural community in the county, be awarded, in subcontract, the grant for Project Recovery: Crisis Counseling Assistance and Training Program Regular Services Program,

WHEREAS, Project Recovery funds will be advanced to the Mental Health Association for Fulton and Montgomery Counties directly and not pass through Montgomery County, yet the Director of

Community Services will audit and approve claims made by the Mental Health Association for reimbursement by the Research Foundation for Mental Hygiene, but not to reimburse claims from county revenues,

RESOLVED, that following the approval of the County Attorney, the Chairman of the Board of Supervisors is authorized to sign the Project Recovery: Crisis Counseling Assistance and Training Program Regular Services Program contract between the Research Foundation for Mental Hygiene and the County of Montgomery, and

FURTHER RESOLVED, that following the approval of the County Attorney, the Chairman of the Board of Supervisors is authorized to sign an amendment to the contract between the County of Montgomery and the Mental Health Association for Fulton and Montgomery Counties awarding them the grant for Project Recovery: Crisis Counseling Assistance and Training Program Regular Services Program.

RESOLUTION ADOPTED with Aye(1868). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 327 of 2006

DATED: October 24, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - DATA PROCESSING SERVICES - FMCC (DATA PROCESSING)

Resolution by Supervisor: Paton

Seconded by Supervisor: Strevy

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a renewal agreement for the provision of data processing payroll services to Fulton-Montgomery Community College and,

FURTHER RESOLVED, that said agreement, with estimated revenue of \$9,515, shall be for a period commencing January 1, 2007 and ending December 31, 2007.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann abstained. (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 328 of 2006

DATED: October 24, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LEASE AGREEMENT/LEASE EXTENSION - ISERIES MAINFRAME - IBM GLOBAL FINANCING AND RESCINDING RESOLUTION 288 OF 2006 (DATA PROCESSING)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Thomas

WHEREAS, the current lease for the County's mainframe will expire on November 5, 2006, and

WHEREAS, Resolution 288 of 2006 provided for a lease agreement with SCS and IBM for the provision of an upgraded mainframe and backup computer for a period of 3 years, in an amount not to exceed \$107,892 total for the term of the lease, and

WHEREAS, in further research of said project certain factors and additional expenses have come to light, and

WHEREAS, due to these extenuating circumstances and until such certain factors are resolved, the approved upgraded Iseries mainframe will not be in place by lease end, and

WHEREAS, to provide for the ongoing operation of County business, there will need to be a mainframe in place until the upgrade is complete, and

WHEREAS, the Data Processing Director has recommended that the County enter into an agreement with IBM Global Financing which provides for a new contract price which includes all necessary expenditures for the upgrade and an extension of the current lease agreement for a time period until such upgraded machine is put in place, and

WHEREAS, said agreement would call for the rescinding of Resolution 288 of 2006, as it does not include the correct contract pricing, nor the extension of the current lease,

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 IBM Global Financing for the provision of a mainframe and backup computer for a period of three years, in an amount not to exceed \$127,000 for the total term of the lease, and

FURTHER RESOLVED, said contract pricing will also include a provision for a lease extension with IBM for a period of time that will ensure proper installation of said upgrade in an amount not to exceed \$2,378 per month, and

FURTHER RESOLVED, Resolution 288 of 2006 is hereby rescinded.

RESOLUTION ADOPTED with Aye(1868). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 329 of 2006

DATED: October 24, 2006

RESOLUTION ADOPTING NEW COMMERCIAL AND RESIDENTIAL RATE STRUCTURE - MONTGOMERY COUNTY SANITARY DISTRICT #1

Resolution by Supervisor: Strevy

Seconded by Supervisor: McMahan

WHEREAS, on August 19, 2006 the Montgomery County Sanitary District Board of Directors proposed an increase in user fee be adopted, and

WHEREAS, the Montgomery County Sanitary District #1 Board of Directors held a Public Hearing on October 7, @ 8:00 am in regard to said increase,

RESOLVED, that the Montgomery County Board of Supervisors hereby adopts a new Commercial and Residential Rate Structure for the Montgomery County Sanitary District #1 as follows:

Type of Structure	No. of Household Units	Sewer User Rate
Single Family House	One	\$185.00 Per Unit
Multiple Family House	Same as number of available	\$185.00 Per Unit
Apartment/Boarding House	Same as number of available dwelling quarters	\$185.00 Per Unit
Hospitals/Nursing Homes	One per every three (3) beds and each fractional part thereof	\$185.00 Per Unit
Schools	One Per 17.5 pupils plus one per 17.5 employees rounded to nearest whole unit	\$185.00 Per Unit
Motels/Hotels	One for every three (3) beds and each fractional part thereof	\$185.00 Per Unit
Commercial	One for every 75,000 gallons of water, and each fractional part thereof	\$185.00 Per Unit
Industrial	One for every 75,000 gallons of water, and each fractional unit thereof	\$185.00 Per Unit
Multiple Use	Sum of units determined for all separate usages	\$185.00 Per Unit

, and

FURTHER RESOLVED, that all of the above listed usages, or combination or separate parts thereof, are subject to an additional per unit charge, or charges, if the Montgomery County Sanitary District No. 1 Board determines that a particular usage, or combination or separate part thereof, is having an "extraordinary impact" on the publicly owned treatment works of Montgomery County Sanitary District No. 1.

, and

FURTHER RESOLVED, that said commercial and dwelling units charges will take effect April 1, 2007

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Jonker to insert after the Rate Structure Table the following statement:

"No users, residential or commercial, will pay less than \$185.00 per available unit",
passed with Aye(1868). (10/24/2006)

RESOLUTION ADOPTED with Aye(1868). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 330 of 2006

DATED: October 24, 2006

RESOLUTION AUTHORIZING SALE OF COUNTY PROPERTY - TWO (2) FORD TRACTORS WITH BROOMS

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: McMahon

WHEREAS, the Public Works Commissioner 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 two (2) 1984 Ford Tractors with Brooms to the Town of Mohawk for the sum of \$11,250.00.

RESOLUTION ADOPTED with Aye(1868). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

DPW Commissioner Paul Clayburn confirmed that the cost of the stated environmental survey in Resolution 331 will be covered by FEMA.

RESOLUTION NO. 331 of 2006

DATED: October 24, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT - ANNEX BUILDING (B-12) - ENVIRONMENTAL SURVEY - EARTH TECH, INC. (PUBLIC WORKS)

Resolution by Supervisor: Strevy

Seconded by Supervisor: McMahon

WHEREAS, the Board of Supervisors wishes to proceed with the post flood environmental survey of the Annex Building;

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 Annex Building Environmental Survey;

FURTHER RESOLVED, that said services shall be provided at a cost not to exceed \$10,750.00.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann voted Nay. (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 332 of 2006

DATED: October 24, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - RADIO TOWER REPAIRS (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Mancini

WHEREAS, the radio equipment at the Esperance Road Tower has broken down, and

WHEREAS, the equipment is outdated and there are no parts available to fix it, and

WHEREAS, an estimate to replace said equipment will cost approximately \$6,500.00, and

WHEREAS, the power and light portion of the 2006 Budget has been depleted, and an estimated figure of \$3,000.00 will be needed to complete the year.

RESOLVED, that the County Treasurer hereby is authorized to amend the 2006 Operating Budget, as follows:

TRANSFER FROM:

A-01-4-1990-00.4400 Contingent Budget - Contractual Expenses \$9,500.00

TRANSFER TO:

A-02-4-3020-00.2250 Public Safety Communications - Technical Equip. \$6,500.00
A-02-4-3020-00.4412 Public Safety Communications - Light & Power \$3,000.00

RESOLUTION ADOPTED with Aye(1868). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 333 of 2006

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

DATED: October 24, 2006

RESOLUTION ADOPTING 2007 STOP-DWI PLAN (STOP DWI)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Thomas

WHEREAS, the Stop DWI Coordinator has submitted the 2007 Stop DWI plan,

RESOLVED, that the Board of Supervisors hereby adopts said plan, and

FURTHER RESOLVED, that no funds for said plan shall be appropriated from general revenue of the County of Montgomery.

RESOLUTION ADOPTED with Aye(1868). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 334 of 2006

DATED: October 24, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - FORFEITURE MONIES - (DISTRICT ATTORNEY)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Greco

WHEREAS, the District Attorney has received monies from forfeiture crime proceeds in the following amounts from criminal investigations and arrests conducted by the New York State Police:

- 1) \$7,142.22 (People v. David Noble)
- 2) \$962.01 (People v. Kouriockein Vann)
- 3) \$3,508.60 (People v. Colin Ray Ashford)

Total \$11,612.83

WHEREAS, the District Attorney would utilize said forfeiture monies to purchase technical equipment for law enforcement agencies, it is:

RESOLVED, that the Montgomery County Treasurer amend the 2006 operating budget for the office of District Attorney as follows:

INCREASE REVENUE:

A-25-3-2626 Forftr Cr Proc Rest \$4,676

INCREASE APPROPRIATIONS:

A-25-4-1165-00-4452 DA/Law Enforcement Programs \$4,676

RESOLUTION ADOPTED with Aye(1868). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 335 of 2006

DATED: October 24, 2006

RESOLUTION ESTABLISHING A PUBLIC HEARING ON THE 2007 TENTATIVE OPERATING BUDGET

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Strevy

RESOLVED, that pursuant to Section 359 of County Law, the Montgomery County Board of Supervisors shall hold a Public Hearing on the 2007 Tentative Operating Budget at the Montgomery County Court House, 58 Broadway, Fonda, New York at 7:00 pm on Tuesday, November 21, 2006, 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 2007 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(1868). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 336 of 2006

DATED: October 24, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - COPIER PURCHASE (BOARD OF SUPERVISORS)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Jonker

WHEREAS, the copier in the Board of Supervisors has become outdated and limits efficiency, and

WHEREAS, there has become an increased need for a copier in the Personnel Office, and

WHEREAS, purchase of a new copier would provide greater efficiency in the BOS office and allow for the transfer of the old copier to the Personnel Office,

RESOLVED, that the Montgomery County Treasurer is hereby authorized and directed to amend the 2006 operating Budget as follows:

TRANSFER FROM:

A 01 4 8160 00 4431	Refuse & Garbage - Professional Services	\$9,161
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TRANSFER TO:

A 01 4 1010 00 2220	Board of Supervisors - Office Equipment	\$9,161
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, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney is hereby authorized to sign an agreement for the purchase of a copier from IKON of Troy, NY, on NYS Contract PC59459, at cost not to exceed \$9,161.

RESOLUTION ADOPTED with Aye(1868). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 337 of 2006

DATED: October 24, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NEXTEL OF NEW YORK INC. (CELL PHONES)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Johnson

WHEREAS, Montgomery County has been in the process of reviewing its cell phone program and numerous meetings have been held in a attempt to reduce cost and consolidate service, and

WHEREAS, Nextel of New York, Inc, State of New York Contract number - PS 60701, has submitted a plan which will provide termination of old contracts and allowing all departments to utilize Nextel and all of it features at a substantial savings, and

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and direct to sign and agreement with, Nextel of New York for the aforementioned services.

RESOLUTION ADOPTED with Aye(1868). (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 338 of 2006

DATED: October 24, 2006

RESOLUTION APPOINTING MEMBER - MONTGOMERY COUNTY FIRE ADVISORY BOARD (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Haak

WHEREAS, the Rural Grove Fire Department has requested that Scott Bobar of 110 Lynk Street, Sprakers be appointed to the Montgomery County Fire Advisory Board representing the Rural Grove Fire Department, and

FURTHER RESOLVED, that said appointment shall take effect immediately and continue through December 31, 2006, and

FURTHER RESOLVED, that based on this Resolution, and Resolutions 21, 107 and 118 of 2006 the Montgomery County Fire Advisory Board shall be comprised as follows:

REPRESENTING

Frank Nestle	100 Lafayette St, Palatine Bridge	Canajoharie
Daniel Carter	340 Mohawk Drive, Tribes Hill	Tribes Hill
Mike Beyer	132 Poplar Drive, Amsterdam	Cranesville
Richard DePasquale	321 Locust Avenue, Amsterdam	Amsterdam
Phil Bradt	2053 Burtonville 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
Ken Swain	119 Reid St, Fort Plain	Fort Plain
James Whipple	Prospect Street, Fultonville	Fultonville
Dale Furman	Ingersoll 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
Keith Rackowski	292 Fort Hunter 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
Jeffrey Swartz	24 Kingsbury Avenue, St. Johnsville	St. Johnsville
James Suidy	60 McNeir Avenue, Amsterdam	Member at Large

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann voted Nay. (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 339 of 2006**DATED:** October 24, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - THE PROVIDERS, NETWORK, LLC. - SALE OF THE MONTGOMERY MEADOWS RESIDENTIAL FACILITY**

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: DiMezza

WHEREAS, Resolution 261 of 2004, which adopted Local Law #4 of 2006, accepted a proposal for the sale of the Montgomery Meadows Residential Health Care Facility to The Providers, Network, LLC. Inc., and

WHEREAS, a Purchase and Sale Agreement was executed by the County and The Providers Network, LLC on February 25, 2005 which outlined certain stipulations agreed to by both parties while awaiting approval of a Certificate of Need issued by the New York State Department of Health, and

WHEREAS, The Providers Network, LLC has formally asserted that certain aspects of contract such as maintenance of the property and the business have not been in compliance with the agreement as well as information, provided by the County, in regards to land which has had a direct impact on acquiring financial capabilities and has requested that the County consider certain amendments to the previous agreement, and

WHEREAS, although the County does not agree that there has been a breach of the contract, the County has considered the aforementioned requests and feels it is in the best interests of the County, the residents of the Montgomery Meadows, and the taxpayers of Montgomery County to complete the sale of the Meadows as quickly and smoothly as possible.

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 agreement with The Providers Network, LLC for the sale of the Montgomery Meadows Residential Facility that outlines all previous stipulations of the February 25, 2005 agreement with the following changes:

1.) A 53% reduction of the purchase price based on the net undepreciated value of the base purchase price

2.) The first \$850,000 Accounts Receivables collected by The Provider Network, LLC shall be retained to address the immediate maintenance issues. Once collected, the remaining balance shall be returned to the County.

, and

FURTHER RESOLVED, that the County Attorney is hereby directed to take necessary steps with The Providers Network, LLC to effectuate said amended agreement, so that a closing can be in place within 30 days of issuance of a Certificate of Need from the Department of Health.

MOTION TO CALL THE QUESTION by Supervisor McMahon, seconded by Supervisor DiMezza, passed with Aye(1729). Supervisor Schumann voted Nay. (10/24/2006)

RESOLUTION ADOPTED with Aye(1144). Supervisors Schumann, Dybas, Walters, Strevy, Thomas, Paton and Cechnicki voted Nay. (10/24/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor DiMezza, seconded by Supervisor Johnson, passed with Aye(1868).

OTHER

Supervisor McMahon stated that he is currently on the Faculty negotiating team at FMCC, where there are three negotiations in the works. He asked for volunteers from among the Supervisors to assist on other negotiating teams. Supervisor Dybas agreed to serve on the Faculty team. Supervisor McMahon stated that he will step down from the team, and join the other two teams.

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
 9:00 AM, November 4, 2006

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for Nov. 4 was called to order at 9:00 AM by Chairman Quackenbush.

SALUTE TO THE FLAG

Chairman Quackenbush led the salute to the Flag.

ROLL CALL

Roll call indicated that Supervisors Quackenbush, Johnson, Greco, Dybas, Strevy, Paton, Haak, Schumann, Walters, Cechnicki, Thomas, Mancini and DiMezza were present. Supervisors McMahon and Jonker were absent.

STATEMENT OF PURPOSE OF MEETING

A. RESOLUTIONS AMENDING THE 2007 TENTATIVE OPERATING BUDGET

B. OTHER

OTHER

Presentation by Mang Insurance Representative Bill Van Gorder.

Mr. Van Gorder presented premium summary and endorsement figures to the Board for General Liability Insurance, including current and projected figures for 2007. More information will be forthcoming at the Nov. 21st. Finance Committee meeting.

After discussion, the Board chose to tentatively adopt the "worst case scenario" figures for 2007 (General Liability \$627,758.73) and the National Flood Insurance quote of \$21,271.00.

He also presented a Risk Management Plan to the County. He stated that the Service Plan is forthcoming, also.

Chairman Quackenbush stated that the Risk Management plan would be addressed at the Nov. 21st meeting.

Supervisor Cechnicki disseminated a document titled "The Montgomery County Ethics Renewal Law", a Local Law for consideration, for review per previous discussion during the 10/26/06 Full Board meeting.

RESOLUTION NO. 341 of 2006

DATED: November 4, 2006

RESOLUTION TO AMEND THE 2007 TENTATIVE OPERATING BUDGET- FINANCE COMMITTEE RECOMMENDATIONS

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Schumann

RESOLVED, that the 2007 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-01-4-8751-00-4575	Operational (Coop. Ext.)	\$125,000	\$ 44,000	\$169,000
A-06-4-1325-00-1110(545)	Accountant	\$ 0	\$ 29,098	\$ 29,098
A-06-4-9900-00-9950	Transfer to Cap. Proj.	\$821,389	\$194,663	(\$626,726)
A-14-4-1680-00-1110(333)	Sr. Computer Programmer	\$ 34,681	\$ 0	(\$ 34,681)
A-14-4-1680-00-1110(1349)	Programmer/Analyst Spec.	\$ 0	\$ 34,050	\$ 34,050
A-15-4-3020-14-1110(1411)	Dispatcher	\$ 0	\$ 26,311	\$ 26,311
A-15-4-3150-00-4436	Medical Fees	\$ 90,000	\$ 91,350	\$ 1,350
A-18-4-6010-00-1140	Sick Leave Buy-Back	\$ 0	\$ 2,035	\$ 2,035
A-24-4-6430-00-4570	Grants/Other Govts/Agency	\$ 25,000	\$ 10,000	(\$ 15,000)

A-25-4-1165-00-2250	Technical Equipment	\$ 10,000	\$ 5,000	(\$ 5,000)
A-25-4-1165-00-4408	Office Supplies	\$ 2,988	\$ 3,488	\$ 500
A-25-4-1165-00-4431	Professional Services	\$ 29,400	\$ 33,400	\$ 4,000
A-25-4-1165-00-4438	Misc. Supporting Svcs.	\$ 0	\$ 200	\$ 200
A-25-4-1165-00-4470	Travel/Related Costs	\$ 2,550	\$ 3,550	\$ 1,000
A-25-4-1165-00-4522	D.A. / Law Enforce Prog.	\$ 0	\$ 39,300	\$ 39,300
A-28-4-1170-00-1120(734)	Account Clerk Typ - P.T.	\$ 0	\$ 8,910	\$ 8,910
A-30-4-1320-00-1140(752)	Sick Leave Buy-Back	\$ 0	\$ 660	\$ 660
A-27-3-1270	Shared Services Charges	\$ 31,200	\$ 34,000	\$ 2,800
A-02-4-3020-00-4411	Telephone	\$ 2,500	\$ 0	(\$ 2,500)
A-12-4-1620-00-4411	Telephone	\$ 72,500	\$ 80,355	\$ 7,855
A-15-4-3110-00-4411	Telephone	\$ 38,500	\$ 35,500	(\$ 2,500)
A-15-4-3150-00-4411	Telephone	\$ 4,200	\$ 3,000	(\$ 1,200)
A-19-4-6510-00-4411	Telephone	\$ 210	\$ 0	(\$ 210)
A-21-4-3155-00-4411	Telephone	\$ 1,000	\$ 280	(\$ 720)
A-27-4-3140-00-4411	Telephone	\$ 1,450	\$ 725	(\$ 725)

(11/4/2006)

RESOLUTION ADOPTED with Aye(1118). Supervisors Strevy, Thomas, Quackenbush and Paton voted Nay. Supervisors McMahon and Jonker were absent. (11/4/2006)

Douglas Landon
County Attorney

kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 342 of 2006**DATED:** November 4, 2006**RESOLUTION AMENDING THE 2007 TENTATIVE OPERATING BUDGET - HEALTH INSURANCE (PERSONNEL)**

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Quackenbush

RESOLVED, that the 2007 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC / (DEC)
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APPROPRIATIONS

A-10-4-9001-00-8850 Hospital & Medical Ins.	\$5,800,000	\$5,200,000	(\$600,000)
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RESOLUTION ADOPTED with Aye(1610). Supervisors McMahon and Jonker were absent. (11/4/2006)

Douglas Landon
County Attorney

kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 343: Upon the recommendation of County Treasurer Shawn Bowerman and based on previous year actuals, sales tax will be increased by \$250,000 to \$13,000,000.

RESOLUTION NO. 343 of 2006**DATED:** November 4, 2006**RESOLUTION AMENDING THE 2007 TENTATIVE OPERATING BUDGET - SALES & USE TAX (TREASURER)**

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: DiMezza

RESOLVED, that the 2007 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC / (DEC)
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APPROPRIATIONS

A-06-3-1110 Sales and Use Tax	\$12,750,000	\$13,000,000	\$250,000
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RESOLUTION ADOPTED with Aye(1309). Supervisors Schumann, Cechnicki and Haak voted Nay. Supervisors McMahon and Jonker were absent. (11/4/2006)

Douglas Landon
County Attorney

kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Haak left Chamber at 10:00 AM.

Regarding Resolution 344, Supervisor Strevy stated that the tip fee will be going up to \$80 at

the current subsidy of \$19, as MOSA has set the tip fee at \$99.

Supervisor Walters stated that he doesn't support any increase in the subsidy.

Treasurer Shawn Bowerman stated that if MOSA tip fee isn't subsidized, the fund balance will take a hit in 2008, as the County will have to pay for undelivered tonnage at the full \$99/ton.

RESOLUTION NO. 344 of 2006

DATED: November 4, 2006

RESOLUTION AMENDING 2007 TENTATIVE OPERATING BUDGET - GAT SUBSIDY (MOSA)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Strevy

RESOLVED, that the 2007 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC / (DEC)
APPROPRIATIONS			
A-01-4-8160-00-4439 Misc Supporting Svc	\$825,000	\$830,718	\$5,718

RESOLUTION ADOPTED with Aye(1514). Supervisors McMahon, Jonker and Haak were absent. (11/4/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 345 of 2006

DATED: November 4, 2006

RESOLUTION AMENDING 2007 TENTATIVE OPERATING BUDGET -MONTGOMERY MEADOWS SUBSIDY (MONTGOMERY MEADOWS)

Resolution by Supervisor: Haak

Seconded by Supervisor: Schumann

RESOLVED, that the 2007 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC / (DEC)
APPROPRIATIONS			
A-06-4-9900-00-9961 Trans. To Mont. Meadows	\$0	\$725,000	\$725,000
EH-34-3-5031 Interfund Trans.	\$0	\$725,000	\$725,000
EH-34-3-6020-4438 Misc. Supporting Svc.	\$0	\$725,000	\$725,000

RESOLUTION DEFEATED with Aye(812). Supervisors Schumann, Dybas, Mancini, Strevy, Thomas, Paton and Cechnicki voted Aye. Supervisors McMahon, Jonker and Haak were absent. (11/4/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 346 of 2006

DATED: November 4, 2006

RESOLUTION AMENDING 2007 TENTATIVE OPERATING BUDGET -ADDITION OF CORRECTION OFFICER (SHERIFF)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Dybas

RESOLVED, that the 2007 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC / (DEC)
APPROPRIATIONS			
A-15-4-3150-00-1110 (753) Correction Officer	\$0	\$34,297	\$34,297

RESOLUTION ADOPTED with Aye(1514). Supervisors McMahon, Jonker and Haak were absent. (11/4/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisors Schumann and Mancini left Chamber at 10:26 AM.

RESOLUTION NO. 347 of 2006

DATED: November 4, 2006

RESOLUTION AMENDING 2007 TENTATIVE OPERATING BUDGET - SENIOR ACCOUNT CLERK TYPIST UPGRADE (BOARD OF SUPERVISORS)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Johnson

RESOLVED, that the 2007 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC / (DEC)
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APPROPRIATIONS

A-01-1010-00-1110 (351) Acct. Clerk Typist	\$28,625	\$0	(\$28,625)
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A-01-4-1010-1110 (748) Sr. Acct. Clerk Typist	\$0	\$31,000	\$31,000
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RESOLUTION DEFEATED with Aye(653). Supervisors Greco, Johnson, DiMezza and Quackenbush voted Aye. Supervisors Schumann, Mancini, McMahon, Jonker and Haak were absent. (11/4/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 348 of 2006

DATED: November 4, 2006

RESOLUTION AMENDING 2007 TENTATIVE OPERATING BUDGET - SNOW CONTRACT DECREASE (DPW)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Quackenbush

RESOLVED, that the 2007 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
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APPROPRIATIONS

D-12-4-5142-00-4469 Snow Removal/Snow Contracts	\$1,994,400	\$1,595,520	(\$398,880)
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RESOLUTION DEFEATED with Aye(650). Supervisors Johnson, Dybas, DiMezza and Quackenbush voted Aye. Supervisors Schumann, Mancini, McMahon, Jonker and Haak were absent. (11/4/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 349 of 2006

DATED: November 4, 2006

RESOLUTION AMENDING 2007 OPERATING BUDGET - INSURANCE (PURCHASING)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Thomas

RESOLVED, that the 2007 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC / (DEC)
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APPROPRIATIONS

A-31-4-1910-00-4480 Unallocated Ins.	\$584,383	\$649,057	\$64,674
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RESOLUTION ADOPTED with Aye(1238). Supervisors Schumann, Mancini, McMahon, Jonker and Haak were

absent. (11/4/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor DiMezza left Chamber at 10:37 AM.

Supervisor Strevy supports giving taxpayers a 10% reduction in the County tax levy from last year.

Supervisor Dybas requested from Treasurer Bowerman a statement on how the tax rates would be effected from various Fund Balance reduction figures. Treasurer Bowerman stated he will get those figures to all the Supervisors in a timely manner.

Chairman Quackenbush stated that there will be a Finance Committee meeting on November 21, and budget-related proposals or Resolutions need to be submitted to Supervisor Haak by November 9.

Treasurer Bowerman stated that a Mortgage Tax Recording Fee would be a big windfall.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor Greco, passed with Aye(1019). Supervisors Schumann, Mancini, DiMezza, McMahon, Jonker and Haak 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
7:00 PM, November 14, 2006

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 7:00 PM.

Roll call indicated Committee members present included Supervisors DiMezza, Dybas, Jonker, and Paton. Absent were Supervisors Schumann and Walters.

Additional Supervisors present were Supervisors Thomas, Johnson, Cechnicki, Mancini, Quackenbush, Greco and McMahon. Supervisors Haak and Cechnicki were absent.

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

1. Resolution Amending 2006 Budget - Copier Purchase (Social Services)
2. Resolution Authorizing Chairman to Sign Agreement - Lisa Volk - RN Consulting Services (Montgomery Meadows)
3. Discussion Regarding Employment Recommendation
4. Presentation - Bollam, Sheedy, Torani & Co - Individual Audit - Montgomery Meadows RHC
5. Other

Item #1: Supervisors Johnson and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Dybas and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

On the request of Supervisor Dybas, agenda item #5 (an add-on RESOLUTION) will be entertained at this time. There were no objections.

Item #3 (formerly item #5, "Other"): Add-on RESOLUTION AMENDING 2006 OPERATING BUDGET - NYS OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES (MENTAL HEALTH). Chairman Strevy explained the Resolution.

Supervisors Dybas and Mancini made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #4 (formerly item #3, "Discussion Regarding Employment Recommendation"): Meadows Administrator Barbara Clements has asked for a letter of recommendation from the full Board in support of her work at the Meadows.

Supervisors Dybas and Greco made a motion and seconded, respectively, to sponsor a draft Resolution and move it to the full Board with a positive recommendation. There were no objections.

Supervisor Walters entered Chamber at 7:06 PM.

Item #5 (formerly item #4, "Presentation - Bollam, Sheedy, Torani & Co - Individual Audit - Montgomery Meadows RHC"): Ron Guzier of Bollam, Sheedy, Torani and Co. disseminated two documents to the present Board members titled "Report on Reportable Internal Control Conditions and Other Procedural Suggestions Noted in Our Audit (dated July 7, 2006)", and "Montgomery Meadows Residential Health Care Facility - Financial Statements and Report of Independent Certified Public Accountants (dated Dec. 31, 2005)". Mr. Guzier clarified the highlights of the documents to the Board.

He stated that currently there are no year-to-date numbers. Meadows Business Manager Heather Reynicke concurred. He stated that he will be working with Manager Reynicke in the future to update the document.

In response to a query by Supervisor DiMezza, County Treasurer Shawn Bowerman stated that the intergovernmental transfer number will be \$200,000 - \$250,000 for this year, which matches last year's figure, resulting in a loss of around \$3,000,000. Mr. Guzier stated that, to the best of his knowledge, other County owned Nursing Homes state-wide are also losing money.

Supervisor Dybas stated that the conditions of sale have changed and should be reflected in the document. Mr. Guzier will comply.

Supervisor Dybas asked that numbers from 2004 be included in the audit. After polling the Board members present, Chairman Strevy stated that the 2004 numbers will not be included.

Chairman Strevy asked for an unofficial report listing the totals of the overdue accounts in a "30/60/90 days due" style format. Mr. Guzier stated that he will be happy to provide such information to the Committee in a timely manner.

Motion was made and seconded by Supervisors Dybas and DiMezza, respectively, to adjourn the Committee meeting.

Chairman Strevy adjourned the Health & Human Services Committee meeting at 7:40 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
7:15 PM, November 14, 2006

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:41 PM.

Roll call indicated Committee members present included Supervisors Greco, Johnson, Paton, Mancini and Streve. Absent was Supervisor Cechnicki.

Additional Supervisors present were Quackenbush, McMahon, Dybas, Thomas, Jonker and DiMezza. Absent were Supervisors Schumann and Haak.

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

1. Resolution Authorizing Chairman to Sign Renewal Agreement - MOSA - GAT Subsidization (Board of Supervisors)
2. Resolution Amending 2006 Operating Budget - FEMA/SEMO Funding (Sanitary District)
3. Resolution Amending 2006 Operating Budget - Utilities (Sanitary District)
4. Discussion Regarding Pre-Demolition Abatement - Old Jail (DPW)
5. Other

Item #1: Supervisors Mancini and Johnson made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor DiMezza stated that he objects subsidizing garbage.

Supervisor Johnson withdrew her second. Supervisor Jonker stated his second.

Supervisor Greco would like to extend an invitation to MOSA Executive Director Gilbert Chichester to come to the Full Board meeting to speak on MOSA's behalf. There were no objections.

The Committee chose to move the Resolution to the full Board with no recommendation.

Item #2: Supervisors Quackenbush and McMahon made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisors McMahon and Jonker made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #4: DPW Commissioner Paul Clayburn clarified a document entitled "Budgetary Estimate - Pre-Demolition Abatement" which the Board received from EarthTech. The estimate is totaled at \$250,000.

Commissioner Clayburn stated that once the outlined work is complete, the former jail will be ready to be torn down. He stated that the County has the capabilities to demolish the jail once the abatement is complete, and that the copious scrap metal can be sold.

Upon query from Chairman Quackenbush, Commissioner Clayburn stated that it will cost \$10,000 for EarthTech to pursue bids for the removal of the hazardous waste (as outlined as "Task 2" in EarthTech's letter). He stated that, in the interest of time, bids for demolition could occur at the same time.

Supervisors Quackenbush and DiMezza made a motion and seconded, respectively, to sponsor and move a draft Resolution (to authorize EarthTech to prepare the bids) to the full Board with a positive recommendation. There were no objections.

Supervisor McMahon stated that after the work is done, various avenues for reimbursement can be pursued.

Item #5, Other: DPW Commissioner Clayburn submitted a draft RESOLUTION AMENDING 2006 OPERATING BUDGET - STATE/FEDERAL AID - EMERGENCY DISASTER (PUBLIC WORKS) to the Committee. Supervisors DiMezza and Streve made a motion and seconded, respectively, to sponsor and move the draft Resolution to the full Board with a positive recommendation. There were no objections.

Commissioner Clayburn stated that the bike path was damaged in the flood. (Clerk's note: He did

not elaborate.)

Item #6, Other: Supervisor DiMezza stated that Data Processing/Printing Director Deb Bain has requested a reinstatement for line item #A-14-4-1680-00-1110 (333) for the position of Senior Computer Programmer (salary of \$34,681) in the 2007 Operating Budget be granted by the Board.

Supervisors DiMezza and McMahon made a motion and seconded, respectively, to sponsor and move a draft Resolution (to reinstate the position) to the full Board with a positive recommendation. There were no objections.

Motion was made and seconded by Supervisors DiMezza and Walters, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Walters adjourned the Public Safety Committee meeting at 8:13 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
7:30 PM, November 14, 2006

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 8:13 PM.

Roll call indicated Committee members present included Supervisors Greco, Jonker and Dybas. Absent were Supervisors Cechnicki, Schumann and Haak.

Additional Supervisors present were Quackenbush, Paton, McMahon, Strevy, Walters, Mancini and DiMezza. Absent was Supervisor Johnson.

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/Alternative Community Services Department)
2. Resolution Amending 2007 Tentative Operating Budget - Traffic Safety Board
3. Resolution Amending 2006 Operating Budget - Technical Equipment - (Sheriff)
4. Resolution Amending 2007 Tentative Operating Budget - Traffic Safety Officer Grant Corrections (Sheriff)
5. Resolution Authorizing Chairman to Sign Memorandum of Agreement - CSEA, Montgomery County Sheriff & Montgomery County - Dispatchers Shift Bidding (Sheriff)
6. Discussion Regarding Establishing a Local Law which Regulates Residency and Other Activities of Sexual Offenders in Montgomery County
7. Discussion Regarding Security Inspection of Public Safety Facility
8. Other

Item #1: Supervisors Quackenbush and Walters made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Jonker and Walters made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Sheriff Mike Amato stated that the Traffic Safety Board is looking forward to pursuing public safety projects and appreciates the \$1,000.

(Clerk's note: this will be funded out of the Board of Supervisor's budget.)

Item #3: Supervisors Dybas and Jonker made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #4: Supervisors Greco and Mancini made a motion and seconded, respectively, to sponsor the Resolution.

Supervisors Dybas and Jonker made a motion and seconded, respectively, to move the Resolution to the Finance Committee for more consideration. There were no objections.

Item #5: Supervisors Dybas and Thomas made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #6: Sheriff Amato presented to the Committee a draft Resolution of a Local Law that would regulate residency and other activities of Level 3 sex offenders. He stated that there are approximately 25 Level 3 sex offenders in Montgomery County.

Supervisor Greco stated that perhaps Level 1 and Level 2 sex offenders should be included somehow in the Resolution.

Supervisor DiMezza stated that more discussion and a surrounding County policy comparison is needed, as well as copies of other Local Laws pertaining to this subject would be useful for

further consideration.

Mental Health Director Jim Gumeau stated that, in his experience, the majority of sexual offenses occurred within immediate families. He also stated that any sex offender will be returned to their home County after the offender serves his/her time in the County where the offense occurred.

The discussion item will be revisited in December at the Public Safety Committee meeting.

Item #7: Sheriff Amato summarized his report of the security inspection of the Jail Facility. He stated that funding and manpower to do the work may be an issue.

The Sheriff stated that he will be meeting with DPW Commissioner Clayburn to discuss the priorities and investigate costs for said repairs. Chairman Thomas stated that the Public Safety and General Services Committee Chairs should be involved, also. There were no objections.

Clerk's Note: This discussion item will be revisited at a future date.

Motion was made and seconded by Supervisors Jonker and Mancini, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Thomas adjourned the Public Safety Committee meeting at 8:56 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
PUBLIC HEARING
7:00 PM, November 21, 2006

2007 Tentative Operating Budget

PUBLIC HEARING DISCUSSION

Chairman Quackenbush called the public hearing to order at 6:55 p.m. in the Supervisors' Chambers.

Present were Supervisors Johnson, Paton, McMahon, Strevy, Haak, Dybas, Schumann, Walters, Thomas, Jonker, Mancini and DiMezza. Absent were Supervisors Greco and Cechnicki.

The following notice was read:

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Montgomery will meet in the Supervisor's Chambers, County Office Building, Route 30A(Broadway), Fonda, New York on Tuesday, November 28, 2006 at 6:55 p.m. for the purpose of holding a public hearing on REVIEW OF AGRICULTURAL DISTRICT NO. 1.

Agricultural District #1 is located within the Towns of Canajoharie and Minden and the villages of Fort Plain and Canajoharie. The purpose of the hearing is to consider recommendations of the Montgomery County Planning Board and the Montgomery County Agricultural and Farmland Protection Board and any proposed modifications to the district. A map of the district, a list of tax parcels affected by proposed modifications to the district and the recommendations of the Montgomery County Planning Board and the Montgomery County Agricultural and Farmland Protection Board may be examined in the offices of the Montgomery County Board of Supervisors or the Montgomery County Planning Board during regular business hours.

FURTHER NOTICE is hereby given that a description of the district, any proposed modifications and any recommendations of the Montgomery County Planning Board or Montgomery County Agricultural and Farmland Protection Board are available at the Board of Supervisor's Office, County Annex Building, 20 Park St., Fonda, New York and 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 of Supervisors
DATED: October 25, 2006

Chairman Quackenbush asked if anyone wished to speak.

There were no speakers, so Chairman Quackenbush adjourned the public hearing at 6:56 p.m.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - AGRICULTURE, PLANNING & DEVELOPMENT
7:15 PM, November 21, 2006

COMMITTEE MEETING DISCUSSION

Chairperson Johnson presided over the meeting commencing at 7:15 PM.

Roll call indicated Committee members present are Supervisors Dybas, Jonker, Haak, Paton, Mancini and Schumann.

Additional Supervisors present were Quackenbush, Thomas, Strevy, McMahon, Cechnicki, Walters, and DiMezza. Absent was Supervisor Greco.

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

1. Resolution Authorizing Chairman to Sign Grant Application - Pre-Disaster Mitigation Grant Program (Economic Development)
2. Resolution Modifying Montgomery County Agricultural District #1 (Economic Development)
3. Resolution Authorizing Chairman to Sign Agreement - Rental of Montgomery County Office Space - Mohawk Valley Applied Technology Corp. (Economic Development)
4. Other

Item #1: Supervisors Dybas and Paton made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Jonker and Strevy made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisors Dybas and Paton made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Supervisors Thomas and Jonker made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairperson Johnson adjourned the Agriculture, Planning & Development Committee meeting at 7:16 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
7:30 PM, November 21, 2006

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 7:21 PM.

Roll call indicated Committee members present are Supervisors McMahon, Thomas, Johnson, Mancini, and Walters. Absent was Supervisor Greco.

Additional Supervisors present were Quackenbush, Strevy, Paton, Haak, Cechnicki, Jonker, and Schumann. Absent was Supervisor Dybas.

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

1. Resolution Authorizing Chairman to Sign Agreement - Employee Assistance Program - St. Mary's Hospital (Personnel)
2. Resolution Authorizing Chairman to Sign Agreement - Kronos Time System Maintenance - M.M. Hayes (Personnel)
3. Resolution Authorizing Chairman to Sign Agreement - Medicare Part D - Federal Drug Subsidy Reporting Services - NMHC (Personnel)
4. Resolution Authorizing Chairman to Sign Agreement - Employee Physical Examination - Amsterdam Memorial Health Care System (Personnel)
5. Resolution Authorizing Chairman to Sign Agreement - Third Party Drug and Alcohol Administrator - Energetix (Personnel)
6. Resolution Authorizing Chairman to Sign Agreement - Self Insured Worker's Compensation Administration Services - Benetech, Inc. (Personnel)
7. Resolution Authorizing Chairman to Sign Agreement - Self Insured Short Term Disability Administration - Benetech, Inc. (Personnel)
8. Resolution Authorizing Chairman to Sign Agreement - Labor Relations Services - Roemer, Wallens & Mineaux, LLP (Personnel)
9. Resolution Authorizing Chairman to Sign Agreement - Memorandum of Agreement - CSEA - Incentive and Severance Payment - Montgomery Meadows Employees (Personnel)
10. Discussion regarding Non-Bargaining Policy & Department Head Salary Adjustments
11. Other

Chairman DiMezza stated that though the meeting doesn't officially begin until 7:30 PM, this time can be used to discuss agenda item #10. There were no objections.

Item #1 (formerly item #10, "Discussion regarding Non-Bargaining Policy & Department Head Salary Adjustments"): Chairman DiMezza quickly clarified the back-up documentation included in the packets, bringing specific attention to the "2006 Non-Bargaining Salary Study Results (18 Counties)" document.

Chairman DiMezza also stated that Montgomery County has attempted to remain "in line" with other Counties in regards to Department Head salaries. He stated that all bases listed in the specified chart for 2007 and 2008 are already in the 2007 Tentative Operating Budget.

Personnel Officer Rich Baia stated that he will be introducing a Resolution in December to approve the changes made to the Non-Bargaining Policy.

Chairman DiMezza stated that discussion will continue next month at the Personnel Committee meeting.

Item #2 (formerly item #1, "Resolution Authorizing Chairman to Sign Agreement - Employee Assistance Program - St. Mary's Hospital (Personnel)"): Supervisors Johnson and McMahon made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #3 (formerly item #2, "Resolution Authorizing Chairman to Sign Agreement - Kronos Time System Maintenance - M.M. Hayes (Personnel)": Supervisors Mancini and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #4 (formerly item #3, "Resolution Authorizing Chairman to Sign Agreement - Medicare Part D - Federal Drug Subsidy Reporting Services - NMHC (Personnel)": Personnel Officer Rich Baia stated that this Resolution reflects an increase of \$2,500 for 2007.

Supervisors Jonker and Mancini made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #5 (formerly item #4, "Resolution Authorizing Chairman to Sign Agreement - Employee Physical Examination - Amsterdam Memorial Health Care System (Personnel)": Personnel Officer Baia stated that the Resolution reflects an increase to include a new blood test.

Supervisors Johnson and Mancini made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #6 (formerly item #5, "Resolution Authorizing Chairman to Sign Agreement - Third Party Drug and Alcohol Administrator - Energetix (Personnel)": Personnel Officer Baia stated that the Resolution reflects a \$2,000 increase.

Supervisors McMahon and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #7 (formerly item #6, "Resolution Authorizing Chairman to Sign Agreement - Self Insured Worker's Compensation Administration Services - Benetech, Inc. (Personnel)": Supervisors Johnson and Mancini made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #8 (formerly item #7, "Resolution Authorizing Chairman to Sign Agreement - Self Insured Short Term Disability Administration - Benetech, Inc. (Personnel)": Supervisors Thomas and Walters made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #9 (formerly item #8, "Resolution Authorizing Chairman to Sign Agreement - Labor Relations Services - Roemer, Wallens & Mineaux, LLP (Personnel)": Personnel Officer Baia outlined the expected increases in 2007.

Supervisor Schumann suggested that perhaps an RFP should be pursued in the future.

Supervisors Mancini and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #10 (formerly item #9, "Resolution Authorizing Chairman to Sign Agreement - Memorandum of Agreement - CSEA - Incentive and Severance Payment - Montgomery Meadows Employees (Personnel)": Personnel Officer Baia stated that the total cost, as of this date, should not exceed \$190,000.

Supervisors Thomas and Johnson made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #11, Other: Supervisor McMahon stated that the FMCC Board of Trustees have chosen David Garvey to represent them in the College's labor contracts. He stated that the office of FMCC President Dustin Swanger has asked for a Resolution supporting the College's decision to hire Attorney Garvey. Supervisor McMahon presented said draft Resolution.

Dr. Swanger stated that a Resolution is not requested by SUNY but is suggested by Fulton County.

Supervisors McMahon and Johnson made a motion and seconded, respectively, to sponsor the draft Resolution and move it to the full Board with no recommendation. There were no objections.

Supervisors Mancini and McMahon made a motion and seconded, respectively, to adjourn the meeting.

Chairman DiMezza adjourned the Personnel 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
8:00 PM, November 21, 2006

COMMITTEE MEETING DISCUSSION

Chairman Haak presided over the meeting commencing at 8:00 PM.

Roll call indicated Committee members present included Supervisors Quackenbush, McMahon, Strevy, Thomas, DiMezza, and Cechnicki. Absent was Supervisor Greco.

Additional Supervisors present were Supervisors Walters, Paton, Jonker, Johnson and Schumann. Absent were Supervisors Dybas and Mancini.

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

1. Discussion Regarding General Liability Insurance -
(Resolutions will be forthcoming)
 - A. Resolution Amending 2007 Operating Budget - General Liability Premium - Insurance Deductible Credits
 - B. Resolution Amending 2007 Operating Budget - Risk Coordination
2. Resolution Amending 2006 Operating Budget - Community College Tuition (Treasurer)
3. Resolution Approving Relevy of Delinquent School Taxes, Village Taxes, Water Rents and Sewer Taxes (Treasurer)
4. Resolution Amending 2006 Operating Budget - FMCC Contribution (Treasurer)
5. Resolution Authorizing Accounts Payable Year End Adjustments - 2006 Operating Budget
6. Resolution Delegating Authority to Amend 2006 Operating Budget - Allocations and Expenditures Involving Payroll and Fringe Benefits (Treasurer)
7. Resolution Adopting Montgomery County 2007 Operating Budget
8. Resolution Amending 2007 Tentative Operating Budget - Traffic Safety Officer Grant Corrections (Sheriff)
9. Resolution Authorizing Chairman to Sign Agreement - Engineering Evaluation - Elimination of Future Use of Electrical Vault at FMCC - Phillips Associates (FMCC)
10. Resolution Amending 2006 Operating Budget - MOSA GAT Subsidy Shortfall (Board of Supervisors)
11. Resolution Awarding Bid 10-06 - Surplus Vehicles and Equipment (Purchasing)
12. Resolution Awarding Bid 11-06 - Hydraulic Programmable Paper Cutter (Purchasing)
13. Resolution Authorizing Chairman to Sign Agreement - Cost Recovery/Reduction Services and Source Analysis Services - Cost Control Associates (Purchasing)
14. Discussion Regarding Revolving Loan Fund - Licari's Big M (Economic Development)
15. Resolution Authorizing Chairman to Sign Revolving Loan Fund Agreement - Bud and Mel's Hardware Corporation (Economic Development)
16. Resolution Authorizing the Imposition of Motor Vehicle License Fees - County Clerk's Office
17. Resolution Establishing a Public Hearing - Introductory Local Law #4 of 2006 - A Local Law which Increases Mortgage Tax in Montgomery

County

18. Other

Item #1: Chairman Haak introduced a presentation on Risk Management by Bill Van Gorder (MANG), Brian Fitzsimmons (MANG), Bob Blaisdale (NYMIR), which included the proposed risk management program and NYMIR recommendations, including the online reporting database called Zywave and the \$6400.00 reduction in premium as a financial incentive to adopt the plan. This presentation was requested during the November 4 full Board meeting.

Chairman Quackenbush stated that the model plan is subject to change.

Item 1A (formerly item #1B, "RESOLUTION ADOPTING A RISK MANAGEMENT PLAN, ESTABLISHING POSITION OF RISK COORDINATOR AND AMENDING THE 2007 TENTATIVE OPERATING BUDGET (BOARD OF SUPERVISORS)"). Supervisors Haak and Jonker made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor DiMezza stated that the stipend for the position of Risk Coordinator should be \$500.00, not \$10,000.

Chairman Haak stated that the \$10,000 figure came from investigation, consideration and discussion of other Risk Management positions in other counties. Taken into consideration was the half-time position, as well as other conditions the position.

Chairman Quackenbush urged the Committee members not to lose sight of the big picture.

Supervisor Walters suggested that the Resolution be moved to the Finance Committee on 11/28/06 for additional discussion.

Supervisors DiMezza and McMahon made a motion and seconded, respectively, to table the Resolution. After polling the Committee members, Chairman Haak tabled the Resolution, which will be revisited at the 11/28/06 Finance Committee meeting.

Item 1B (formerly item #1a, "Resolution Amending 2007 Operating Budget - General Liability Premium - Insurance Deductible Credits"): Supervisors Haak and Cechnicki made a motion and seconded, respectively, to sponsor the Resolution, and to move the Resolution to the Finance Committee meeting on 11/28/06 for further consideration. There were no objections.

Item #2 (formerly item #18, Other, "Add-on RESO AMENDING THE 2007 TENTATIVE OPERATING BUDGET - PUBLIC WORKS, BOARD OF ELECTIONS AND CORNELL COOPERATIVE"): Chairman Haak clarified the Resolution.

Supervisor DiMezza stated that the joint Resolution (which was previously sponsored by Supervisors Haak and Jonker, respectively) should be separated into three individual Resolutions. He stated that he disagrees with eliminating the DPW positions, and strongly objects to full-time Election Coordinators positions for a once-per-year event. He also objects to the cut to Cornell Coop Extension.

Supervisors DiMezza and Strevy made a motion and seconded, respectively, to separate the Resolution into three Resolutions, and to move them to the full Board with no recommendation. There were no objections.

Item #3, (formerly item #14, "Discussion Regarding Revolving Loan Fund - Licari's Big M (Economic Development)"): Supervisor Thomas requested a Motion to go into Executive Session Pursuant to Section 105 (f) of NYS Open Meeting Law to discuss the financial history of an individual or corporation. A motion to enter Executive Session was made by Chairman Thomas and seconded by Supervisor Strevy. Supervisor Cechnicki opposed the timing of the session in relation to the agenda. Executive Session began at 8:30 PM.

Supervisors Haak and Jonker made a motion and seconded, respectively, to adjourn Executive Session. The Executive Session was adjourned at 9:25 PM.

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

Clerk's Note: During Executive Session, Supervisor Schumann left Chamber at 8:30 PM. Supervisor DiMezza left Chamber at 9:00 PM. Supervisor Johnson left Chamber at 9:26 PM. Times are approximate.

Item #4 (formerly item #15, "RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT - BUD AND MEL'S HARDWARE CORPORATION (ECONOMIC DEVELOPMENT)"): Supervisors Jonker and Cechnicki made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #5 (formerly item #2, "Resolution Amending 2006 Operating Budget - Community College Tuition (Treasurer)"): Supervisors McMahon and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #6 (formerly item #3, "Resolution Approving Relevy of Delinquent School Taxes, Village Taxes,

Water Rents and Sewer Taxes (Treasurer)): Supervisors Haak and McMahon made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #7 (formerly item #4, "Resolution Amending 2006 Operating Budget - FMCC Contribution (Treasurer)): Supervisors Quackenbush and McMahon made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #8 (formerly item #5, "Resolution Authorizing Accounts Payable Year End Adjustments - 2006 Operating Budget"): Supervisors Quackenbush and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #9 (formerly item #6, "Resolution Delegating Authority to Amend 2006 Operating Budget - Allocations and Expenditures Involving Payroll and Fringe Benefits (Treasurer)): Supervisors Cechnicki and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #10 (formerly item #7, "Resolution Adopting Montgomery County 2007 Operating Budget"): Supervisors McMahon and Walters made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #11 (formerly item #8, "Resolution Amending 2007 Tentative Operating Budget - Traffic Safety Officer Grant Corrections (Sheriff)): Supervisors Greco and Mancini previously made a motion and seconded, respectively, to sponsor the Resolution. The Finance Committee chose to move it to the full Board with a positive recommendation. There were no objections.

Item #12 (formerly item #9, "Resolution Authorizing Chairman to Sign Agreement - Engineering Evaluation - Elimination of Future Use of Electrical Vault at FMCC - Phillips Associates (FMCC)): Supervisors McMahon and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #13 (formerly item #10, "Resolution Amending 2006 Operating Budget - MOSA GAT Subsidy Shortfall (Board of Supervisors)): Supervisors Quackenbush and Walters made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with no recommendation. There were no objections.

Item #14 (formerly item #11, "Resolution Awarding Bid 10-06 - Surplus Vehicles and Equipment (Purchasing)): Supervisors McMahon and Walters made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #15 (formerly item #12, "Resolution Awarding Bid 11-06 - Hydraulic Programmable Paper Cutter (Purchasing)): Supervisors Walters and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #16 (formerly item #13, "Resolution Authorizing Chairman to Sign Agreement - Cost Recovery/Reduction Services and Source Analysis Services - Cost Control Associates (Purchasing)): Supervisors Jonker and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a no recommendation, pending review by County Attorney Doug Landon. There were no objections.

Item #17 (formerly item #16, "Resolution Authorizing the Imposition of Motor Vehicle License Fees - County Clerk's Office"): The Resolution was previously sponsored by Supervisor DiMezza. Supervisor Walters seconds. Supervisor McMahon objected to the additional fees.

Supervisors Haak and Thomas made a motion and seconded, respectively, to table the Resolution pending further review. There were no objections.

Item #18, (formerly item #17, "Resolution Establishing a Public Hearing - Introductory Local Law #4 of 2006 - A Local Law which Increases Mortgage Tax in Montgomery County"): Supervisor McMahon stated that he objections to the tax, which will directly affect young, new homeowners.

The Resolution was previously sponsored by Supervisor DiMezza. There was no second.

Item #19, (formerly item #18, "Other"): Add-on RESOLUTION AMENDING 2007 TENTATIVE OPERATING BUDGET - PERSONNEL TITLE TRANSFERS (SHERIFF). Sheriff Mike Amato clarified the Resolution, stating that another Senior Civil Account Clerk must be added, and that the two clerks monetary figures are to be changed to \$30,000.

Supervisors Quackenbush and Thomas made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #20, (formerly item #18, "Other"): Add-on RESOLUTION AMENDING 2007 TENTATIVE OPERATING BUDGET - STRUCTURAL MAINTENANCE WORKER (DPW). Supervisors Walters and Thomas made a motion and

seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #21, (formerly item #18, "Other"): Add-on RESOLUTION AT AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ONEIDA COUNTY SHERIFF - SECURITY SERVICES FOR MONTGOMERY COUNTY INMATES AT NY PSYCHIATRIC CENTER (SHERIFF). Supervisors Haak and Cechnicki made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #22, (formerly item #18, "Other"): The Financial Disclosure form that was created to be used in conjunction with the Cechnicki/Haak proposed Ethics Law was distributed and discussed. It was the decision of the Committee to bring both the Law and form back to the Education/Government Committee meeting to be held in December, for further discussion.

The motion was made and seconded by Supervisors Cechnicki and Thomas, respectively, to adjourn the Finance Committee.

Chairman Haak adjourned the Finance Committee meeting at 9:47 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
6:30 PM, November 28, 2006

COMMITTEE MEETING DISCUSSION

Chairman Haak presided over the meeting commencing at 6:30 PM.

Roll call indicated Committee members present included Supervisors McMahon, DiMezza, Cechnicki, Strevy, Thomas and Greco.

Additional Supervisors present were Supervisor Walters, Paton, Jonker, Walters, Johnson and Schumann. Absent were Supervisors Dybas and Mancini.

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

1. Discussion Regarding General Liability Insurance -
 - A. Resolution Amending 2007 Operating Budget - General Liability Premium - Insurance Deductible Credits
 - B. Resolution Amending 2007 Operating Budget - Risk Coordination
2. Other

Item #1A: Supervisors Greco and Strevy made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #1B: Supervisors DiMezza and Haak made a motion and seconded, respectively, to move the Resolution off the table.

Supervisor DiMezza disseminated to the full Board an amendment to the draft Resolution and clarified it. He confirmed that current County employees could apply for the position, if desired.

(Clerk's Note: Highlights of the amendment include increasing the annual salary to \$12,500 and publicly advertising the position.)

Supervisor Mancini entered Chamber at 6:39 PM.

Supervisor DiMezza reminded the Board of the part-time "job description" that was presented by MANG and NYMIR during their Risk Management/Risk Coordinator presentation in last week's Finance Committee meeting.

Supervisor Strevy stated that the job requirements should be clarified prior to passing a Resolution.

Supervisor Greco suggested requesting Personnel Director Rich Baia to come up with a job description in the near future.

Supervisor DiMezza stated that 17 counties have been polled regarding their Risk Coordinator positions. He gave a summary of the poll.

Supervisor McMahon stated that the Board should move forward with the Resolution for budget purposes, and then move the Resolution to the Personnel Committee for further consideration.

Supervisor Strevy stated that due to the current workload of existing employees, outside employment could be pursued.

Supervisors Strevy and Cechnicki made a motion and seconded, respectively, to add a FURTHER RESOLVED clause to the draft Resolution as follows:

"FURTHER RESOLVED, any individual holding full-time employment with Montgomery County shall be precluded from serving as Risk Coordinator." Supervisors McMahon and Haak objected.

In the interest of time, Chairman Haak announced that the Finance Committee would take a short recess so that the scheduled Public Hearing could be held.

(Clerk's Note: The Committee meeting recessed at 6:54 PM. The Committee meeting resumed at 6:56 PM, after the Public Hearing was held.)

The amended Resolution was moved to the full Board with no recommendation. There were no objections to the recommendation.

Item #2, Other: Supervisors DiMezza and Strevy made a motion and seconded, respectively, to sponsor a draft Resolution (related to the Meadows) reducing the unemployment insurance by \$150,000 and move it to the full Board with a positive recommendation. There were no objections.

Treasurer Shawn Bowerman stated that after the Job Fair at the Meadows, 88 people will be offered employment, whereas 110 people applied for positions.

The motion was made and seconded by Supervisors Greco and McMahon, respectively, to adjourn the Finance Committee.

Chairman Haak adjourned the Finance Committee meeting at 7:02 PM.

(Clerk's Note: Following the Committee meeting, Chairman Quackenbush asked if anyone else from the Public wanted to speak regarding the Ag District Review. There were no speakers.

He asked Cornell Cooperative Extension Executive Director Marilyn Smith to clarify the need for a review every eight years, which she did.)

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
PUBLIC HEARING
6:55 PM, November 28, 2006

REVIEW OF AGRICULTURAL DISTRICT NO. 1

PUBLIC HEARING DISCUSSION

Chairman Quackenbush called the public hearing to order at 6:55 p.m. in the Supervisors' Chambers.
The following notice was read:

NOTICE OF PUBLIC HEARING

REVIEW OF AGRICULTURAL DISTRICT NO. 1

□NOTICE IS HEREBY GIVEN that the Board of Supervisors of the County of Montgomery will meet in the Supervisor's Chambers, County Office Building, Route 30A(Broadway), Fonda, New York on Tuesday, November 28, 2006 at 6:55 p.m. for the purpose of holding a public hearing on REVIEW OF AGRICULTURAL DISTRICT NO. 1.

□FURTHER NOTICE is hereby given that a description of the district, any proposed modifications and any recommendations of the Montgomery County Planning Board of Montgomery County Agricultural and Farmland Protection Board are available at the Board of Supervisor's Office, County Annex Building, 20 Park St., Fonda, New York and 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 of Supervisors
DATED: October 25, 2006

Chairman Quackenbush asked if there were any speakers. With no speakers, he adjourned the public hearing at 6:56 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, November 28, 2006

CALL TO ORDER

Chairman Quackenbush called the Regular Meeting of the Montgomery County Board of Supervisors for November 28, 2006 to order at 7:08 PM.

SALUTE TO THE FLAG

County Attorney Doug Landon led the Salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors Quackenbush, Johnson, Greco, Paton, McMahon, Strevy, Haak, Cechnicki, Schumann, Walters, Thomas, Jonker, Mancini and DiMezza were present. Supervisor Dybas was absent.

MOTION TO AMEND THE AGENDA

MOTION TO AMEND AGENDA by Supervisor Strevy, seconded by Supervisor Schumann, to move Resolutions 396, 397 and 398 to be entertained as the first three Resolutions under NEW BUSINESS, passed with Aye(1732). Supervisor Dybas was absent.

PRIVILEGE OF THE FLOOR

A. Proclamation - Montgomery County Office for the Aging: Floy Sumigray, Caregiver of the Year

Supervisor Schumann presented to Floy Sumigray a Proclamation from Chairman of the Board Quackenbush and a Proclamation from Assemblyman Paul Tonko in acknowledgement and congratulation for her years of service.

B. Public Comment

Chairman Quackenbush asked if anyone wished to speak.

Lt. Burt Olson of the Montgomery County Sheriff's Dept. expressed his appreciation that the Board upheld the Sheriff's Road Patrol, and for the Board's assistance with the Union contract negotiations.

Chairman Quackenbush adjourned the Privilege of the Floor at 7:18 PM.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (Oct. 24 - Nov. 21, 2006) by Supervisor Haak, seconded by Supervisor Jonker, passed with Aye(1732). Supervisor Dybas was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor DiMezza, seconded by Supervisor Johnson, passed with Aye(1732). Supervisor Dybas was absent.

UNFINISHED BUSINESS

A. Tabled Resolutions -

312 of 2006 - Resolution Establishing A Public Hearing on
Introductory Local Law #3 of 2006 - A Local Law
Repealing Local Law #1 of 1990 and Local Law #5 of
1992, which Created A County Code of Ethics

Regarding Resolution 312, Supervisors DiMezza and Cechnicki made a motion and seconded, respectively, to move the Resolution off the table for discussion.

Chairman Quackenbush stated that Chairman McMahon would like to see the Resolution brought before the Education/Government Committee, as there has been a revised Ethics Law and also the disclosure form that was disseminated at the last Finance Committee meeting needs to be further

considered. Also brought to the Education/Government Committee would be the Resolution for the Public Hearing to repeal Local Law #1 of 1990 and the Public Hearing to establish the new Local Law.

Supervisors DiMezza and Cechnicki withdrew their motions. No one picked it up. The Resolution died on the table.

RESOLUTION NO. 312 of 2006

DATED: October 24, 2006

RESOLUTION ESTABLISHING A PUBLIC HEARING ON INTRODUCTORY LOCAL LAW #4 OF 2006 - A LOCAL LAW REPEALING LOCAL LAW #1 OF 1990 AND LOCAL LAW #5 OF 1992, WHICH CREATED A COUNTY CODE OF ETHICS

Resolution by Supervisor: DiMezza

Seconded by Supervisor: McMahon

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 4 of 2006, a Local Law Repealing Local Law No. 1 of 1990 and Local Law No. 5 of 1992, related to the filing of financial disclosure statements by certain County Official and Employees and which created a County Code of Ethics as authorized by Section 812 of NYS General Municipal Law,

RESOLVED, that Introductory Local Law No. 4 of 2006 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing as follows:

Section 1. The Local Laws which established a procedure related to the filing of financial disclosure statements by certain County Officials and Employees and which created a County Code of Ethics as authorized by Section 812 of NYS General Municipal Law are hereby repealed.

Section 2. This Local Law shall take effect when all applicable statutory requirements for its passage and adoption have been fully complied with and it has been filed in the Office of the Secretary of State.

, and

FURTHER RESOLVED, that said public hearing shall be held Tuesday, November 28, 2006 at 6:55pm in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

FURTHER RESOLVED, that the Board of Supervisors commits to formulating and adopting a policy to avoid conflicts of interest by County Officials for the remainder of 2006, with the issues of conflict avoidance and disclosure to be readdressed by the Board after its 2007 Organizational Meeting.

MOTION TO TABLE by Supervisor Jonker, seconded by Supervisor Schumann, passed with Aye(1270). Supervisors DiMezza, McMahon, Walters, Strevy and Thomas voted Nay. (10/24/2006)

THERE WAS NO MOTION TO REMOVE FROM TABLE, THEREFORE, THE RESOLUTION DIED. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

NEW BUSINESS

A. Resolutions

B. Other

RESOLUTION NO. 396 of 2006

DATED: November 28, 2006

RESOLUTION AMENDING 2007 TENTATIVE OPERATING BUDGET - GENERAL LIABILITY PREMIUM - INSURANCE DEDUCTIBLE CREDITS

Resolution by Supervisor: Greco

Seconded by Supervisor: Strevy

WHEREAS, the County's Insurance Broker has provided certain reductions in the amount currently

budgeted for General Liability and National Flood Insurance in the 2007 Tentative Operating Budget due to the elimination of coverage for the Montgomery Meadows and the reduction of certain deductibles for National Flood Insurance,

RESOLVED, that the 2007 Tentative Operating Budget is hereby amended as follows:

Line	Description	From	To	Inc/(Dec)
A-31-4-1910-00-4480	unallocated Insurance	\$649,030	\$623,030	(\$ 26,000)

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 397, Supervisor McMahon expressed his opposition to the creation of an autonomous position. He stated that he prefers that an established employee assume the duties and responsibilities, with compensation, which does not set a precedence in the County. Chairman Quackenbush concurred.

Supervisor Schumann stated that she feels it would be unrealistic to require an already full-time employee to fulfill the additional duties of Risk Coordinator, which may be varied and demanding.

Supervisor Jonker recommended to the Board that the Resolution be passed so the money could be budgeted, and that the Personnel Committee can discuss the duties and responsibilities and make recommendations to the Board.

RESOLUTION NO. 397 of 2006

DATED: November 28, 2006

RESOLUTION ADOPTING A RISK MANAGEMENT PLAN, ESTABLISHING POSITION OF RISK COORDINATOR AND AMENDING THE 2007 TENTATIVE OPERATING BUDGET (BOARD OF SUPERVISORS)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: walters

WHEREAS, NYMIR, the County's general liability insurance carrier, has made certain recommendations regarding the administration of insurance and risk management within the County of Montgomery; and

WHEREAS, the County has developed a risk management plan; and

RESOLVED, that the Risk Management Plan for the County of Montgomery be adopted; and be it

FURTHER RESOLVED, that the title of Risk Coordinator is hereby established at an annual salary of \$12,500; and be it

FURTHER RESOLVED, that the Personnel Officer be directed to advertise for resumes and set up interviews in January, 2007; and be it

FURTHER RESOLVED, that any individual holding full-time employment with Montgomery County shall be precluded from serving as Risk Coordinator; and be it

FURTHER RESOLVED, that the Insurance Claims Committee established by Resolution 100 OF 2006 be and hereby is renamed the Risk Management Committee; such committee to retain its current membership and to also include the County's safety officer or other designated representative of the Safety Committee; and be it

FURTHER RESOLVED, that the Risk Management Committee undertake the implementation of the NYMIR Loss Control Survey Recommendations; and be it

FURTHER RESOLVED, that the 2007 Tentative Operating Budget is hereby amended as follows:

Line Item	Description	From	To	Inc/Dec
A-01-4-1010-00-1120(756)	Risk Coordinator	\$ 0	\$12,500	\$12,500

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Quackenbush, to delete the third FURTHER RESOLVED clause in its entirety was defeated with Aye(512). Supervisors McMahon, Quackenbush, Jonker and Haak voted Aye. Supervisor Dybas was absent. (11/28/2006)

RESOLUTION ADOPTED with Aye(1220). Supervisors McMahon, Quackenbush, Jonker and Haak voted Nay. Supervisor Dybas was absent. (11/28/2006)

Douglas Landon

Kimberly Sanborn

County Attorney

Clerk, Board of Supervisors

RESOLUTION NO. 398 of 2006**DATED:** November 28, 2006**RESOLUTION TO AMEND 2007 TENTATIVE OPERATING BUDGET - UNEMPLOYMENT INSURANCE (PERSONNEL)**

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Strevy

RESOLVED, that the Tentative Operating Budget is amended as follows:

Line Item	Description	From	To	Inc/(Dec)
A-10-4-9001-00-8840	Unemployment Insurance	\$400,000	\$250,000	(\$150,000)

RESOLUTION ADOPTED with Aye(1431). Supervisors Schumann, Cechnicki and Haak voted Nay.
 Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
 County Attorney

Kimberly Sanborn
 Clerk, Board of Supervisors

RESOLUTION NO. 350 of 2006**DATED:** November 28, 2006**RESOLUTION IN SUPPORT FULTON-MONTGOMERY COMMUNITY COLLEGE'S DECISION TO RETAIN ATTORNEY DAVID GARVEY FOR LABOR NEGOTIATIONS (FMCC)**

Resolution by Supervisor: McMahan

Seconded by Supervisor: Johnson

WHEREAS, Fulton-Montgomery Community College is entering into negotiations with all three of its employee unions; and

WHEREAS, it is clear that the outcome of the negotiations is critical to the financial wellbeing of the College; and

WHEREAS, the FMCC Board of Trustees determined that it is in the best interest of the College to bring a fresh approach to the negotiation process; and now, therefore, be it

RESOLVED, that the Montgomery County Board of Supervisors supports the decision of the Board of Trustees to hire Mr. David Garvey, Attorney at Law, as the College's negotiator for the 2006 negotiation process.

RESOLUTION WITHDRAWN BY SPONSOR (11/28/2006)

Douglas Landon
 County Attorney

Kimberly Sanborn
 Clerk, Board of Supervisors

No one picked up the sponsorship of Resolution 350, therefore it died.

RESOLUTION NO. 351 of 2006**DATED:** November 28, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ENGINEERING EVALUATION - ELIMINATION OF FUTURE USE OF ELECTRICAL VAULT AT FMCC - PHILLIPS ASSOCIATES (FMCC)**

Resolution by Supervisor: McMahan

Seconded by Supervisor: Quackenbush

WHEREAS, the electrical vault at Fulton-Montgomery Community College has experienced water infiltration problems over the years and attempts to correct the problem have failed; and

WHEREAS, after extensive investigation, the FMCC Master Plan Steering Committee recommends contracting with Phillips Associates to prepare an engineering and cost evaluation of alternatives, including eliminating future use of said electrical vault; now, therefore be it

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 Phillips Associates, of Saratoga Springs, NY, to prepare an engineering and cost evaluation to identify alternatives to using the electrical vault at Fulton-Montgomery Community College, at a cost not to exceed

\$6,000.00, 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(1593). Supervisor Schumann abstained. Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 352 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - PRE-DISASTER MITIGATION GRANT PROGRAM (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Paton

WHEREAS, the Disaster Mitigation Act of 2000 requires that local governments have either a single-jurisdiction or a multi-jurisdiction all-hazard mitigation plan that has been approved by the Federal Emergency Management Agency (FEMA) to receive project funding from the Hazard Mitigation Grant Program, and

WHEREAS, the State Emergency Management Office (SEMO) Planning Section is accepting Planning Grant Applications from counties and their jurisdictions which do not currently have an all-hazard mitigation plan and are located in the major disaster area that was declared by the federal government for severe storms and flooding that occurred from June 26 through July 10, 2006, and

WHEREAS, Montgomery County is eligible to apply for a grant in an amount up to \$100,000 to prepare an all-hazard mitigation plan, and

WHEREAS, that said grant funding is awarded on the basis of a 75% state share and 25% county share in either cash or in-kind services or a combination of both,

RESOLVED, that the Montgomery County Department of Economic Development and Planning is hereby authorized to prepare said application for an amount not to exceed \$100,000 on behalf of Montgomery County, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to sign said application.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 353 of 2006

DATED: November 28, 2006

RESOLUTION MODIFYING MONTGOMERY COUNTY AGRICULTURAL DISTRICT NO. 1

Resolution by Supervisor: Jonker

Seconded by Supervisor: Strevy

WHEREAS, the Montgomery County Planning Board and the Montgomery County Agricultural and Farmland Protection Board have submitted recommendations concerning the review of Agricultural District No. 1, and

WHEREAS, a public hearing concerning the proposed modifications was conducted on Tuesday, November 28, 2006,

RESOLVED, that the proposed action will not have a significant adverse environmental impact, and therefore an environmental impact statement will not be required,

FURTHER RESOLVED, that the Board of Supervisors hereby determines that Agricultural District No. 1 be modified, as presented, and that it include only those parcels identified on the attached listing and made part of this resolution, and

FURTHER RESOLVED, that the Director of Economic Development hereby is authorized and directed to submit said plan, and related documentation, to the Commissioner of the Department of Agriculture

and Markets for certification, and to file a description of said district with the County Clerk and the Commissioner of Agriculture and Markets.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 354 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - RENTAL OF MONTGOMERY COUNTY OFFICE SPACE - MOHAWK VALLEY APPLIED TECHNOLOGY CORP (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Paton

WHEREAS, Mohawk Valley Applied Technology Corporation currently leases a satellite office from the Montgomery County Chamber of Commerce in Amsterdam, and

WHEREAS, the Montgomery County Chamber of Commerce will be relocating at the end of November and will be terminating Mohawk Valley Applied Technology Corporation's lease, and

WHEREAS, the Montgomery County Business Development Center works closely with Mohawk Valley Applied Technology Corporation on various economic development activities involving various companies throughout the County, and

WHEREAS, the Montgomery County Business Development Center currently has adequate space and infrastructure available for an additional person in the Planning office.

RESOLVED, the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is here by authorized and directed to sign a lease agreement with Mohawk Valley Applied Technology Corporation at a rate of \$100 per month for the use of office space at the Montgomery County Business Development Center, and

FURTHER RESOLVED, said lease will include use of space, internet connection and phone connection.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 355 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT - BUD AND MEL'S HARDWARE CORPORATION (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Cechnicki

WHEREAS, Montgomery County administers an Economic Development Program for the purpose of creating and retaining jobs, and

WHEREAS, the Montgomery County Industrial Development Agency (MCIDA) has reviewed a business loan application from Bud and Mel's Hardware Corporation, and

WHEREAS, said applicant has requested a loan from the Economic Development Program for the purposes of opening an ACE hardware store

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney and by the Department of Housing and Urban Development, hereby is authorized and directed to sign an agreement, and any other legal documents necessary to process an economic development loan, in a principal amount not to exceed \$150,000, to Bud and Mel's Hardware Corporation, and

FURTHER RESOLVED, that the proceeds shall come from Montgomery County's Program Income Account, and

FURTHER RESOLVED, that said loan shall be payable in not more than 60 monthly installments, with interest of prime minus three (at time of closing), and

FURTHER RESOLVED, that Bud and Mel's Hardware Corporation shall satisfy all conditions

recommended by the Housing and Urban Development Agency, if necessary, and the MCIDA,

FURTHER RESOLVED, that, at the time of closing, a sum of \$1,500 shall be deducted, to allow for closing fees.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 356 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2006 OPERATING BUDGET - COPIER PURCHASE - IKON OFFICE SOLUTIONS (SOCIAL SERVICES)

Resolution by Supervisor: Johnson

Seconded by Supervisor: Jonker

WHEREAS, the Commissioner of Social Services has requested an amendment to the 2006 Budget to accommodate the purchase of a copier versus the lease of a copier, based on recommendation of the Purchasing Agent,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney is hereby authorized to sign an agreement for the purchase of a copier from IKON of Troy, NY, on NYS Contract PC59459, at cost not to exceed \$9,161, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-18-4-6010-00.1110(18)	RPN	\$5,000.00
A-18-4-6010-00.2230	Motor Vehicle Equipment	\$1,357.00
A-18-4-6010-00.4422	Equipment Rental/Lease/Rep.	\$2,363.00
A-18-4-6010-00.4471	Mileage	\$ 441.00

TRANSFER TO:

A-18-4-6010-00.2220	Office Equipment	\$9,161.00
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RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 357 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - LISA VOLK FOR RN CONSULTING SERVICES (MONTGOMERY MEADOWS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

WHEREAS, the Nursing Home Administrator has deemed it necessary to enter into an agreement for Registered Nurse Clinical Consulting Services for Montgomery Meadows Residential Health Care Facility, and

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 Lisa Volk for Registered Nurse Clinical Consulting Services for Montgomery Meadows Residential Health Care Facility and

FURTHER RESOLVED, that said contract will be paid at the rate of \$50.00 per hour for a maximum of six (6) hours per week, and

FURTHER RESOLVED, that said agreement will be for a period of ninety (90) days from November 1, 2006, and

FURTHER RESOLVED, pursuant to the pending sale of Montgomery Meadows Residential Health Care Facility, this agreement may be terminated upon fifteen (15) days written notice by either party without cause.

MOTION TO AMEND by Supervisor Strevy, seconded by Supervisor Jonker in the second FURTHER RESOLVED clause by striking the following:

"for a period of ninety (90) days from November 1, 2006"

and inserting "from September 1, 2006 through December 31, 2006", passed with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 358 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO PROVIDE LETTER OF RECOMMENDATION - BARBARA CLEMENTS - MEADOWS ADMINISTRATOR

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, the Health and Human Services Committee has met and recommended that in light on the pending sale of the Montgomery Meadows Residential Health Care Facility, the County provide her with a positive recommendation to assist with her future endeavors,

RESOLVED, that the Chairman of the Board of Supervisors, on behalf of the entire Board, is hereby authorized and directed to compile a letter of recommendation for Barbara Clements, Meadows Nursing Home Administrator citing her dedication, commitment and professionalism during her tenure at the facility.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 359 of 2006

DATED: November 28, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - NYS OFFICE OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES - (MENTAL HEALTH)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Mancini

WHEREAS, the Director of Community Services has recommended amending the County Budget for the Mental Health Department to reflect a change in the manner in which funds flow from the NYS Office of Alcoholism and Substance Abuse Services to Montgomery Transitional Services, and from the NYS Office of Mental Health for St. Mary's Hospital Mental Health Services,

WHEREAS, said change would require a budget amendment to reflect the appropriate amount in the lines that are utilized for the pass through funding,

RESOLVED, the County Treasurer is hereby directed to amend the 2006 Operating Budget as follows:

INCREASE REVENUE:

A-17-3-3472-00	Spec. Hlth. Prog. OASAS	\$129,637
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INCREASE APPROPRIATION:

A-17-4-4250-00-4565	Community Support System	\$129,637
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TRANSFER FROM:

A-01-4-1990-00-4400	Contingent Account	\$ 16,731
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TRANSFER TO:

A-17-4-4250-00-4565	Community Support System	\$ 16,731
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DECREASE REVENUE:

A-17-4-3490-00 Mental Health \$603,600

DECREASE APPROPRIATION

A-17-4-4320-00-4565 Community Support Services \$603,600

RESOLUTION ADOPTED with Aye(1593). Supervisor Greco abstained. Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 360 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2007 GAT SUBSIDY - MOSA (BOARD OF SUPERVISORS)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Jonker

WHEREAS, the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA) has established Montgomery County's 2006 Guaranteed Annual Tonnage (GAT) at 43,722 tons, and

WHEREAS, MOSA has established its 2007 Official Tipping Fee at \$99.00 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 2007 Operating Budget to provide for payment of said subsidy.

RESOLUTION ADOPTED with Aye(1413). Supervisors Schumann, Thomas and Haak voted Nay. Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 361 of 2006

DATED: November 28, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - FEMA/SEMO FUNDING (SANITARY DISTRICT)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: McMahon

WHEREAS, the Montgomery County Sanitary District #1 filed with FEMA/SEMO for losses they sustained during the flood,

WHEREAS, FEMA/SEMO has wired funds to the Montgomery County Treasurers' Office on the Sanitary Districts' behalf to replenish funds due to flooding,

RESOLVED, the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

G-26-3-4960	FEDERAL REVENUE	\$ 10,990.53
G-26-3-3960	STATE REVENUE	\$ 3,615.31

TRANSFER TO:

G-26-4-8120-00-1125	OTHER COMP & RAISES	\$ 3,713.77
G-26-4-8120-00-4422	EQUIPMENT RENTAL/LEASE/REPAIR	\$ 8,169.06
G-26-4-8120-00-4449	SPECIAL SUPPLIES& MATERIALS	\$ 2,723.01

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 362 of 2006

DATED: November 28, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - UTILITIES (SANITARY DISTRICT)

Resolution by Supervisor: McMahan

Seconded by Supervisor: Jonker

WHEREAS, there is a shortfall in the Utilities line item of the Montgomery County Sanitary Districts' 2006 Budget

RESOLVED, the Montgomery County Board of Supervisors hereby authorizes and directs the County Treasurer to amend the 2006 Sanitary Districts operating budget as follows:

TRANSFER FROM:

G-26-4-1990-00-4400	Contingent Account	\$25,000.00
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TRANSFER TO:

G-26-4-8120-00-4410	UTILITIES	\$25,000.00
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RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 363 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PRE-TRIAL RELEASE COORDINATOR - LESLIE NICHOLAS (YOUTH BUREAU/ALTERNATIVE COMMUNITY SERVICES DEPARTMENT)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: walters

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 2007,

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 Services for the period of January 1, 2007 through December 31, 2007 at an amount not to exceed \$25,750 plus allowable reimbursable expenses.

RESOLUTION ADOPTED with Aye(1593). Supervisor Schumann abstained. Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 364 of 2006

DATED: November 28, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - TECHNICAL EQUIPMENT (SHERIFF)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows:

Increase Revenues:

A-15-3-2705	Gifts and Donations	\$2,144
A-15-3-2626	Forftr Cr Proc Test	\$1,337
A-15-3-2770	Unclassified Revenues	\$ 572

		\$4,053

Increase Appropriations:

A-15-4-3110-00-2250	Technical Equipment	\$4,053
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RESOLUTION ADOPTED with Aye(1636). Supervisor Haak voted Nay. Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 365 of 2006

DATED: November 28, 2006

RESOLUTION AMENDING 2007 TENTATIVE OPERATING BUDGET - TRAFFIC SAFETY BOARD

Resolution by Supervisor: Jonker

Seconded by Supervisor: walters

RESOLVED, that the 2007 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-01-4-3310-00-4449	Traffic Safety Board	\$ 0	\$1,000	\$1,000

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 366 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - CSEA, MONTGOMERY COUNTY SHERIFF & MONTGOMERY COUNTY - DISPATCHERS SHIFT BIDDING (SHERIFF)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Thomas

WHEREAS, the Labor Negotiations Committee, the Sheriff and CSEA have agreed to certain provisions regarding shift bidding for dispatchers,

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 by and between the County of Montgomery, the Montgomery County Sheriff and CSEA Local 1000 outlining certain provisions regarding shift bidding for dispatchers at the Public Safety Facility.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 367 of 2006

DATED: November 28, 2006

RESOLUTION AMENDING 2007 TENTATIVE OPERATING BUDGET - TRAFFIC SAFETY OFFICER GRANT CORRECTIONS (SHERIFF)

Resolution by Supervisor: Greco

Seconded by Supervisor: Mancini

WHEREAS, the Sheriff has received notice of award of the Traffic Safety Officer Grant for 2007, which was higher than the Budget Officer's Budget, and

WHEREAS, said grant notification also included provisions for \$4,500 for technical equipment and

the Traffic Safety Officer Conferences that were not included in the 2007 Tentative Budget,
RESOLVED, that the 2007 Tentative Operating Budget is hereby amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-15-3-3389	Other Public Safety	\$37,564	\$39,700	\$ 2,136
A-15-4-3110-00-2250	Technical Equipment	\$ 5,067	\$ 8,367	\$ 3,300
A-15-4-3110-00-4470	Travel Related Costs	\$ 2,500	\$ 3,700	\$ 1,200

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 368 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ONEIDA COUNTY SHERIFF - SECURITY SERVICES FOR MONTGOMERY COUNTY INMATES AT NY PSYCHIATRIC CENTER - (SHERIFF)

Resolution by Supervisor: Haak

Seconded by Supervisor: Cechnicki

WHEREAS, the Oneida County Sheriff's Office currently provides security services 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 contract extension for a two-year period 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, 2007 through December 31, 2007 at the rate of \$125 per day per inmate.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 369 of 2006

DATED: November 28, 2006

RESOLUTION AMENDING 2007 TENTATIVE OPERATING BUDGET - PERSONNEL TITLE TRANSFERS (SHERIFF)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Thomas

RESOLVED, that the 2007 Tentative Operating Budget is amended as follows:

ACCOUNT		FROM	TO	INC/(DEC)
APPROPRIATIONS				
A-15-4-3112-00-1110(388)	Chief Civil Deputy	\$39,021	\$ 0	(\$39,021)
A-15-4-3112-00-1110(754)	Senior Civil Account Clerk	\$ 0	\$30,000	\$30,000
A-15-4-3112-00-1110(755)	Senior Civil Account Clerk	\$ 0	\$30,000	\$30,000
A-15-4-3110-00-1110(1295)	Deputy Sheriff Investigator	\$39,233	\$ 0	(\$39,233)
A-15-4-3110-00-1110(507)	Deputy Sheriff Sergeant	\$ 0	\$39,233	\$39,233

MOTION TO AMEND by Supervisor Haak, seconded by Supervisor Thomas by striking the following text:

A-15-4-3112-00-1110(388) Chief Civil Deputy \$39,021 \$ 0 (\$39,021),

and inserting the following text:

A-15-4-3112-00-1110(75) Civil Accounts Officer \$38,064 \$ 0 (\$38,064)
 A-15-4-3112-00-1110(388) Chief Civil Deputy \$44,021 \$5,000 (\$39,021),

passed with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 370 of 2006

DATED: November 28, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - STATE/FEDERAL AID - EMERGENCY DISASTER (PUBLIC WORKS)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Strevy

WHEREAS, the Fiscal Officer has been notified that the State Emergency Management Office will be processing payments to Montgomery County in the amount of \$138,561.55 for Severe Storms and Flooding of June 26 through July 10, 2006, and

WHEREAS, the Federal share is \$104,267.57 and the State share is \$34,293.98 for a total payment of \$138,561.55, and

WHEREAS, the storms of June 26 through July 10, 2006 impacted various line items in the DPW budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget as follows:

INCREASE:

Revenue:

A-12-3-3960	State Aid Emergency Disaster Assistance	\$ 1,732.50
A-12-3-4960	Federal Aid Emergency Disaster Aid	\$ 5,267.50

Appropriations:

A-12-4-7180-00-1110(290)	Recreational Facility - Bike Path	\$ 7,000.00
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Revenue:

DM-12-3-3960	Emergency Disaster Assistance	\$ 9,157.50
DM-12-3-4960	Federal Aid Emergency Disaster Aid	\$27,842.50

Appropriations:

DM-12-4-5130-00-4441	Gasoline, Oil, Diesel Fuel	\$37,000.00
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Revenue:

D-12-3-3960	Emergency Disaster Assistance	\$23,403.98
D-12-3-4960	Federal Aid Emergency Disaster Aid	\$71,157.57

Appropriations:

D-12-4-5110-00-4448	Construction & Maintenance Supplies	\$94,561.55
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RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 371 of 2006

DATED: November 28, 2006

RESOLUTION AMENDING 2007 TENTATIVE OPERATING BUDGET - STRUCTURAL MAINTENANCE WORKER (DPW)

Resolution by Supervisor: Walters

Seconded by Supervisor: Thomas

WHEREAS, the Public Works Commissioner has recommended that the position of Structural Maintenance Worker (Public Safety Facility) be established;

RESOLVED, the Board of Supervisors hereby authorizes establishment of the position of Structural Maintenance Worker (Public Safety Facility), and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Tentative Operating Budget, as follows:

INCREASE

A-12-4-1620.00.1110 (149) Hourly Employees Buildings \$27,600.00

RESOLUTION ADOPTED with Aye(1279). Supervisors Schumann, Strevy, Jonker and Haak voted Nay. Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 372 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT - OLD JAIL (B-4) - ENVIRONMENTAL REMEDIATION - EARTH TECH, INC AND AMEND 2006 OPERATING BUDGET (PUBLIC WORKS)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: DiMezza

WHEREAS, the Board of Supervisors wishes to proceed with the demolition /renovation of the Old Jail, and said demolition/renovation cannot be completed until an environmental remediation has been completed;

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 the provision of engineering services for the Old Jail Environmental Remediation;

FURTHER RESOLVED, that said services shall be provided at a cost not to exceed \$15,000.00

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

TRANSFER FROM:

A-01-4-1990-00-4400 Contingent Account \$15,000.00

TRANSFER TO:

A-12-4-1620-00-4438 Misc. Support Svcs \$15,000.00

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 373 of 2006

DATED: November 28, 2006

RESOLUTION AMENDING 2007 TENTATIVE OPERATING BUDGET - SENIOR COMPUTER PROGRAMMER (DATA PROCESSING)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: McMahon

RESOLVED, that the 2007 Tentative Operating Budget is amended as follows:

ACCOUNT	FROM	TO	INC/(DEC)
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APPROPRIATIONS

A-14-4-1680-00-1110(333) Senior Computer Programmer \$ 0 \$34,681 \$34,681

RESOLUTION ADOPTED with Aye(1482). Supervisors Strevy and Paton voted Nay. Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 374 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - EMPLOYEE ASSISTANCE PROGRAM - ST. MARY'S HOSPITAL (PERSONNEL)

Resolution by Supervisor: Johnson

Seconded by Supervisor: McMahon

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 of Amsterdam for participation in its Employee Assistance Program, and

FURTHER RESOLVED, that the total cost of said participation shall not exceed \$10,000.00, effective 1/1/07 thru 12/31/07.

RESOLUTION ADOPTED with Aye(1497). Supervisors Greco and Haak abstained. Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 375 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - KRONOS TIME SYSTEM MAINTENANCE - M.M. HAYES (PERSONNEL)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Quackenbush

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 \$7,500 for the period commencing on February 1, 2007 and ending on January 31, 2008.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 376 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MEDICARE PART D - FEDERAL DRUG SUBSIDY REPORTING SERVICES - NMHC (PERSONNEL)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Mancini

WHEREAS, the Medicare Part-D Federal Drug Subsidy went 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 1/1/07 thru 12/31/07, at cost not to exceed \$5,000.00.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 377 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - EMPLOYEE PHYSICAL EXAMINATIONS - AMSTERDAM MEMORIAL HEALTH CARE SYSTEM (PERSONNEL)

Resolution by Supervisor: Johnson

Seconded by Supervisor: Mancini

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 \$75.00 each, except for more extensive examinations required for Sheriff's Deputies, which shall not exceed \$150.00 each, and

FURTHER RESOLVED, that said agreement shall be renewed for a one-year period commencing on January 1, 2007 and ending on December 31, 2007.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 378 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - THIRD PARTY DRUG AND ALCOHOL TESTING ADMINSTRATOR - ENERGETIX (PERSONNEL)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Jonker

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, 2007 and ending December 31, 2007, at a cost not to exceed \$12,500, 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(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 379 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SELF INSURED WORKERS COMPENSATION ADMINISTRATION SERVICES - BENETECH, INC. (PERSONNEL)

Resolution by Supervisor: Johnson

Seconded by Supervisor: Mancini

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 2007,

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, 2007 and ending on December 31, 2007 at a cost not to exceed \$51,970.

RESOLUTION ADOPTED with Aye(1570). Supervisor Cechnicki voted Nay. Supervisor Haak abstained. Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 380 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SELF INSURED SHORT TERM DISABILITY ADMINISTRATION - BENETECH, INC. (PERSONNEL)

Resolution by Supervisor: Thomas

Seconded by Supervisor: walters

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 2007,

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, 2007 and ending on December 31, 2007 at a cost not to exceed \$14,700.

RESOLUTION ADOPTED with Aye(1570). Supervisor Cechnicki voted Nay. Supervisor Haak abstained. Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 381 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - LABOR RELATIONS SERVICES - ROEMER, WALLENS & MINEAUX, LLP (PERSONNEL)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Quackenbush

WHEREAS, it has been recommended that Montgomery County continue professional labor relations services with Roemer, Wallens & Mineaux, LLP, of Albany, New York for the provision of collective negotiating and consultation services, and

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Roemer, Wallens & Mineaux, LLP, of Albany, New York, for the provision of labor relation services, and

FURTHER RESOLVED, that said agreement is for a period commencing on January 1, 2007 and ending on December 31, 2009.

RESOLUTION ADOPTED with Aye(1527). Supervisors Schumann and Cechnicki voted Nay. Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 382, Supervisor Strevy stated that he doesn't support a blanket stipend.

Supervisor DiMezza stated that he supports this Resolution, which mirrors severance pay in the private sector.

RESOLUTION NO. 382 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - CSEA - INCENTIVE AND SEVERANCE PAYMENT - MONTGOMERY MEADOWS EMPLOYEES (PERSONNEL)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Johnson

WHEREAS, CSEA has requested that when the Meadows is sold that the employees receive a monetary stipend for working at the facility and,

WHEREAS, the value of the stipend be as follows:

0-5	years of service = \$ 0.00
6-10	years of service = \$100.00 per year
11-15	years of service = \$200.00 per year
16-20	years of service = \$300.00 per year
21 +	years of service = \$400.00 per year

RESOLVED, that the Montgomery County Board of Supervisors agree to pay this stipend, not to exceed \$190,000, to the employees when the sale of the Meadows is complete, and

FURTHER RESOLVED, that the Montgomery County Treasurer find the funds necessary to pay these stipends, and

FURTHER RESOLVED, that the Board of Supervisors hereby authorizes the Chairman of the Board to sign Memorandum of Agreement with CSEA pertaining to this schedule.

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor DiMezza by inserting the following at the end of the Resolution:

"FURTHER RESOLVED, that this measure is not intended to set precedent.",

passed with Aye(1490). Supervisors Schumann and Strevy voted Nay. Supervisor Dybas was absent. (11/28/2006)

RESOLUTION ADOPTED with Aye(1533). Supervisors Strevy and Haak voted Nay. Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Haak stated that, in order for HAVA to be fully implemented, Resolution 383 was created to increase full-time staffing in the Board of Elections Office.

Several Supervisors support part-time Voting Machine/Election Coordinator positions as opposed to full-time, as they feel the workload would be sporadic.

Supervisor Schumann recommends setting the money aside, but filling the position in the Spring.

Supervisor DiMezza stated that he would prefer using the \$30,000 for needed Dept. Head salary adjustments elsewhere in the County.

RESOLUTION NO. 383 of 2006

DATED: November 28, 2006

RESOLUTION AMENDING 2007 TENTATIVE OPERATING BUDGET - BOARD OF ELECTIONS

Resolution by Supervisor: Haak

Seconded by Supervisor: Greco

WHEREAS, it is the desire, in order to maintain compliance with the Help America Vote Act, to establish full time positions for Voting Machine/Election Coordinators,

RESOLVED, that the 2007 Tentative Operating Budget is hereby amended as follows:

Line Item	Description	(Decrease)	Amount
A-11-4-1450.00.1110 (736)	Voting Mach/Elec Coord	\$ 0	\$ 26,676 \$26,676

A-11-4-1450.00.1110 (737) Voting Mach/Elec Coord \$ 0 \$ 26,676 \$26,676
 A-11-4-1450.00.1120 (749) Voting Mach/Elec Coord \$ 15,000 \$ 0 (\$15,000)
 A-11-4-1450.00.1120 (750) Voting Mach/Elec Coord \$ 15,000 \$ 0 (\$15,000)

RESOLUTION ADOPTED with Aye(987). Supervisors DiMezza, McMahon, Walters, Strevy, Thomas and Paton voted Nay. Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 384 of 2006

DATED: November 28, 2006

RESOLUTION AMENDING 2007 TENTATIVE OPERATING BUDGET - PUBLIC WORKS PERSONNEL

Resolution by Supervisor: Haak

Seconded by Supervisor: Jonker

WHEREAS, it is the desire to eliminate positions created in the Public Works Department by Resolution 247 of 2006, and

RESOLVED, that the 2007 Tentative Operating Budget is hereby amended as follows:

Line Item	Description	(Decrease)	Amount
A-12-4-1620.00.1110 (149)	Hourly Employees	\$520,000	\$445,820 (\$74,280)
A-10-4-9001-00.8810	FICA	\$945,000	\$941,104 (\$ 3,896)

RESOLUTION WITHDRAWN BY SPONSOR (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

No one picked up the sponsorship of Resolution 384, therefore it died.

RESOLUTION NO. 385 of 2006

DATED: November 28, 2006

RESOLUTION AMENDING 2007 TENTATIVE OPERATING BUDGET - CORNELL COOPERATIVE EXTENSION

Resolution by Supervisor: Haak

Seconded by Supervisor: Jonker

RESOLVED, that the 2007 Tentative Operating Budget is hereby amended as follows:

Line Item	Description	From	To	Inc/(Dec)
A-01-4-8751.00.4575	Cornell Coop Extension	\$169,000	\$140,000	(\$29,000)

RESOLUTION WITHDRAWN BY SPONSOR (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

No one picked up the sponsorship of Resolution 385, therefore it died.

RESOLUTION NO. 386 of 2006

DATED: November 28, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - COMMUNITY COLLEGE TUITION (TREASURER)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Quackenbush

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 2006 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingency Account \$175,000.00

TRANSFER TO:

A-06-4-2490-00-4400 Community College Tuition \$175,000.00

RESOLUTION ADOPTED with Aye(1593). Supervisor Schumann abstained. Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 387 of 2006

DATED: November 28, 2006

RESOLUTION APPROVING RELEVY OF DELINQUENT SCHOOL TAXES, VILLAGE TAXES, WATER RENTS AND SEWER TAXES (TREASURER)

Resolution by Supervisor: Haak

Seconded by Supervisor: McMahon

RESOLVED, that the Board of Supervisors hereby approves the relevy, effective December 1, 2006, 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 2007 Town Tax Rolls.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 388 of 2006

DATED: November 28, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - FMCC CONTRIBUTION (TREASURER)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: McMahon

WHEREAS, pursuant to Resolution no. 271 of 2006, the Montgomery County sponsor share for the 2006-2007 FMCC budget was set at \$1,345,821, and

WHEREAS, the first quarterly installment on this sponsor share is paid to FMCC in the current year, and

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingency Account \$12,500.00

TRANSFER TO:

A-06-4-2495-00-4552 Contrib. To Community College \$12,500.00

RESOLUTION ADOPTED with Aye(1593). Supervisor Schumann abstained. Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 389 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING ACCOUNTS PAYABLE YEAR END ADJUSTMENTS - 2006 OPERATING BUDGET

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Johnson

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 2006, 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(1636). Supervisor Haak voted Nay. Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 390 of 2006

DATED: November 28, 2006

RESOLUTION DELEGATING AUTHORITY TO AMEND 2006 OPERATING BUDGET - ALLOCATIONS AND EXPENDITURES INVOLVING PAYROLL AND FRINGE BENEFITS (TREASURER)

Resolution by Supervisor: Cechnicki

Seconded by Supervisor: Jonker

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 2006 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 November 29, 2006 and ending on December 31, 2006.

RESOLUTION ADOPTED with Aye(1497). Supervisors Schumann and Haak voted Nay. Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 391 of 2006

DATED: November 28, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - MOSA SHORTFALL (BOARD OF SUPERVISORS)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: walters

WHEREAS, the 2006 Operating Budget has provided for \$824,372 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 2006 operating Budget as follows:

TRANSFER FROM:

A-01-4-8160-00-4431	Refuse & Garbage Professional Svcs	\$ 5,839
A-01-4-8160-00-4491	Refuse & Garbage Legal Notice Advertising	\$ 5,000
A-01-4-1010-00-4431	Professional Services	\$20,000
A-01-4-1930-00-4433	Court Related Expenses	\$20,000
A-01-4-1990-00-4400	contingent Account	\$15,161

TRANSFER TO:

A-01-4-8160-00-4438	Refuse & Garbage Misc. Support Svcs	\$66,000
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RESOLUTION ADOPTED with Aye(1648). Supervisor Thomas voted Nay. Supervisor Dybas was absent.
(11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 392 of 2006**DATED:** November 28, 2006**RESOLUTION AWARDING BID 10-06 - SALE OF SURPLUS VEHICLES AND EQUIPMENT (PURCHASING)**

Resolution by Supervisor: McMahan

Seconded by Supervisor: walters

WHEREAS, the Purchasing Agent is responsible for the disposal of surplus vehicles and equipment no longer needed for County use, and

WHEREAS, the Purchasing Agent is authorized to solicit bids for the sale of surplus vehicles and equipment, and

WHEREAS, multiple bids were received and opened on October 26, 2006, and

WHEREAS, the Purchasing Agent, Commissioner of Department of Public works, Sheriff, and Director of Data Processing have reviewed the bids and have recommended that awards be made to the highest responsible bidder for each vehicle or piece of equipment,

RESOLVED, that the Board of Supervisors hereby awards Bid 10-06 as follows:

Awarded to Sherif Motors Philadelphia, PA:

Item #1 - 2002 Ford Crown Vic for \$1,472.00
Vin #2FAFP71W82X128756

Item #2 - 1999 Ford Expedition for \$1,078.00
Vin #1FMPU18L8XLB40289

Item #3 - 2000 Ford Crown Vic for \$879.00
Vin #2FAFP71W1YX114657

Item #4 - 1998 Ford Crown Vic for \$679.00
Vin #2FAFP71W8WX141125

Item #5 - 1999 Ford Crown Vic for \$779.00
Vin # 2FAFP71W1XX164036

Item #6 - 2000 Ford Crown Vic for \$879.00
Vin #2FAFP71W4YX178871

Awarded to Thomas Mancini of Fonda:

Item #11 - 1991 Olds Cutlass for \$25.00
Vin #2G3AJ84R9M2358176

Item #12 - 1993 Ford F-350 for \$101.00
Vin #2FTJW35H4PCA16384

Item #13 - 1993 Ford F-350 for \$101.00
Vin #2FTJW35HOPCA16382

Item #14 - 1994 Ford F-350 for \$101.00
Vin #1FTJW35H2REA27932

Item #15 - 1994 Ford F-350 for \$101.00

Vin #1FTJW35HOREA27931

Item #19 - 1994 Dodge Ram B350 Van for \$50.00
Vin #2B5WB35Y5RK164174

Item #23 - 1985 Comm. Mower 48" for \$25.00
S/N #TY4812B105857

Awarded to H.L. Gage Sales of Albany:

Item #16 - 1985 International S2500 for \$750.00
Vin #1HTZMGBR9GHA28851

Item #18 - 1987 International F2574 Dump for \$500.00
Vin #1HTZPGCT8HHA25605

Awarded to Joe DePiazza:

Item #8 - 1997 Ford Taurus for \$237.69
Vin #1FALP52U1VA223211

Item #44 - Snow Blower for \$10.63

Awarded to Gary Jones of Amsterdam:

Item #7 - 1996 Ford Explorer for \$1,300.00
Vin #1FMDU34X2TUC11529

Awarded to Todd Kerzic of St. Johnsville:

Item #9 - 1977 ½ Ton Army Box Utility Trailer for \$237.58
Vin #69583

Awarded to Rick Rickard of Sprakers:

Item #24 - Pick Up Truck Cap for \$60.00

Awarded to Raymond Ludwin of Fort Johnson:

Item #10 - 1978 Airstream Camper Trailer for \$428.55

Awarded to William Beddy:

Item #22 - 1987 Toro Front Rotary Mower for \$210.00

Awarded to Greg Oliver:

Item #35 - Dell PC for \$5.00

Awarded to Neil Kling:

Item #36 - Dell PC for \$5.00

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 393 of 2006

DATED: November 28, 2006

RESOLUTION AWARDING BID 11-06 - HYDRAULIC PROGRAMMABLE PAPER CUTTER (PURCHASING)

Resolution by Supervisor: Walters

Seconded by Supervisor: Jonker

WHEREAS, the Purchasing Agent was authorized to solicit bids for a hydraulic programmable paper cutter, and

WHEREAS, said bids were opened on November 15, 2006,

RESOLVED, that Board of Supervisors hereby awards BID No. 11-06 to Graphic Service & Equipment Co., Inc. of Ballston Spa for a hydraulic programmable paper cutter for a total price not to exceed \$19,671.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 394 of 2006

DATED: November 28, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - COST RECOVERY/REDUCTION SERVICES AND SOURCE ANALYSIS SERVICES - COST CONTROL ASSOCIATES (PURCHASING)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Quackenbush

WHEREAS, Cost Control Associates (CCA) is a company based in Queensbury, NY that administers a cost containment program for counties that focuses on reducing telecom and energy costs such as cellular, local and long distance, electricity and natural gas, and

WHEREAS, CCA conducts two levels of services at a cost that is contingency-based and tied directly to the refunds and savings produced, and

WHEREAS, if CCA does not find savings or obtain refunds for Montgomery County then there is no cost or risk involved, and

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 Cost Control Associates to conduct a Cost Recovery and Reduction Analysis and Source Analysis to identify cost savings and possibly refunds available from telecom and energy providers to Montgomery County.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 395, Treasurer Shawn Bowerman stated that the tax levy increase from last year is approximately \$22,700 (.08% increase). He stated the projected Fund Balance will be \$9,100,000.

RESOLUTION NO. 395 of 2006

DATED: November 28, 2006

RESOLUTION ADOPTING MONTGOMERY COUNTY 2007 OPERATING BUDGET

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, the Montgomery County Board of Supervisors has met and considered the 2007 Tentative Operating Budget and has conducted a public hearing thereon, as required by County Law,

RESOLVED, that in accordance with County Law, the 2007 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, 2007.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Greco, by inserting the following FURTHER RESOLVED clause after the RESOLVED clause:

"FURTHER RESOLVED, to increase the Fund Balance allocation to a sum to result in a total tax levy equivalent to that in the 2006 budget, but not more than \$2,500,000, and"

passed with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas was absent. (11/28/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Chairman Quackenbush expressed his thanks to the Finance Committee Chairman and members for their efforts in keeping the tax increase to 0%.

Supervisor Schumann asked that the December full Board meeting not be held on Dec. 26, 2006. After discussion, the Board's consensus was to keep the December full Board meeting as is, to be held on Dec. 26, 2006.

Supervisor Haak announced that Chairman Quackenbush's birthday is forthcoming, and offered congratulations, as did the rest of the Board.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Haak, seconded by Supervisor Strevy, passed with Aye(1732). Supervisor Dybas 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 - EDUCATION/GOVERNMENT
7:00 PM, December 5, 2006

COMMITTEE MEETING DISCUSSION

Chairman McMahon presided over the meeting commencing at 7:00 PM.

Roll call indicated Committee members present included Supervisors Jonker, Paton, Dybas, Mancini and Schumann. Supervisor Cechnicki was absent.

Additional Supervisors present were Supervisors Greco, Quackenbush, Johnson, Walters, Thomas, and Haak. Absent were Supervisors DiMezza and Strevy.

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

1. Resolution Establishing a Public Hearing on Introductory Local Law #4 of 2006 - A Local Law Entitled "The Montgomery County Ethics Renewal Law"
2. Resolution Adopting the Use of a Financial Disclosure Statement Form for use by County Officials in accordance with its Ethics Renewal Law.
3. Other

Item #1: Chairman Quackenbush stated that he would like to see a list naming individuals who are required to fill out the statement. Supervisor Haak stated that the list could be typed, but doesn't need to be part of the Resolution.

Supervisors Haak and Schumann made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Dybas and Schumann made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Supervisor Dybas stated that he would like the last question on the Disclosure Statement to be changed to read as follows:

"Have you or any member of your immediate family received a gift or gifts having a total fair market value in excess for \$75.00 from people doing business with the County?" There were no objections.

Item #3: Add-On RESOLUTION FIXING DATE AND TIME FOR 2007 ORGANIZATIONAL MEETING OF THE BOARD OF SUPERVISORS. Supervisors Quackenbush and Greco made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

(Clerk's Note: The Organization Meeting will be held at 7:00 PM on Tuesday, January 2, 2007. This Resolution will be voted on during a Special Meeting to be held Tuesday, December 12, 2007.)

Item #4, Other: Chairman McMahon stated that he and Supervisor Jonker met with representatives of St. Mary's Hospital. He noted that there is a duplication of efforts and services within the County, regarding health care and related services for children, adults and the aged.

Supervisor Thomas stated that Schenectady County has recently explored options for consolidating similar services, and it may be beneficial for Montgomery County to contact them for assistance or ideas.

Also, at the same meeting at St. Mary's was a discussion about coordinating public transportation with Doctor's appointments, which met with positive feedback.

Chairman McMahon also stated that three unions at the College are currently in negotiations. The Capital Plan is set to be reviewed tomorrow.

Motion was made and seconded by Supervisors Jonker and Dybas, respectively, to adjourn the Committee meeting.

Chairman McMahon adjourned the Education/Government 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 - AGRICULTURE, PLANNING & DEVELOPMENT
7:15 PM, December 5, 2006

COMMITTEE MEETING DISCUSSION

Chairperson Johnson presided over the meeting commencing at 7:15 PM.

Roll call indicated Committee members present are Supervisors Dybas, Jonker, Haak, Paton, Mancini and Schumann.

Additional Supervisors present were Quackenbush, Greco, Thomas, McMahon, Cechnicki, and Walters. Absent was Supervisor Strevy and DiMezza.

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

1. Resolution Appointing Member of Montgomery County Industrial Development Agency Board of Directors (Economic Development)
2. Resolution Authorizing Chairman to Sign Agreement - Administrative and Staff Support Services - Montgomery County Industrial Development Agency (Economic Development)
3. Resolution Transferring Funds - Payment for Professional Services - CT Male (Economic Development)
4. Other

Item #1: Supervisors Paton and Jonker made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Haak and Greco made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisors Dybas and Paton made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. Supervisor Haak objected.

Item #4: Add-on RESOLUTION RESCINDING RESOLUTION 354 OF 2006 - A RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - RENTAL OF MONTGOMERY COUNTY OFFICE SPACE - MOHAWK VALLEY APPLIED TECHNOLOGY CORP (ECONOMIC DEVELOPMENT). Supervisors Schumann and Mancini made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Add-on RESOLUTION ESTABLISHING REQUIRED PUBLIC HEARING - GOVERNOR'S OFFICE FOR SMALL CITIES - 2006 STATE DISASTER RELIEF, TEMPORARY HOUSING ASSISTANCE GRANT PROGRAM REVISIONS (EOD/PLANNING). EOD/Planning Director Ken Rose clarified the Resolution.

Supervisor Cechnicki entered Chamber at 7:26 PM.

Supervisors Dybas and Schumann made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

(Clerk's Note: This Resolution will be voted on in a Special Meeting on Tuesday, December 12, 2006. The Public Hearing will be held on Tuesday, January 2, 2007 at 6:55 PM, prior to the Organizational Meeting.)

Supervisors Dybas and Haak made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairperson Johnson adjourned the Agriculture, Planning & Development Committee meeting at 7:29 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, December 12, 2006

COMMITTEE MEETING DISCUSSION

Chairman Haak presided over the meeting commencing at 7:00 PM.

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

Additional Supervisors present were Supervisor Walters, Paton, Jonker, Walters and Schumann. Absent were Supervisors Dybas, Mancini and Johnson.

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

1. Discussion regarding Capital District OTB
2. Discussion regarding County Auction Policy
3. Resolution Authorizing Chairman to Sign Agreement - Montgomery County Office for the Aging (Board of Supervisors)
4. Resolution Authorizing Chairman to Sign Agreement - Montgomery County Soil and Water (Board of Supervisors)
5. Resolution Authorizing Chairman to Sign Agreement - Mass Transportation Services - Brown's Coach (Board of Supervisors)
6. Resolution Authorizing Chairman to Sign Agreement - Cornell Cooperative Extension of Fulton and Montgomery Counties (Board of Supervisors)
7. Resolution Establishing Fees - Photos for Passports, Pistol Permits, Visas and other Miscellaneous Items (County Clerk)
8. Other

Chairman Haak stated that he will moving agenda items around for convenience.

Item #1 (formerly item #7, "Resolution Establishing Fees - Photos for Passports, Pistol Permits, Visas and other Miscellaneous Items (County Clerk)"): Supervisors McMahon and DiMezza made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2 (formerly item #3, "Resolution Authorizing Chairman to Sign Agreement - Montgomery County Office for the Aging (Board of Supervisors)"): Supervisors Strevy and Schumann made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation.

Chairman Haak stated that he doesn't support the positive recommendation, preferring no recommendation.

Item #3 (formerly item #4, "Resolution Authorizing Chairman to Sign Agreement - Montgomery County Soil and Water (Board of Supervisors)"): Supervisors Jonker and Schumann made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #4 (formerly item #5, "Resolution Authorizing Chairman to Sign Agreement - Mass Transportation Services - Brown's Coach (Board of Supervisors)"): Supervisors Greco and Strevy made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #5 (formerly item #6, "Resolution Authorizing Chairman to Sign Agreement - Cornell Cooperative Extension of Fulton and Montgomery Counties (Board of Supervisors)"): Supervisors Schumann and DiMezza made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #6 (formerly item #1, "Discussion regarding Capital District OTB"): Supervisors Haak and Thomas made a motion and seconded, respectively, to sponsor and move a draft Resolution to the full Board with no recommendation. There were no objections.

Item #7 (formerly item #2, "Discussion regarding County Auction Policy"): Supervisor McMahon spoke

in favor of waiving old water and sewer bills incurred from the previous owner in a Canajoharie property recently purchased at County auction.

County Treasurer Shawn Bowerman stated that the terms and conditions of the auction is clearly shown and easily understood. He said that waiving the bills will impact the County and the County taxpayers shouldn't be held liable. He also stated that he is not always aware of outstanding bills at the time of the auction, and it's up to the Towns, Villages and City to notify the Treasurer's office prior to the date of the auction.

Supervisor McMahon stated that he will be drafting a Resolution, with Chairman Quackenbush's second, supporting the waiving of water & sewer bills and bringing it to a future Finance Committee meeting.

Item #8, Other: Add-on discussion regarding the re-sequencing of FMCC Capital Projects and related Engineering work.

Supervisor McMahon stated that the Steering Committee met with the College's Board of Trustees. Collaboratively, they would like to change the order (and priority) of the Capital Projects, and to allow for the commencing of related engineering work.

Supervisors McMahon and Strevy made a motion and seconded, respectively, to sponsor and move a draft Resolution allowing the re-sequencing of projects to the full Board with a positive recommendation. There were no objections.

Furthermore, Supervisors McMahon and Strevy made a motion and seconded, respectively, to sponsor and move a draft Resolution allowing for the commencement of the Engineering of related projects to the full Board with a positive recommendation. There were no objections.

(Clerk's Note: Supervisor McMahon will provide the Clerk with related information at a later time.)

The motion was made and seconded by Supervisors DiMezza and Strevy, respectively, to adjourn the Finance Committee.

Chairman Haak adjourned the Finance Committee meeting at 7:30 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 12068
COMMITTEE MEETING - HEALTH & HUMAN SERVICES
7:15 PM, December 12, 2006

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the meeting commencing at 7:31 PM.

Roll call indicated Committee members present included Supervisors Schumann, Walters, DiMezza, Jonker and Paton. Absent was Supervisor Dybas.

Additional Supervisors present were Supervisors Thomas, Haak, Quackenbush, Greco and McMahon. Supervisors Cechnicki, Johnson and Mancini were absent.

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

1. Resolution Authorizing Chairman to Sign Agreements - Services Approved by the 2007 Operating Budget (Social Services)
2. Resolution Authorizing Chairman to Sign Agreement Renewal Agreement - Transportation of Fulton County Veterans
3. Resolution Amending 2006 Operating Budget - Court Ordered Services (Mental Health)
4. Resolution Authorizing Chairman to Sign Agreement - St. Mary's Hospital - Psychiatric Services Reimbursement (Community Services/Mental Health)
5. Resolution Appointing Member - Community Service Board (Mental Health)
6. Resolution Authorizing Chairman to Sign Agreements - Service Provider Contracts (Mental Health)
7. Resolution Amending 2006 Operating Budget - Bioterrorism Grant (Public Health)
8. Resolution Amending 2006 Operating Budget - Child Passenger Safety Grant (Public Health)
9. Resolution Authorizing Chairman to Sign Agreement - Heather Reynicke - Accounting Services - (Montgomery Meadows)
10. Other

Item #1: Supervisors Jonker and Schumann made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

As a footnote, Chairman Strevy stated that hard copies of the contracts are on file in the Board of Supervisors office.

Item #2: Supervisor Thomas supports lowering the transportation fees.

Supervisors Thomas and Paton made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Supervisors Dybas and Mancini entered Chamber at 7:35 PM.

Item #3: Supervisors Schumann and Haak made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Supervisor Johnson entered Chamber at 7:39 PM.

Item #4: Supervisors Dybas and Jonker made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #5: Supervisors Haak and Jonker made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #6: Supervisors Dybas and Schumann made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #7: Supervisors DiMezza and Jonker made a motion and seconded, respectively, to sponsor and

move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #8: Supervisors Paton and DiMezza made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #9: Supervisors Jonker and Greco made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor DiMezza stated that there are sufficient in-house staff to cover the needs, so he feels the expenditure is not needed, and he doesn't support the Resolution.

Supervisor Greco withdrew his sponsorship. No one picked it up. The draft Resolution died.

Item #10, Other: Add-on discussion regarding an amendment to the 2007 contract between the County and providers of mental health services. County Attorney Doug Landon stated that the amendment can easily be added to the contract, as the contract hasn't been signed yet, and that no Resolution is needed at this time.

Item #11, Other: Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TUBERCULOSIS MEDICAL SERVICES (PUBLIC HEALTH). Supervisors Dybas and Schumann made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #12, Other: Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - STD SERVICES (PUBLIC HEALTH). Supervisors Johnson and Jonker made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #13, Other: Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - RABIES POST EXPLOSURE TREATMENT SERVICES (PUBLIC HEALTH). Supervisors Dybas and Schumann made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Motion was made and seconded by Supervisors DiMezza and Jonker, respectively, to adjourn the Committee meeting.

Chairman Strevy adjourned the Health & Human Services Committee meeting at 7:50 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
7:30 PM, December 12, 2006

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 7:51 PM.

Roll call indicated Committee members present included Supervisors Greco, Schumann, Haak, Jonker and Dybas. Absent was Supervisor Cechnicki.

Additional Supervisors present were Quackenbush, Johnson, Paton, McMahon, Strevy, Walters, Mancini and DiMezza.

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

1. Resolution Authorizing Chairman to Sign Agreement - Lease Agreement with Centro Civico of Amsterdam, Inc. for a Probation Satellite Office
2. Resolution Authorizing Chairman to Sign Agreement - Governor's Traffic Safety Officer Grant (Sheriff)
3. Resolution Authorizing Chairman to Sign Agreement - Software Maintenance - New World Systems Corporation (Sheriff)
4. Resolution Authorizing Chairman to Sign Agreement - Inmate Dental Services - Dr. Daniel Kana (Sheriff)
5. Resolution Authorizing Chairman to Sign Agreement - Hyper-Reach Notification System - Sam Asher Computing Services, Inc. (Sheriff)
6. Resolution Authorizing Chairman to Sign Affiliation Agreement - State University of New York, College at Oneonta - Intern Program (Sheriff)
7. Discussion Regarding Establishing a Local Law which Regulates Residency and Other Activities of Sexual Offenders in Montgomery County
8. Other

Item #1: Supervisors Schumann and Haak made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Greco and Dybas made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisors Dybas and Schumann made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #4: Supervisors Greco and Jonker made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #5: Supervisors Dybas and Greco made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #6: Supervisors Haak and Schumann made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #7: This item was not entertained in this meeting.

Motion was made and seconded by Supervisors Greco and Jonker, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Thomas adjourned the Public Safety Committee meeting at 7:56 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
7:40 PM, December 12, 2006

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:57 PM.

Roll call indicated Committee members present included Supervisors Greco, Johnson, Paton, Mancini and Strevy. Absent was Supervisor Cechnicki.

Additional Supervisors present were Quackenbush, McMahon, Haak, Dybas, Schumann, Thomas, Jonker and DiMezza.

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

1. Discussion regarding the establishment of a technology committee
2. Other

Item #1: Data Processing/Printing Director Deb Bain stated that a Technology Committee would be beneficial to the County because of the current lack of communication within the County regarding technology issues.

Supervisor DiMezza recommends that Director Bain instead be part of the Needs Assessment Committee.

There were no other comments.

Item #2, Other: Add-on discussion regarding a shortage in the D Fund in insurance health payback. DPW Commissioner Paul Clayburn presented a draft Resolution authorizing a transfer. Supervisors DiMezza and Thomas made a motion and seconded, respectively, to sponsor and move the draft Resolution to the full Board with a positive recommendation. There were no objections.

Item #3, Other: Add-on discussion regarding a bill submitted by EarthTech. DPW Commissioner Clayburn stated that, regarding the old jail, EarthTech has submitted an additional bill to cover a needed limited structure survey, in the amount of \$3,450.

Supervisor Dybas inquired if a Purchase Order could be cut for the money due.

Treasurer Bowerman stated that it can handled that way.

Supervisors DiMezza and Greco made a motion and seconded, respectively, to sponsor and move a draft Resolution to pay EarthTech to the full Board with a positive recommendation. There were no objections.

Item #4, Other: Add-on discussion regarding the purchase of a roller from the County. Supervisors DiMezza and Strevy made a motion and seconded, respectively, to sponsor and move a draft Resolution authorizing the Town of Charleston to purchase a Dynapac Vibratory Roller for \$20,000. There were no objections.

(Clerk's Note: The roller was originally purchased at County auction by a private individual, who backed out of the deal. The Town of Mohawk would like to purchase the roller from the County.)

Motion was made and seconded by Supervisors DiMezza and Strevy, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Walters adjourned the Public Safety Committee meeting at 8:12 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
SPECIAL MEETING
7:50 PM, December 12, 2006

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for December 12 was called to order at 8:13 PM by Chairman Quackenbush.

SALUTE TO THE FLAG

Chairman Quackenbush led the salute to the Flag.

ROLL CALL

Roll call indicated that Supervisors Quackenbush, Johnson, Greco, Dybas, McMahon, Strevy, Paton, Haak, Schumann, Walters, Jonker, Thomas, Mancini and DiMezza were present. Supervisor Cechnicki was absent.

STATEMENT OF PURPOSE OF MEETING

Statement of Purpose of Meeting

- A. RESOLUTION ESTABLISHING REQUIRED PUBLIC HEARING - GOVERNOR'S OFFICE FOR SMALL CITIES - 2006 STATE DISASTER RELIEF, TEMPORARY HOUSING ASSISTANCE GRANT PROGRAM REVISIONS
- B. RESOLUTION FIXING THE DATE AND TIME OF THE 2007 ORGANIZATIONAL MEETING OF THE BOARD OF SUPERVISORS
- C. OTHER

OTHER

RESOLUTION NO. 399 of 2006

DATED: December 12, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION AND ESTABLISHING REQUIRED PUBLIC HEARINGS - GOVERNOR'S OFFICE FOR SMALL CITIES 2006 STATE DISASTER RELIEF, TEMPORARY HOUSING ASSISTANCE GRANT PROGRAM (EOD/PLANNING)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

WHEREAS, Montgomery County was awarded funding for disaster relief purposes with the Governor's Office for Small Cities, and

WHEREAS, Montgomery County has prioritized disaster relief due to the June 28th, 2006 flooding which directly impacted low and moderate income residents, and

WHEREAS, Montgomery County Department of Economic Development has received notification from the Governor's Office for Small Cities stating that in addition to providing assistance with utility payments, rental assistance, food and basic furniture purchases, the disaster relief funds can also be utilized for emergency repairs limited to primary and mechanical components where the damage is a direct result of the June 2006 flooding, and it is

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, is hereby authorized and directed to sign and submit all required application and subsequent reporting materials for funding under the Governor's Office for Small Cities Community Development Block Grant program, and be it

FURTHER RESOLVED, program requirements include the provision to hold a public hearing, which shall be held the 2nd day of January 2007 at 6:55 p.m. at the Board of Supervisors' Chambers, Montgomery County Office Building, 64 Broadway, Fonda, NY.

MOTION TO AMEND by Supervisor Johnson, seconded by Supervisor Schumann by striking the the FURTHER RESOLVED clause "2nd day of January 2007" and inserting "26th day of December", passed with Aye(1802). Supervisor Cechnicki was absent. (12/12/2006)

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/12/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 400, Supervisor Schumann stated that the Governor's Inauguration will be held in Albany at Noon on January 1st, which she will be attending. Supervisor Haak concurred.

RESOLUTION NO. 400 of 2006

DATED: December 12, 2006

RESOLUTION FIXING DATE AND TIME FOR 2007 ORGANIZATIONAL MEETING OF THE BOARD OF SUPERVISORS

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Greco

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 7:00 p.m. on the 2nd day of January 2007.

MOTION TO AMEND by Supervisor Johnson, seconded by Supervisor Mancini to strike in the RESOLVED clause "7:00 p.m. on the 2nd" and inserting "11:00 a.m. on the 1st", passed with Aye(1431). Supervisors Schumann, Dybas and Haak voted Nay. Supervisor Cechnicki was absent. (12/12/2006)

RESOLUTION ADOPTED with Aye(1431). Supervisors Dybas and Haak voted Nay. Supervisors Schumann and Cechnicki were absent. (12/12/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

(Clerk's Note: Supervisor Schumann left Chamber at 8:22 PM, prior to the final vote on the Resolution.)

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor Jonker, passed with Aye(1802). Supervisor Cechnicki 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 - PERSONNEL
7:00 PM, December 19, 2006

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present are Supervisors McMahon, Thomas, Greco, and Mancini. Absent were Supervisors Walters and Johnson.

Additional Supervisors present were Strevy, Paton, Jonker and Schumann. Absent were Supervisors Dybas, Cechnicki, Haak and Quackenbush.

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

1. Resolution Appointing MOSA Board Representative
2. Resolution Appointing Member - Board of Directors - Cornell Cooperative Extension of Fulton and Montgomery Counties
3. Resolution Appointing Members - Montgomery County Occupancy Tax Advisory Board
4. Resolution Appointing Supervisor - Montgomery County Records Management Advisory Board
5. Resolution Appointing Region IV Fish and Wildlife Management Board Members
6. Resolution Appointing Region IV Forest Practice Board Members
7. Resolution Appointing Member - Montgomery County Soil and Water Conservation District Board of Directors
8. Resolution Appointing Democratic Election Commissioner
9. Resolution Appointing Montgomery Budget Officer - 2007
10. Resolution Re-establishing the Responsibilities of Risk Coordination (Board of Supervisors)
11. Resolution Establishing Position - Senior Account Clerk Typist (Board of Supervisors)
12. Resolution Adopting a Revised Non-Bargaining Personnel Policy
13. Resolution Adjusting Certain Department Head Salaries for 2007 and 2008
14. Resolution Establishing Public Hearing on Introductory Local Law #5 of 2006 - A Local Law Establishing 2007 Salaries of Various County Officials
15. Other

Chairman DiMezza noted that there are several add-on Resolutions to be entertained before the close of the meeting.

Item #1 (MOSA BOARD REP): Chairman DiMezza stated that a name will be inserted into the Resolution on Tuesday, Dec. 26, 2006, the night of the full Board meeting.

Supervisors Thomas and McMahon made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with no recommendation. There were no objections.

Item #2 (CORNELL BOARD OF DIRECTORS): Supervisors Schumann and Thomas made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #3 (OCCUPANCY TAX ADV. BOARD): Chairman DiMezza stated that an additional a name will be inserted into the Resolution on Tuesday, Dec. 26, 2006, the night of the full Board meeting.

Supervisors Thomas and Jonker made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #4 (RECORDS MGMT ADV BOARD): Supervisors Strevy and Greco made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #5 (FISH & WILDLIFE MGMT BOARD): Supervisors Strevy and Schumann made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Supervisor Cechnicki entered Chamber at 7:08 PM.

Item #6 (FOREST PRACTICE BOARD): Supervisors Mancini and Greco made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #7 (MCSWD BOARD): Supervisors Paton and Mancini made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Supervisor Johnson entered Chamber at 7:10 PM.

Item #8 (DEM ELECTION COMM): Supervisors Mancini and Cechnicki made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #9 (BUDGET OFFICER): Supervisors Strevy and Thomas made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Supervisor Walters entered Chamber at 7:19 PM.

Item #10 (RISK COORD RESP): Supervisors Johnson and Jonker made a motion and seconded, respectively, to sponsor the Resolution.

Personnel Officer Rich Baia stated that the related job duties aren't all inclusive to the previously presented recommendations of Bill Van Gorder or NYMIR, and the responsibility is basically clerical in nature.

Supervisor Thomas doesn't support the Resolution, due to lack of technical knowledge or know-how with the position as stated, and he recommends a more formal "Safety Officer" position to work in conjunction with the Coordinator position. He stated that many Counties in the state employ Safety Officers.

Chairman DiMezza supports hiring a part-time, code-certified, trained Safety Officer to work with a Risk Coordination position.

The Committee chose to move the Resolution to the full Board with a positive recommendation. There were no objections.

(Clerk's note: Supervisor Thomas gave a four page document [outlining the job duties of a Safety Officer and the Counties which employ said position] to the Clerk of the Board, and asked that she include the document in the full Board meeting packet to be mailed to each Supervisor later in the week.)

(Clerk's note: Appropriate changes were made to the Resolution.)

Item #11 (SENIOR ACCT CLERK TYP): Supervisors Jonker and Johnson made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with no recommendation. There were no objections.

Item #12 (NON-BARG. PERSONNEL POLICY): Supervisors Johnson and Mancini made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #13 (DEPT. HEAD SALARIES): Supervisors Greco and Mancini made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Schumann disseminated a spreadsheet to all present Supervisors which provides more detailed salary options to remain competitive, for consideration.

Chairman DiMezza stated that the eight positions addressed in the Resolution should be moved forward, as they've been thoroughly considered in this eleventh hour.

Supervisor Schumann made a motion to table the Resolution. There was no second.

Supervisor Greco stated that he feels three or four positions could receive an additional monetary increase as well.

Supervisor Johnson inquired if any of the stated raises are based on job performance. Chairman DiMezza stated that job evaluations could be conducted with Department Heads in the future.

Supervisor Thomas stated that he may bring a monetary amendment on the EOD Director position at the full Board meeting. Supervisor Johnson concurred.

Chairman DiMezza stated that, to the best of his knowledge, very few Department Heads have approached Supervisors regarding this issue in general.

Sheriff Mike Amato stated that he would like to see a salary adjustment of \$2,000 in 2007 and 2008, instead of \$1,500. There were no objections.

Printing and Data Processing Director Deb Bain stated that she would like her salary adjustment in 2007 to total \$7,700, and the adjustment in 2008 to total \$2,300 (instead of \$5,000 per stated year). There were no objections.

When polled, the Committee chose to move the Resolution to the full Board with a positive recommendation. There were no objections.

(Clerk's note: Appropriate changes were made to the Resolution.)

Item #14 (LL #5 PUBLIC HEARING): Supervisors Thomas and Mancini made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

(Clerk's Note: The date and time of the public hearing will be determined at the next full Board meeting.)

(Clerk's note: Appropriate changes were made to the Resolution.)

Item #15, Other: Add-on RESOLUTION ESTABLISHING BASE SALARIES - DEPUTY ELECTION COMMISSIONERS AND AMENDING THE 2007 OPERATING BUDGET.

Supervisor Schumann disseminated and clarified a document to the present Supervisors providing back-up for the Resolution, which outlines HAVA compliance as well as Deputy salaries.

Supervisors Schumann and Jonker made a motion and seconded, respectively, to sponsor the Resolution.

Supervisors McMahon and Walters made a motion to table the Resolution for future consideration. The draft Resolution was tabled.

Item #16, Other: Add-on discussion amending RESOLUTION 411 of 2006, RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CORNELL COOPERATIVE EXTENSION OF FULTON AND MONTGOMERY COUNTIES (BOARD OF SUPERVISORS). Chairman DiMezza clarified the need for the amendments.

Supervisors Thomas and Walters made a motion and seconded, respectively, to sponsor the amendments and move them to the full Board with a positive recommendation. There were no objections.

(Clerk's note: Appropriate changes were made to Resolution 411 of 2006.)

Item #17, Other: Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - STEVEN E. SMITH, PE - ENGINEERING SERVICES - DESIGN PLANS & SPECIFICATIONS - REVISED 2007 CAPITAL PLAN PROJECTS (FMCC). Supervisors McMahon and Mancini made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #18, Other: Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MARTIN, SHUDT, WALLACE, DILOREZO & JOHNSON - LABOR NEGOTIATIONS SERVICES (FMCC). Supervisors McMahon and Johnson made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #19, Other: Add-on RESOLUTION AMENDING 2006 OPERATING BUDGET - INSURANCE DEDUCTIBLES DUE (BOARD OF SUPERVISORS). Supervisors Mancini and Johnson made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #20, Other: Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - INSURANCE COVERAGES FOR GENERAL LIABILITY AND NFIP - 2007. Supervisors Mancini and Johnson made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. There were no objections.

Supervisors Thomas and Jonker made a motion and seconded, respectively, to adjourn the meeting.

Chairman DiMezza adjourned the Personnel Committee meeting at 8:05 PM.

Respectfully submitted,

Kimberly Sanborn
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
PUBLIC HEARING
6:55 PM, December 26, 2006

MONTGOMERY COUNTY APPLICATION TO GOVERNOR'S OFFICE FOR SMALL CITIES - 2006 STATE DISASTER RELIEF TEMPORARY HOUSING ASSISTANCE GRANT PROGRAM

PUBLIC HEARING DISCUSSION

Chairman Quackenbush called the Public Hearing to order at 6:55 PM.

The following notice was read:

NOTICE OF PUBLIC HEARING

"MONTGOMERY COUNTY APPLICATION TO GOVERNOR'S OFFICE FOR SMALL CITIES - 2006 STATE DISASTER RELIEF TEMPORARY HOUSING ASSISTANCE GRANT PROGRAM"

NOTICE IS HEREBY GIVEN, that the Board of Supervisors of the County of Montgomery will meet in the Supervisor's Chambers, County Office Building, Route 30A(Broadway), Fonda, New York at 6:55 p.m. on Tuesday, December 26, 2006 for the purpose of holding a public hearing on the "MONTGOMERY COUNTY APPLICATION TO GOVERNOR'S OFFICE FOR SMALL CITIES - 2006 STATE DISASTER RELIEF TEMPORARY HOUSING ASSISTANCE GRANT PROGRAM".

FURTHER NOTICE is hereby given that copies of said application and related reporting materials for funding are available at the Business Development Center, 9 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
DATED: December 14, 2006

Chairman Quackenbush asked if there were any speakers.

There were no speakers.

Chairman Quackenbush noted that there was no one present to speak. Chairman Quackenbush adjourned the public hearing at 6:56 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, December 26, 2006

CALL TO ORDER

Chairman Quackenbush called the Regular Meeting of the Montgomery County Board of Supervisors for December 26, 2006 to order at 7:00 PM.

SALUTE TO THE FLAG

Chairman Quackenbush led the salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors Quackenbush, Johnson, Greco, Paton, McMahon, Strevy, Haak, Dybas, Schumann, Walters, Thomas, Jonker, Mancini and DiMezza were present. Supervisor Cechnicki was absent.

PRIVILEGE OF THE FLOOR

A. Public Comment

Chairman Quackenbush asked if anyone wished to speak.

No one spoke.

Chairman Quackenbush adjourned the Privilege of the Floor at 7:01 PM.

CHAIRMAN'S COMMENT

Chairman Quackenbush summarized the 2006 accomplishments of the County and Board of Supervisors, and also expressed his appreciation to the County Department Heads and the Supervisors for their support during his tenure.

He also noted that Supervisor Haak will be resigning 1/6/07 as Supervisor of the Town of St. Johnsville.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (Nov. 21 - Dec. 19, 2006) by Supervisor DiMezza, seconded by Supervisor Jonker, passed with Aye(1802). Supervisor Cechnicki was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor DiMezza, seconded by Supervisor Johnson, passed with Aye(1666). Supervisor Dybas voted Nay. Supervisor Cechnicki was absent.

MOTION TO AMEND THE AGENDA

MOTION TO AMEND AGENDA by Supervisor Jonker, seconded by Supervisor Dybas, by inserting add-on Resolution 452 at the beginning of the NEW BUSINESS section, passed with Aye(1802). Supervisor Cechnicki was absent.

UNFINISHED BUSINESS

NEW BUSINESS

A. Resolutions

B. Other

Chairman Quackenbush stated that neither he or vice Chairman DiMezza will be available to attend the closing meeting of the Montgomery Meadows, and would like a Resolution directing Attorney Doug Landon to sign any closing papers necessary on that date. There were no objections.

(Clerk's note: The Resolution, numbered 452, was written and voted on from the floor of the full Board meeting.)

RESOLUTION NO. 452 of 2006**DATED:** December 26, 2006**RESOLUTION AUTHORIZING COUNTY ATTORNEY TO SIGN CLOSING DOCUMENTS RELATED TO THE SALE OF MONTGOMERY MEADOWS (BOARD OF SUPERVISORS)**

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Strevy

WHEREAS, the closing on the sale of the Montgomery Meadows RHCF is set to occur on Thursday, December 28, 2006, and

WHEREAS, the Chairman and Vice Chairman of the Board of Supervisors will be unable to attend said closing, and will therefore be unable to sign documents presented at said closing, and

WHEREAS, County Attorney Douglas E. Landon is our official who will be attending the closing and representing the County at same, be it

RESOLVED that Douglas E. Landon, in his capacity as Montgomery County Attorney, is hereby authorized by the Board of Supervisors to sign any and all necessary closing documents related to the sale of the Montgomery Meadows RHCF at said closing.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 401 of 2006**DATED:** December 26, 2006**RESOLUTION APPOINTING MEMBER OF MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS**

Resolution by Supervisor: Paton

Seconded by Supervisor: Jonker

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

RESOLVED, that Carol A. Shineman is appointed a member of the Montgomery County Industrial Development Agency Board of Directors beginning January 1, 2007, and

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

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 402 of 2006**DATED:** December 26, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ADMINISTRATIVE AND STAFF SUPPORT SERVICES - MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECONOMIC DEVELOPMENT)**

Resolution by Supervisor: Haak

Seconded by Supervisor: Greco

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 \$55,000, and

FURTHER RESOLVED, that said agreement shall be for a period commencing on January 1, 2007 and ending on December 31, 2007.

MOTION TO AMEND by Supervisor Thomas, seconded by Supervisor Johnson to strike "\$55,000" in the RESOLVED clause and insert "\$35,000", passed with Aye(1802). Supervisor Cechnicki was absent.

(12/26/2006)

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 403 of 2006

DATED: December 26, 2006

RESOLUTION AUTHORIZING TRANSFER OF FUNDS - PAYMENT FOR PROFESSIONAL SERVICES - CT MALE (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Paton

WHEREAS, Resolution 282 of 2006 authorized the signing of a contract with C.T. Male Associates, P.C. to prepare Montgomery County's application to New York State Empire State Development Corporation for funding through its Restore NY Communities initiative, and

WHEREAS, said resolution did not provide funding for said contract,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 Operating Budget as follows;

TRANSFER FROM:

TRANSFER TO:

A-24-4-6430-00-4431 Professional Services \$4,875

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Strevy by inserting under TRANSFER FROM

"A-01-1990-00-4400 Contingency Fund \$4,875",

passed with Aye(1706). Supervisor Haak voted Nay. Supervisor Cechnicki was absent. (12/26/2006)

RESOLUTION ADOPTED with Aye(1591). Supervisors Jonker and Haak voted Nay. Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 404 of 2006

DATED: December 26, 2006

RESOLUTION RESCINDING RESOLUTION 354 OF 2006 - A RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - RENTAL OF MONTGOMERY COUNTY OFFICE SPACE - MOHAWK VALLEY APPLIED TECHNOLOGY CORP (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Mancini

WHEREAS, Resolution 354 of 2006 authorized the Chairman to sign an agreement with Mohawk Valley Applied Technology Corp for the lease of Montgomery County office space in the Economic Development Department, and

WHEREAS, it has since been determined that said leasing will not be taking place under the terms originally stated whereby the Mohawk Valley Applied Technology Corp would have been granted Internet access via the County's network, and

WHEREAS, said leasing could take place if Mohawk Valley Applied Technology Corp independently contracted with a separate provider for Internet access,

RESOLVED, that Resolution 354 of 2006 is hereby rescinded.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon

Kimberly Sanborn

County Attorney

Clerk, Board of Supervisors

RESOLUTION NO. 405 of 2006**DATED:** December 26, 2006**RESOLUTION ESTABLISHING A PUBLIC HEARING ON INTRODUCTORY LOCAL LAW #4 OF 2006 - A LOCAL LAW ENTITLED 'THE MONTGOMERY COUNTY ETHICS RENEWAL LAW'**

Resolution by Supervisor: Haak

Seconded by Supervisor: Schumann

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 4 of 2006, a Local Law entitled "The Montgomery County Ethics Renewal Law"

RESOLVED, that Introductory Local Law No. 4 of 2006 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing as follows:

A Local Law Entitled "THE MONTGOMERY COUNTY ETHICS RENEWAL LAW"

Be it enacted by the Board of Supervisors of the County of Montgomery, as follows:

SECTION 1. TITLE.

This local law shall be known and may be cited as the "Montgomery County Ethics Renewal Law".

SECTION 2. LEGISLATIVE FINDINGS.

The Board of Supervisors finds that the vast majority of municipal officials serve their constituents honestly and zealously. Municipal officials must also recognize that in a democratic society, even the appearance of impropriety may significantly undermine the public's confidence in the officials who serve them.

The Board further finds that an effective ethics law for municipal officials should improve both the perception and the reality of integrity in local government and should also encourage, not discourage, citizens from participating in that government. This local ethics law seeks to fulfill those goals.

SECTION 3. PURPOSE.

The purposes of this local law are:

- (a) To establish high standards of ethical conduct for officers and employees of Montgomery County;
- (b) To afford officers and employees of the County clear guidance on such standards;
- (c) To promote public confidence in the integrity of the governance and administration of the County and its agencies and administrative offices;
- (d) By requiring public disclosure of financial interests that may influence or be perceived to influence the actions of elected officials, to facilitate consideration of potential ethical problems before they arise, minimize unwarranted suspicion, and enhance the accountability of government to the people; and
- (e) To provide for the fair and effective administration of this local law.

SECTION 4. AUTHORITY.

This local law is enacted pursuant to section 806 of the General Municipal Law of the State of New York and section 10 of the Municipal Home Rule Law and is not intended to authorize any conduct prohibited by Article 18 of the General Municipal Law. This local law also supplements other provisions of law regulating ethics in local government, such as section 107 of the Civil Service Law of the State of New York.

SECTION 5. SUPERSESION OF GENERAL MUNICIPAL LAW 8808; REPEAL OF EXISTING COUNTY CODE OF ETHICS.

1. To the extent this local law is inconsistent with the provisions of section 808 of the General Municipal Law, this local law shall supersede those provisions.

2. Local Law No. 1 of 1990 and Local Law No. 5 of 1992 are hereby repealed in their entirety being rendered obsolete by this Local Law.

SECTION 6. ADOPTION OF ETHICS LAW.

The Board of Supervisors hereby enacts the following as the "Montgomery County Ethics Renewal

Law:"

ETHICS RENEWAL LAW

PART A: SUBSTANTIVE PROVISIONS

- § 100. Definitions.
- § 101. Code of Ethics for County Officers and Employees.
- § 102. Transactional Disclosure.
- § 103. Exclusions from the Code of Ethics and from Transactional Disclosure.
- § 104. Interests in Contracts with the County.
- § 105. Appearances by Outside Employers and Businesses of County Officers and Employees.
- § 106. Annual Disclosure.
- § 107. Applicant Disclosure.
- § 108. Void Contracts.
- § 109. Penalties.
- § 110. Debarment.
- § 111. Injunctive Relief.

PART B: ADMINISTRATIVE PROVISIONS

- § 201. Ethics Board: Establishment; Qualifications of Members; Appointment of Members;

Term of Office.

- § 202. Ethics Board: Vacancies.
- § 203. Ethics Board: Removal of Members.
- § 204. Ethics Board: Meetings.
- § 205. Ethics Board: Jurisdiction, Powers, and Duties.
- § 206. Maintenance of Disclosure Statements.
- § 207. Designation of Officers and Employees Required to File Annual Disclosure Statements.
- § 208. Review of Lists and Disclosure Statements.
- § 209. Investigations; Hearings.
- § 210. Recommended actions.
- § 211. Waivers.
- § 212. Advisory Opinions.
- § 213. Judicial Review.
- § 214. Annual Reports; Review of Ethics Laws.
- § 215. Public Inspection of Records; Public Access to Meetings.
- § 216. Miscellaneous provisions.
- § 217. Distribution and posting.

PART A: SUBSTANTIVE PROVISIONS

- § 100. Definitions.

Unless otherwise stated or unless the context otherwise requires, when used in this local law:

1. "Appear" and "appear before" mean communicating in any form, including, without limitation, personally, through another person, by letter, or by telephone.

2. "Confidential Information" means information acquired through written, verbal or electronic means, by a County officer or employee in the course of their official duties, which is not otherwise available to the public and which pertains to:

- (a) Matters that will imperil the public safety if disclosed;
- (b) Any matter which may disclose the identity of a law enforcement agent or informer;
- (c) Information relating to current or future investigation or prosecution of a criminal offense that would imperil effective law enforcement if disclosed;
- (d) Discussions regarding proposed, pending or current litigation;
- (e) Discussions regarding legal advice or strategy;
- (f) Discussions regarding negotiations with any collective bargaining unit pursuant to article fourteen of the civil service law;
- (g) The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
- (h) The preparation, grading or administration of examinations; and
- (i) The proposed acquisition, sale or lease of real property or the proposed acquisition, sale or exchange of securities or any other investment held or to be held by the County.

3. "Customer or client" means (a) any person to whom a County officer or employee has supplied goods or services during the previous twenty-four months having, in the aggregate, a value greater than \$1,000 or (b) any person to whom a County officer's or employee's outside employer

or business has supplied goods or services during the previous twenty-four months having, in the aggregate, a value greater than \$1,000 but only if the officer or employee knows or has reason to know the outside employer or business supplied the goods or services.

4. "Ethics Board" means the Ethics Board of the County of Montgomery established pursuant to this local law.

5. "Gift" and "financial benefit" shall include any money, service, license, permit, contract, authorization, loan, travel, entertainment, hospitality, or any promise thereof, or any other gratuity or promise thereof or anything of value. A financial transaction may be a financial benefit but shall not be a gift unless it is on terms not available to the general public. "Gift" and "financial benefit" do not include campaign contributions authorized by law.

6. "Ministerial act" means an action performed in a prescribed manner without the exercise of judgment or discretion as to the propriety of the act.

7. "County" means the County of Montgomery but shall not include the County court.

8. "County officer or employee" means any officer, whether elected or appointed, or employee of the County, whether paid or unpaid, and includes, without limitation, all members of any board, body, advisory board, council, commission, agency, department, district, administration, division, bureau, or committee of the County.

"County officer or employee" shall not include:

- (a) A judge, justice, officer, or employee of the unified court system;
- (b) A volunteer fire fighter or civil defense volunteer. except a fire chief or assistant fire chief; or
- (c) A member of an advisory board of the County if, but only if, the advisory board has no authority to implement its recommendations or to act on behalf of the County or to restrict the authority of the County to act. No entity established pursuant to the General Municipal Law of the State of New York shall be deemed an advisory board for purposes of this paragraph.

9. "Outside employer or business" means:

- (a) Any activity, other than service to the County, from which the County officer or employee receives compensation for services rendered or goods sold or produced;
- (b) Any entity, other than the County, of which the County officer or employee is a member, officer, director, or employee and from which he or she receives compensation for services rendered or goods sold or produced; or
- (c) Any entity in which the County officer or employee has an ownership interest, except a corporation of which the County officer or employee owns less than five percent of the outstanding stock.

For purposes of this definition, "compensation" shall not include reimbursement for necessary expenses, including travel expenses.

10. "Person" shall include individuals, entities, partnerships, associations whether incorporated or unincorporated, corporations, and organizations of whatsoever nature or form.

11. "Relative" means a spouse, domestic partner, child, step-child, brother, sister, or parent of the County officer or employee, or a person claimed as a dependent on the County officer's or employee's latest individual state income tax return.

12. "Subordinate" of a County officer or employee shall mean another County officer or employee over whose activities he or she has direction, supervision, or control, except those who serve in positions that are in the exempt classification under section 41 of the Civil Service Law of the State of New York or in the unclassified service under subdivisions (a) through (f) of section 35 of that law.

§ 101. Code of Ethics for County Officers and Employees.

1. General prohibition.

A County officer or employee shall not use his or her official position or office, or take or fail to take any action, in a manner which he or she knows or has reason to know may result in a personal financial benefit for any of the following persons:

- (a) the County officer or employee;
- (b) his or her outside employer or business;
- (c) a member of his or her household;
- (d) a relative; or
- (e) a person from whom the officer or employee has received election campaign contributions of more than \$1 000 in the aggregate during the past twelve months.

2. Recusal.

A County officer or employee shall promptly recuse himself or herself from acting on a matter before the County when acting on the matter, or failing to act on the matter, may financially benefit any of the persons listed in subdivision 1 of this section.

3. Gifts.

A County officer or employee shall not solicit anything of value from any person who has received or sought a financial benefit from the County, nor accept anything of value from any person who the County officer or employee knows or has reason to know has received or sought a financial benefit from the County within the previous twenty-four months.

4. Representation.

A County officer or employee shall not represent any other person in any matter that person has before the County nor represent any other person in any matter against the interests of the County except where such representation is fully disclosed and the County officer or employee is subject to a professional code of ethics and such representation may be authorized under such professional code of ethics.

5. Appearances.

A County officer or employee shall not appear before any agency of the County except on his or her own behalf or on behalf of the County.

6. Confidential information.

County officers and employees and former County officers and employees shall not disclose any confidential information or use it to further their personal or financial interests.

7. Political solicitation.

A County officer or employee shall not knowingly request or knowingly authorize anyone else to request any subordinate of the officer or employee to participate in an election campaign or contribute to a political committee.

8. Revolving door.

A County officer or employee shall not appear or practice before the County, except on his or her own behalf, or receive compensation for working on any matter before the County, for a period of one year after the termination of his or her County service or employment; however, the bar shall be permanent as to particular matters on which the County officer or employee personally worked while in County service.

9. Avoidance of conflicts.

County officers and employees shall not knowingly acquire, solicit, negotiate for, or accept any interest, employment, or other thing of value, which would place them in violation of this Code of Ethics.

10. Inducement of others.

A County officer or employee shall not induce or aid another officer or employee of the County to violate any of the provisions of this Code of Ethics.

§102. Transactional Disclosure.

1. Whenever a County officer or employee is required to recuse himself or herself under the Code of Ethics set forth in section 101 of this local law, he or she

(i) shall immediately refrain from participating further in the matter;
 (ii) shall promptly inform his or her superior, if any; and
 (iii) shall promptly file with the Clerk of the Board of Supervisors a signed statement disclosing the nature and extent of the prohibited action or, if a member of a board, shall state that information upon the public record of the board.

2. An officer or employee shall not be required to file a disclosure statement pursuant to this section if he or she, with respect to the same matter, has filed with the governing body of the County a disclosure statement complying with requirements of section 104 of this local law.

§103. Exclusions from the Code of Ethics and from Transactional Disclosure.

The provisions of sections 101 and 102 of this local law shall not prohibit, or require recusal or transactional disclosure as a result of:

1. An action specifically authorized by statute, rule, or regulation of the state of New York or of the United States.

2. A ministerial act.

3. Gifts:

- (a) Received by the County officer or employee from his or her parent, spouse, or child; or
- (b) Having an aggregate value of \$75 or less during any twelve-month period; or
- (c) Accepted on behalf of the County and transferred to the County.

4. Gifts or benefits having a value of \$50 or less that are received by a County officer or employee listed in section 11 of the Domestic Relations Law of the State of New York for the solemnization of a marriage by that officer or employee at a place other than his or her normal public place of business or at a time other than his or her normal hours of business.

5. Awards from charitable organizations.

6. Receipt of County services or benefits, or use of County facilities, that are generally available on the same terms and conditions to residents or a class of residents in the County.

7. Representation of constituents by elected officials without compensation in matters of public advocacy.

8. County officers or employees appearing or practicing before the County or receiving compensation for working on a matter before the County after termination of their County service or employment where they performed only ministerial acts while working for the County.

§ 104. Interests in Contracts with the County.

1. Prohibited interests.

No County officer or employee shall have an interest in a contract with the County, or an interest in a bank or trust company, that is prohibited by section 801 of the General Municipal Law of the State of New York. Any contract willfully entered into by or with the County in which there is an interest prohibited by that section shall be null, void, and wholly unenforceable, to the extent provided by section 804 of that law.

2. Discloseable interests.

Any County officer or employee who has, will have, or later acquires an interest in any actual or proposed contract with the County shall publicly disclose the nature and extent of that interest in accordance with section 803 of the General Municipal Law. The Clerk of the Board of Supervisors shall cause a copy of that disclosure to be filed promptly with the Ethics Board.

3. Violations.

Any County officer or employee who willfully and knowingly violates the provisions of this section shall be guilty of a misdemeanor, to the extent provided by section 805 of the General Municipal Law.

§ 105. Appearances by Outside Employers and Businesses of County Officers and Employees.

1. Except as provided in subdivision 3 of this section, the outside employer or business of a County officer or employee shall not appear before the particular agency in which the County officer or employee serves or by which he or she is employed.

2. Except as provided in subdivision 3 of this section, the outside employer or business of a County officer or employee shall not appear before any other County agency if the County officer or employee has the authority to appoint any officer, employee, or member of the agency or to review, approve, audit, or authorize any budget, bill, payment, or claim of the agency.

3. Nothing in this section shall be construed to prohibit the outside employer or business of a County officer or employee from:

- (a) Appearing on its own behalf, or on behalf of the County, before a County agency;
- (b) Seeking or obtaining a ministerial act; or
- (c) Receiving a County service or benefit, or using a County facility, which is generally available to the public.

§106. Annual Disclosure.

1. Officers and employees who are required to file.

The following classes of officers and employees shall file a financial disclosure statement with the Clerk of the Board of Supervisors, upon forms approved by the Board of Supervisors, within 30 days after the effective date of this Local Law and on or before January 30 each year thereafter:

- (a) Elected officials;
- (b) Department heads and those authorized to act on their behalf (e-g., first deputies);
- (c) Officers and employees who hold policymaking positions, including members of municipal boards;
- (d) Officials whose job descriptions or whose actual duties involve the negotiation, authorization, or approval of:
 - (i) Contracts, leases, franchises, concessions, variances, special permits, or licenses;
 - (ii) The purchase, sale, rental, or lease of real property, personal property, or services, or a contract therefore;
 - (iii) The obtaining of grants of money or loans; or
 - (iv) The adoption or repeal of my rule or regulation having the force and effect of law.

2. Contents of annual disclosure statement.

The annual disclosure statement shall disclose a description of any personal or financial interest which the individual knows or has reason to believe would create a conflict of interest in the performance of his or her official duties.

3. Place for filing.

All disclosure statements shall be filed, and maintained in the office of the Clerk of the Board of Supervisors.

4. Changes in disclosed information.

In the event there is a change in the information contained in his or her most recently filed annual disclosure statement, an officer or employee shall file a signed amendment to the statement indicating the change within thirty (30) days thereof.

§ 107. Applicant Disclosure.

1. Whenever a person makes a request to a County agency or department or to a County officer or employee to take or refrain from taking any action (other than a ministerial act) and knows or has reason to know that such request may result in a financial benefit both to the requestor and to any officer or employee of the County or one of the other persons listed in subdivision 1 of Section 101 of this local law, the requestor shall disclose the names of any such persons.

2. If the request is made in writing, the disclosure shall accompany the request. If the request is oral and made at a meeting of a public body, the disclosure shall be set forth in the public record of the body. If the request is oral and not made at a meeting of a public body, the disclosure shall be set forth in a writing filed with the Clerk of the Board of Supervisors.

§ 108. Void Contracts.

Any contract or agreement entered into by or with the County, which results in or arises from a violation of any provision of sections 101, 102, or 104 of this local law shall be void unless ratified by the Board of Supervisors. Such ratification shall not affect the imposition of any criminal or civil penalties pursuant to this local law or any other provision of law.

In addition to any other penalty provided under this local law or the General Municipal Law, a violation of this local law may result in the imposition of the following penalties.

1. Disciplinary action.

Any County officer or employee who engages in any action that violates any provision of this local law may be subject to sanction as authorized by law or collective bargaining agreement, which may include, without limitation, warning, reprimand, suspension with or without pay, or removal from office or employment. Such sanctions may be imposed only by the appointing authority or person or body authorized by law to impose such sanctions. A warning, reprimand, suspension, removal, or other authorized sanction may be imposed in addition to any other penalty contained in this local law or in any other provision of law.

Any person, whether or not a County officer or employee, who violates any provision of this local law shall be liable in damages to the County for any losses or increased costs incurred by the County as a result of the violation. Such damages may be imposed in addition to any other penalty contained in any other provision of law or in this local law, other than a civil penalty pursuant to subdivision 3 of this section.

3. Civil penalty.

Any person, whether or not a County officer or employee, who intentionally or knowingly violates any provision of this local law may be subject to a civil penalty to the County of up to three times the value of any financial benefit the person received as a result of the conduct that constituted the violation. A civil penalty may be imposed in addition to any other penalty contained in any other provision of law or in this local law, other than damages pursuant to

subdivision 2 of this section.

Civil penalty shall not be available for a violation of section 104 of this local law.

4. Misdemeanor.

Any person, whether or not a County officer or employee, who intentionally or knowingly violates any provision of this local law shall also be guilty of a class A misdemeanor. This subdivision shall not apply to a violation of section 104 of this local law.

§ 110. Debarment.

1. Any person, whether or not a County officer or employee, who intentionally or knowingly violates any provision of this local law shall be prohibited from entering into any contract with the County for a period not to exceed three years, as provided in subdivision 5 of section 21 0 of this local law. Debarment may not be imposed for a violation of section 104 of this local law.

2. No person, whether or not a County officer or employee, shall enter into a contract in violation of a bar imposed pursuant to subdivision 1 of this section.

3. Nothing in this section shall be construed to prohibit any person from receiving a service or benefit, or from using a facility, which is generally available to the public.

4. Under this section, a corporation, partnership, or other entity shall not be held vicariously liable for the actions of an employee. A corporation, partnership, or other entity shall not be debarred because of the actions of an employee unless the employee acted in the execution of company policy or custom. A store, region, division, or other unit of an entity shall not be debarred because of the actions of an employee of that unit unless the employee acted at the direction or with the actual knowledge or approval, of the manager of the unit.

§ 111. Injunctive Relief,

1. Any resident, officer, or employee of the County may initiate an action or special proceeding, as appropriate, in the court of appropriate jurisdiction for injunctive relief to enjoin an officer or employee of the County from violating this local law or to compel an officer or employee of the County to comply with the provisions of this local law. In lieu of, or in addition to, injunctive relief, the action or special proceeding, as appropriate, may seek a declaratory judgment.

No action or special proceeding shall be prosecuted or maintained pursuant to subdivision 1 of this section, unless (a) the plaintiff or petitioner shall have filed with the Ethics Board a sworn complaint alleging the violation by the officer or employee, (b) it shall appear by and as an allegation in the complaint or petition filed with the court that at least six months have elapsed since the filing of the complaint with the Ethics Board and that the Ethics Board has failed to file a determination in the matter, and (c) the action or special proceeding shall be commenced within ten months after the alleged violation occurred.

PART B: ADMINISTRATIVE PROVISIONS

§201. Ethics Board: Establishment; Qualifications of Members; Appointment of Members; Term of Office.

1. There is hereby established an Ethics Board consisting of three (3) members, each of whom shall be a County resident as of the date of his or her appointment.

2. No more than one member of the Ethics Board may be an appointed officer or employee of the County. Of the total membership of the Board, no two members shall be registered in the same political party.

3. No Ethics Board member shall hold office in a political party or be employed or act as a lobbyist or hold elective office in the County. An Ethics Board member may make campaign contributions but may not participate in any election campaign.

4. Each member of the Ethics Board shall, within fifteen (15) days of the date of his or her appointment, file with the Clerk of the Board of Supervisors a financial disclosure statement as described in Section 106. No Ethics Board member shall have any "interest" [as that term is defined by Section 801 of the General Municipal Law] in any contract or transaction with the County.

5. Within thirty (30) days after the effective date of this local law, and no later than December 31 each year thereafter, the Chair of the Board of Supervisors, with the advice and consent of the Board of Supervisors shall appoint the members of the Ethics Board.

6. The term of office of Ethics Board members shall be three years and shall run from January 1 through December 31, except that of the members first appointed one member shall serve until December 31 of the year in which the Board is established, one shall serve until the second December 31, and one shall serve until the third December 31.

7. No member of the Ethics Board shall serve more than two terms consecutively.
8. An Ethics Board member shall serve until his or her successor has been appointed.
9. The members of the Ethics Board shall not receive compensation but shall be reimbursed for reasonable expenses incurred in the performance of their official duties.

§ 202. Ethics Board: Vacancies.

When a vacancy occurs in the membership of the Ethics Board, the vacancy shall be filled within thirty (30) days for the unexpired portion of the term in the same manner as the original appointment. Any person appointed to fill a vacancy on the Ethics Board shall meet the qualifications set forth in section 203 of this local law.

§ 203. Ethics Board: Removal of Members.

An Ethics Board member may be removed from office in the same manner in which he or she was appointed, after written notice and opportunity for reply. Grounds for removal shall be failure to meet the qualifications set forth in section 203 of this local law, substantial neglect of duty, gross misconduct in office, inability to discharge the powers or duties of office, or violation of this local law.

§ 204. Ethics Board: Meetings.

At its first meeting each year, the Ethics Board shall elect a chair from among its members. A majority of the Board (quorum) shall be required to conduct a meeting. A meeting shall be required for the Board to take any action. The chair or a majority of the Board may call a meeting of the Board.

§ 205. Ethics Board: Jurisdiction, Powers, and Duties.

1. The Ethics Board may act only with respect to elected officials, officers and employees of the County as well as such persons who engage in transactions with the County. Provided however, that upon the written request of the governing board of any town or village within the County, the Ethics Board may provide advisory opinions regarding any transaction or activity involving any officer or employee of such town or village and the applicability of Article 18 of the General Municipal Law of the State of New York.

2. The termination of an officer's or employee's term of office or employment with the County shall not affect the jurisdiction of the Ethics Board with respect to the requirements imposed upon him or her by this local law.

3. The Ethics Board shall have the following powers and duties:

- (a) To prescribe and promulgate rules and regulations governing its own internal organization and procedures in a manner consistent with this local law;
- (b) To receive, review, index, and maintain on file at the office of the Clerk of the Board of Supervisors, disclosure statements filed pursuant to Section 208;
- (c) To receive, review, index and maintain on file at the Clerk of the Board of Supervisors sworn complaints of alleged violations filed pursuant to Section 209;
- (d) To investigate, conduct hearings, and make recommendations to the Board of Supervisors as the Board of Ethics may deem appropriate pursuant to section 210;
- (e) To grant waivers pursuant to section 211;
- (f) To render, index, and maintain on file advisory opinions pursuant to section 212;
- (g) To provide for public inspection of certain records pursuant to section 2 16; and
- (h) To prepare an annual report and recommend changes to this local law pursuant to section 2 15.

4. The Ethics Board shall rely upon the County Attorney for legal advice, unless the County Attorney advises that there is a conflict of interest requiring outside counsel. In such event, the Ethics Board shall make a written request of the Board of Supervisors who shall authorize the Ethics Board to engage outside legal counsel.

§ 206. Maintenance of Disclosure Statements.

The Clerk of the Board of Supervisors shall index and maintain on file for use by the Ethics Board each disclosure statement filed pursuant to sections 102, 106, and 107 of this local law. Such files shall be maintained for at least seven years. Copies of all financial disclosure statements shall be public records and fully available under the Freedom of Information Law upon application to the County's records access officer.

§ 207. Designation of Officers and Employees Required to File Annual Disclosure Statements.

Within 90 days after the effective date of this local law, and on or before February 1st each year thereafter, the Chair the Board of Supervisors of the County, shall:

1. Cause to be filed with the Ethics Board a list of the names and offices or positions of all

County officers and employees required to file annual disclosure statements pursuant to section 106 of this local law; and

2. Notify all such officers and employees of their obligation to file an annual disclosure statement.

§ 208. Review of Lists and Disclosure Statements.

1. The Ethics Board shall review:

(a) The list of officers and employees who are required to file an annual disclosure statement, prepared pursuant to section 201 of this local law, to determine whether the list is complete and accurate. In the event that the Ethics Board determines that an officer or employee should be added to the list of officers and employees required to file annual disclosure statements pursuant to section 107, the Board shall recommend to the officer's or employee's department head or legislative committee, as appropriate, that such officer or employee should be added to the list and the reasons therefore.

(b) All annual disclosure statements to determine whether any person required to file such a statement has failed to file it, has filed a deficient statement, or has filed a statement that reveals a possible or potential violation of this local law.

(c) All transactional disclosure statements.

2. If the Ethics Board determines that an annual disclosure statement or a transactional disclosure statement is deficient or reveals a potential violation of this local law, the Ethics Board shall notify the person in writing of the deficiency or potential violation and of the penalties for failure to comply with this local law. A copy of such notice shall be provided to the County Manager and County Attorney.

§ 209. Investigations; Hearings.

1. Upon receipt of a sworn complaint by any person alleging a violation of this local law, or upon determining on its own initiative that a violation of this local law may exist, the Ethics Board shall have the power and duty to conduct any investigation necessary to carry out the provisions of this local law. In conducting any such investigation, the Ethics Board may hold hearings, administer oaths or affirmations, subpoena witnesses, compel their attendance, and require the production of any books or records, which it may deem relevant and material.

2. The Ethics Board shall state in writing the disposition of every sworn complaint it receives and of every investigation it conducts and shall set forth the reasons for the disposition. All such statements and all sworn complaints shall be indexed and maintained on file by the Board with the Clerk of the Board of Supervisors.

3. Any person filing a sworn complaint with the Ethics Board shall be notified in writing of the disposition of the complaint.

4. Nothing in this section shall be construed to permit the Ethics Board to conduct an investigation of itself or of any of its members or staff. If the Ethics Board receives a complaint alleging that the Board or any of its members or staff has violated any provision of this local law, or any other law, the Board shall promptly transmit to the Board of Supervisors a copy of the complaint.

5. Any person who knowingly files a false complaint shall be subject to the same sanctions and penalties under this local law as are prescribed for violations hereof.

§ 210. Recommended actions.

1. Recommended actions.

Upon completion of its investigation(s), the Ethics Board shall make such decisions, findings and recommendations as it deems necessary to the Board of Supervisors. The Board of Supervisors shall act upon such written decisions, findings and recommendations in any fashion as it deems appropriate which may include, without limitation, implementing employee discipline, initiating civil action, seeking injunctive relief and/or in the appropriate case, referring the matter to the appropriate prosecutor for possible criminal violations of this local law. Nothing contained in this local law shall be construed to restrict the authority of any prosecutor to prosecute any violation of this local law or of any other law.

2. Proceedings involving officers or employees of the County.

In any proceeding under this local law that involves allegations that an officer or employee of the County violated the terms hereof, the Ethics Board may recommend to the Board of Supervisors that appropriate disciplinary action be taken pursuant to subdivision 1 of section 109 of this local law. Provided however, that no such action shall be taken by the Board of Supervisors except after notice and a hearing, and subject to Article 75 of the Civil Service Law and any applicable collective bargaining agreements.

3. Limits on Board Investigations.

Nothing in this section shall be construed to permit the Ethics Board to take any action with respect to any alleged violation of this local law, or of any other law, by the Ethics Board or by any member or staff member thereof. Any such investigations involving allegations against the Ethics Board, or by any member or staff member thereof shall be handled by the County Attorney who shall forward any findings thereon to the Board of Supervisors.

4. Remedies Non-exclusive.

Nothing in this local law shall be construed to limit the Board of Supervisors in the pursuit of any legal or equitable remedy that is available to enforce the terms of this local law or any other applicable law, rule or regulation.

§ 211. Waivers.

1. Upon written application and upon a showing of compelling need by the applicant, the Ethics Board may in exceptional circumstances grant the applicant a waiver of any of the provisions of subdivisions 1 through 9 of section 101, paragraph (i) of subdivision 1 of section 102, section 106, section 107, or section 108 of this local law, provided, however, that no such waiver shall permit conduct otherwise prohibited by Article 18 of the General Municipal Law of the State of New York.

2. Waivers shall be in writing and shall state the grounds upon which they are granted. Within 10 days after granting a waiver, the Ethics Board shall publish a notice setting forth the name of the person requesting the waiver and a general description of the nature of the waiver in the official newspaper designated by the County for the publication of local laws, notices, and other matters required by law to be published.

All applications, decisions, and other records and proceedings relating to waivers shall be indexed and maintained on file by the Ethics Board.

§ 212. Advisory Opinions.

1. Upon the written request of any County officer or employee, the Ethics Board may render a written advisory opinion with respect to the interpretation or application of this local law or of Article 18 of the General Municipal Law of the State of New York. Any other person may similarly request an advisory opinion but only with respect to whether his or her own action might violate a provision of this local law or Article 18.

2. Upon the written request of the governing board of any town or village within Montgomery County, the Ethics Board may render a written advisory opinion with respect to any transaction or activity involving any officer or employee of such town or village and the application of Article 18 of the General Municipal Law of the State of New York.

3. Advisory opinions and requests for advisory opinions shall be indexed and maintained on file by the Ethics Board.

4. Any person aggrieved by an advisory opinion of the Ethics Board may seek judicial review and relief pursuant to Article 78 of the Civil Practice Law and Rules of the State of New York. Any person who has submitted to the Ethics Board a written request for an advisory opinion may bring a special proceeding pursuant to Article 78 of the Civil Practice Law and Rules for an order compelling the Ethics Board to issue the advisory opinion. In addition to, or in lieu of, such injunctive relief, the person may seek a judgment in accordance with section 3001 of the Civil Practice Law and Rules determining the question posed in the request for the advisory opinion. No action or special proceeding shall be prosecuted or maintained pursuant to this subdivision unless (a) it shall appear by and as an allegation in the petition or complaint that at least six months have elapsed since the filing of the request and that the Ethics Board has failed to file any determination in the matter and (b) the action or special proceeding shall be commenced within ten months after the submission of the request for the advisory opinion.

§ 213. Judicial Review.

Any person aggrieved by a decision of the Ethics Board may seek judicial review and relief pursuant to Article 78 of the Civil Practice Law and Rules of the State of New York.

§ 214. Annual Reports; Review of Ethics Laws.

1. The Ethics Board shall prepare and submit an annual report to the Chair and the Board of Supervisors on or before December 15 summarizing the activities of the Board. The report may also recommend changes to the text or administration of this local law. The Clerk of the Board of Supervisors shall maintain a copy of the report.

2. The Ethics Board shall periodically review this local law and the Board's rules, regulations, and administrative procedures to determine whether they promote integrity, public confidence, and

participation in County government and whether they set forth clear and enforceable, common sense standards of conduct.

§ 215. Public Inspection of Records; Public Access to Meetings.

1. The only records of the Ethics Board which shall be available for public inspection are those whose disclosure is required by Article 6 of the Public Officers Law of the State of New York or by some other State or Federal law or regulation.

2. No meeting or proceeding of the Ethics Board concerning misconduct, non-feasance, or neglect in office by a County officer or employee shall be open to the public, except upon the request of the officer or employee or as required by the provisions of Article 7 of the Public Officers Law or by some other State or Federal law or regulation.

§ 216. Miscellaneous provisions.

1. No existing right or remedy shall be lost, impaired, or affected by reason of this local law.

2. Nothing in this local law shall be deemed to bar or prevent a present or former County officer or employee from timely filing any claim, account, demand, or suit against the County on behalf of himself or herself or any member of his or her family arising out of personal injury or property damage or any lawful benefit authorized or permitted by law.

3. If any provision of this local law is held by a court of competent jurisdiction to be invalid, that decision shall not affect the validity and effectiveness of the remaining provisions of this local law.

§ 217. Distribution and posting.

1. Within 30 days after the effective date of this local law, the Chair of the Board of Supervisors shall cause a summary of the Code of Ethics and disclosure requirements set forth herein to be distributed to the officers and employees of the County. Thereafter, a copy of such summary shall be provided to each new officer or employee within ten (10) days of employment or assuming office as the case may be.

2. With 30 days after the effective date of this local law, the Chair of the Board of Supervisors, shall cause a summary of the Code of Ethics and disclosure requirements set forth herein to be posted conspicuously in every public building under the jurisdiction of the County.

3. Failure of the County to comply with the distribution or posting of the Ethics Law in accordance with the provisions of this section or failure of any County officer or employee to receive a copy of the provisions of this local law shall have no effect on the duty of compliance with this local law or the enforcement of its provisions.

SECTION 7. EFFECTIVE DATE.

This local law shall take effect immediately upon filing in the office of the Secretary of State and in compliance with all applicable provisions of law.

, and

FURTHER RESOLVED, that said public hearing shall be held Tuesday, January 23, 2006 at 6:55pm in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 406 of 2006

DATED: December 26, 2006

RESOLUTION ESTABLISHING FEES - PHOTOS FOR PASSPORTS, PISTOL PERMITS, VISAS AND OTHER MISCELLANEOUS ITEMS (COUNTY CLERK)

Resolution by Supervisor: McMahan

Seconded by Supervisor: DiMezza

WHEREAS, the County Clerk has recommended instituting a fee for the processing of photos for passports, pistol permits, visas and other miscellaneous items,

RESOLVED, the Montgomery County Board of Supervisors does hereby institute a fee of \$10 for the

taking of photos for passports, pistol permits, visas and other miscellaneous items.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 407 of 2006

DATED: December 26, 2006

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

Resolution by Supervisor: Strevy

Seconded by Supervisor: Schumann

WHEREAS, the 2007 Operating Budget includes appropriations of \$195,000 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 \$195,000.

RESOLUTION ADOPTED with Aye(1622). Supervisors Thomas and Haak voted Nay. Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 408 of 2006

DATED: December 26, 2006

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

Resolution by Supervisor: Jonker

Seconded by Supervisor: Schumann

WHEREAS, the 2007 Operating Budget includes appropriations of \$60,000 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 \$60,000.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 409 of 2006

DATED: December 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MASS TRANSPORTATION THIRD PARTY PROVIDER - BROWN'S COACH (BOARD OF SUPERVISORS)

Resolution by Supervisor: Greco

Seconded by Supervisor: Strevy

WHEREAS, Montgomery County and New York State have entered into a continuing 10-year agreement, identified as State Contract No. C003683, 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, 2007 through December 31, 2007.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 410 of 2006

DATED: December 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - CORNELL COOPERATIVE EXTENSION SERVICES - 2007 (BOARD OF SUPERVISORS)

Resolution by Supervisor: Schumann

Seconded by Supervisor: DiMezza

WHEREAS, the 2007 Operating Budget includes appropriations of \$169,000 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 which also includes funding to maintain an active Agriculture Economic Development Program, and

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 provided under Subdivision 8 of Section 224 of County Law of the State of New York at a cost not to exceed \$154,000, 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 execute an agreement with Cornell Cooperative Extension for provision of agriculture economic development services for 2007, in an amount not to exceed \$15,000, such contract to be overseen and invoices to be approved by the County's Department of Economic Development, and

FURTHER RESOLVED, that both contracts shall be paid out of line A-01-4-8751-00-4575 at a total cost not to exceed \$169,000.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding the amendment to Resolution 411, Supervisor McMahon stated that it (the amendment) is redundant.

RESOLUTION NO. 411 of 2006

DATED: December 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - SERVICES APPROVED BY 2007 OPERATING BUDGET (SOCIAL SERVICES)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Schumann

WHEREAS, the Commissioner of Social Services, upon the approval of budgeted items in the 2007 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 2007 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)

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)

M. R. Ghazi-Moghadem, M.D., F.A.C.S.
(Disability Determinations)

Hispanic Outreach Services
(Translation/Interpretation Services)

Lab Corp/Laboratory Corporation of America
(Paternity Testing)

Mary O'Conner, Ph. D.
(Sexual Abuse Services)

Montgomery County Data Processing Department
(Systems Support Services)

Montgomery County Sheriff's Department
(Security Guard – To Provide Security at County Office Building)

Montgomery Transitional Services, Inc.
(Highland Road Community Residence)

Rev. Bonnie M. Orth
(Managed Care Services)

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
(One – 1 – Master Social Worker – Assessment and Treatment Plan For Children)

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Strevy to strike in the RESOLVED clause the word "funded" and insert the following:

"to be funded by the amounts enumerated",

passed with Aye(1233). Supervisors DiMezza and Jonker voted Nay. Supervisors Greco and Haak abstained. Supervisor Cechnicki was absent. (12/26/2006)

RESOLUTION ADOPTED with Aye(1452). Supervisors Greco, Jonker and Haak abstained. Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Haak stated that he abstained from voting because his current employer represents Catholic Charities.

RESOLUTION NO. 412 of 2006

DATED: December 26, 2006

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

Resolution by Supervisor: Thomas

Seconded by Supervisor: Paton

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, 2007, 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(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 413 of 2006

DATED: December 26, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - COURT ORDERED SERVICES - (MENTAL HEALTH)

Resolution by Supervisor: Schumann

Seconded by Supervisor: Haak

WHEREAS, the Director of Community Services has recommended amending the County Budget for the Mental Health Department to reflect increased expenses charged to the County of Montgomery, by the NYS Office of Mental Health for the care and treatment of psychiatric patients ordered into the care and custody of the NYS OMH by the Courts of the County of Montgomery

WHEREAS, said change would require a budget amendment to increase the Court Ordered Services account of the Mental Health Department and charge the Contingency Account

RESOLVED, the County Treasurer is hereby directed to amend the 2006 Operating Budget as follows:

INCREASE APPROPRIATION:

A-17-4-4320-00-4433 Court Ordered Services \$ 15,000

TRANSFER FROM:

A-01-4-1990-00-4400 Contingent Account \$ 15,000

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 414 of 2006

DATED: December 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ST. MARY'S HOSPITAL - PSYCHIATRIC SERVICES REIMBURSEMENT (COMMUNITY SERVICES/MENTAL HEALTH)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

WHEREAS, Dr. Nagaraj Jajoor, 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. Jajoor, is the Mohawk Valley Psychiatric Center in Utica, and

WHEREAS, Montgomery County and St. Mary's Hospital are desirous of maintaining Dr. Jajoor 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. Jajoor 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 Greco and Haak abstained. Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 415 of 2006

DATED: December 26, 2006

RESOLUTION APPOINTING MEMBER - COMMUNITY SERVICE BOARD (MENTAL HEALTH)

Resolution by Supervisor: Haak

Seconded by Supervisor: Jonker

WHEREAS, Section 41.11 of Mental Hygiene Law provides for the appointment of members by the Board of Supervisors to the local Community Service Board,

RESOLVED, that the following is hereby appointed as a member of the Montgomery County Community Services Board for a term commencing on January 1, 2007 and ending on December 31, 2010:

James. W. Clauson, Jr., 473 Van Antwerp Road, Johnstown, New York 12095

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 416 of 2006

DATED: December 26, 2006

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

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

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 from January 1, 2007 and December 31, 2007:

- 1) St. Mary's Hospital Community Mental Health and Alcoholism Center for community mental health services, not to exceed \$ 65,000
- 2) St. Mary's Hospital Community Mental Health and Alcoholism Center for alcoholism services, not to exceed \$ 308,000.

- 3) National Alliance for the Mentally Ill of Montgomery, Fulton and Hamilton Counties, Inc. (NAMI) for mental health services, not to exceed \$ 30,000.
- 4) Mental Health Association in Fulton and Montgomery Counties (MHA) for mental health services, not to exceed \$ 198,000.
- 5) Montgomery Transitional Services Inc. (MTS) for mental health services, not to exceed \$ 357,000.
- 6) Catholic Charities of Montgomery County for alcoholism and substance abuse preventative services not to exceed \$ 290,000.
- 7) NYS Association for Retarded Citizens, Montgomery County Chapter (DBA Liberty) for mental health services not to exceed \$ 385,000
- 8) Other organizations approved by the Community Services Board of Montgomery County pursuant to the By-Laws of the Community Services Board and fully funded by the State of New York or other appropriate funding entity not to exceed \$ 20,000.

RESOLUTION ADOPTED with Aye(1567). Supervisors Greco and Haak abstained. Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 417 of 2006

DATED: December 26, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - BIOTERRORISM GRANT (PUBLIC HEALTH)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Jonker

WHEREAS, the Montgomery County Public Health Department has been awarded the 2006-07 Preparedness and Response to Bioterrorism grant for the period commencing August 31, 2006 and ending August 30, 2007, and

WHEREAS, the New York State Department of Health has approved the operating budget for said grant period,

RESOLVED, that the Board of Supervisor's hereby authorizes acceptance of the 2006-07 Preparedness and Response to Bioterrorism grant, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-06	Public Health Grant	\$75,000.00
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Appropriations:	A-16-4-4010-06	Public Health Grant	
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.4407	Office Equipment	\$ 650.00
.4408	Office Supplies	\$ 4,950.00
.4409	Office Furniture	\$ 7,400.00
.4411	Telephone Expense	\$ 3,650.00
.4425	Maintenance Agreements	\$ 1,680.00
.4431	Professional Services	\$35,000.00
.4438	Misc. Supporting Svc.	\$ 4,120.00
.4445	Medical Supplies	\$ 5,800.00
.4446	Food Supplies	\$ 1,500.00
.4453	Postage	\$ 1,000.00
.4455	Training	\$ 1,000.00
.4459	Computer Software	\$ 1,000.00
.4470	Travel Related Exp.	\$ 1,000.00
.4471	Mileage Expense	\$ 1,500.00
.4491	Legal Notice & Adv.	\$ 2,250.00
.4526	Education Programs	\$ 2,500.00

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 418 of 2006**DATED:** December 26, 2006**RESOLUTION AMENDING 2006 OPERATING BUDGET - CHILD PASSENGER SAFETY GRANT (PUBLIC HEALTH)**

Resolution by Supervisor: Paton

Seconded by Supervisor: DiMezza

WHEREAS, the Montgomery County Public Health Department has been awarded a Child Passenger Safety grant in the amount of \$3605.00, and

WHEREAS, the grant will commence on October 1, 2006 and will end on September 30, 2007,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the NYS Governor's Traffic Safety Committee - Child Passenger Safety Grant, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget, as follows:

INCREASE:

Revenue:	A-16-3-3401-08	Public Health Grant	\$3,605.00
Appropriations:	A-16-4-4010-08	Public Health Grant	
	.4449	Special Supplies & Materials	\$3,505.00
	.4455	Training	\$ 100.00

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 419 of 2006**DATED:** December 26, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TUBERCULOSIS MEDICAL SERVICES (PUBLIC HEALTH)**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

WHEREAS, Article 22 of Public Health Law section 2202 & NYCRR 43-1.2 mandates the County to pay for Tuberculosis Diagnosis and Treatment in which such person has local residence, and

WHEREAS, Amsterdam Memorial has agreed to provide said professional services to said population, 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 a renewal agreement for tuberculosis services with Amsterdam Memorial Hospital for the provision of Tuberculosis Medical Services.

FURTHER RESOLVED, that this agreement may be renewed without further action of the Board of Supervisors contingent upon the terms therein remain substantially the same.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 420 of 2006**DATED:** December 26, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - STD SERVICES (PUBLIC HEALTH)**

Resolution by Supervisor: Johnson

Seconded by Supervisor: Jonker

WHEREAS, Article 23 of Public Health Law section 2304 mandates the County to provide adequate facilities for the free diagnosis and treatment of persons living within its jurisdiction who are suspected of being infected or are infected with a sexually transmissible disease, and

WHEREAS, Amsterdam Memorial has agreed to provide said professional services to said population, and

WHEREAS, the Public Health Director has recommended renewal of the contract for sexual transmissible disease services,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a renewal agreement with Amsterdam Memorial Hospital for the provision of Sexually Transmitted Disease Diagnosis and Treatment

FURTHER RESOLVED, that this agreement may be renewed without further action of the Board of Supervisors contingent upon the terms therein remain substantially the same.

RESOLUTION ADOPTED with Aye(1644). Supervisor Quackenbush voted Nay. Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 421 of 2006

DATED: December 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - RABIES POST EXPOSURE TREATMENT SERVICES (PUBLIC HEALTH)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

WHEREAS, Article 21 of Public Health Law section 2145 mandates the County to pay for post-exposure rabies treatment occurring within the county, and

WHEREAS, St. Mary's Hospital has agreed to provide said professional services to said population, 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 a renewal agreement with St Mary's Hospital for Rabies Post-Exposure treatment.

FURTHER RESOLVED, that this agreement may be renewed without further action of the Board of Supervisors contingent upon the terms therein remain substantially the same.

RESOLUTION ADOPTED with Aye(1567). Supervisors Greco and Haak abstained. Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 422 of 2006

DATED: December 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - LEASE AGREEMENT WITH CENTRO CIVICO OF AMSTERDAM, INC. FOR A PROBATION SATELLITE OFFICE

Resolution by Supervisor: Schumann

Seconded by Supervisor: Haak

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, 2007 and ending on December 31, 2007, at a rental rate of \$400.00 per month.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 423 of 2006

DATED: December 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - GOVERNOR'S TRAFFIC SAFETY OFFICER GRANT (SHERIFF)

Resolution by Supervisor: Greco

Seconded by Supervisor: Dybas

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 & 2007, and

WHEREAS, the Sheriff has requested acceptance of said grant funds related to the Traffic Safety Officers' Grant which total \$39,700.00,

RESOLVED, that the Montgomery County Board of Supervisors hereby accepts a Grant in the amount of \$39,700.00 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.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 424 of 2006

DATED: December 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SOFTWARE MAINTENANCE - NEW WORLD SYSTEMS CORPORATION (SHERIFF)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Schumann

WHEREAS, the Sheriff has recommended the renewal of a Standard Software Maintenance Agreement for the department's Computer-Aided Dispatch, Law Enforcement Records Software and Public Safety Interface Software,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a three-year renewal agreement with New World Systems for the maintenance of the Sheriff department's Computer-Aided Dispatch, Law Enforcement Records Software and Public Safety Interface Software, and

FURTHER RESOLVED, said agreement shall be for a period commencing on January 1, 2007 and ending on December 31, 2009 with payments not to exceed a total of \$37,904 in 2007, \$38,640 in 2008 and \$38,640 in 2009.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 425 of 2006

DATED: December 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - INMATE DENTAL SERVICES - DR. DANIEL KANA (SHERIFF)

Resolution by Supervisor: Greco

Seconded by Supervisor: Jonker

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, 2007 and ending on December 31, 2009, with compensation at the rate of \$1,350 per month, not to exceed \$16,200 annually.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 426 of 2006

DATED: December 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - HYPER-REACH NOTIFICATION SYSTEM - SAM ASHER COMPUTING SERVICES, INC. (SHERIFF)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Greco

WHEREAS, the Sheriff has recommended renewing the use of a its reverse-911 system,

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 Sam Asher Computing Services, Inc. of Rochester, NY for the use of its reverse 911 system called Hyper-Reach, and

FURTHER RESOLVED, that said agreement shall be for a three year period which will commence two weeks from the date of signing, and

FURTHER RESOLVED, that said contract shall be at a cost not to exceed \$21,600 (\$7,200 x 3 years) and a cost per additional minute usage fee of \$.20.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 427 of 2006

DATED: December 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AFFILIATION AGREEMENT - STATE UNIVERSITY OF NEW YORK, COLLEGE AT ONEONTA - INTERN PROGRAM (SHERIFF)

Resolution by Supervisor: Haak

Seconded by Supervisor: Schumann

WHEREAS, the Montgomery County Sheriff and the State University of New York College at Oneonta desire to have an association for the purpose of carrying out an education program in the discipline of Sociology,

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 State University of New York, College at Oneonta for the purpose of carrying out an education program in the discipline of Sociology, and

FURTHER RESOLVED, that said program will be for the period January 1, 2007 through March 31, 2007.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 428 of 2006

DATED: December 26, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - HOSPITAL AND MEDICAL INSURANCE PAYBACK

(PUBLIC WORKS)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Thomas

WHEREAS, there is a shortfall in the County Road Fund fringe benefit Hospital and Medical Insurance Payback line, and

WHEREAS, it is necessary to adjust the County Road Fund to adjust said shortfall,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2006 Operating Budget, as follows:

DECREASE:

D-12-4-3310-00-1110 (277) Traffic Hourly \$10,132.95

INCREASE:

D-12-4-9001-00-8851 Hospital & Med. Ins. Payback \$10,132.95

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 429 of 2006

DATED: December 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT - OLD JAIL (B-4) - ENVIRONMENTAL SURVEY AND AMENDING 2006 OPERATING BUDGET (PUBLIC WORKS)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Greco

WHEREAS, the Board of Supervisors wishes to proceed with the demolition/renovation of the Old Jail, and said demolition/renovation cannot be completed until an environmental survey has been completed;

WHEREAS, the Board of Supervisors passed Resolution No. 35 of 2006 funding said environmental survey, and due to a change in scope of the work;

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 Old Jail Environmental Survey;

FURTHER RESOLVED, that said services shall be provided at a cost not to exceed \$12,800.00, an increase of \$3,450.00;

FURTHER RESOLVED, THAT THE County Treasurer is hereby authorized to transfer funds as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingent Account \$3,450.00

ADD AND TRANSFER TO:

A-12-4-1620-00-4438 Misc. Support Svcs. \$3,450.00

RESOLUTION ADOPTED with Aye(1527). Supervisor Schumann voted Nay. Supervisor Dybas abstained. Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 430 of 2006

DATED: December 26, 2006

RESOLUTION AUTHORIZING SALE OF COUNTY PROPERTY - DYNAPAC TANDEM ROLLER (PUBLIC WORKS)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Strevy

WHEREAS, THE Public Works Commissioner 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 in the Highway Law,

RESOLVED, that the Board of Supervisors hereby authorizes the sale of one (1) 1994 Dynapac Tandem Roller to the Town of Charleston for the sum of \$20,000.00.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 431 of 2006

DATED: December 26, 2006

RESOLUTION OPPOSING ANY CHANGE TO OR DIMINUTION OF COUNTY FUNDING FROM HORSE RACING FRANCHISE

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, the horse racing industry is an important part of the New York State economy and, through off-track betting, has provided significant revenues to county government; and

WHEREAS, the revenues received from off-track betting income have served to help hold the line on property taxes in Montgomery County; and

WHEREAS, the Capital District Regional Off-Track Betting Corporation ("Capital OTB"), which ably represents the interest of Montgomery County, has notified the County that New York State is currently in the process of reviewing and recommending potential bidders for the operation of the racing franchise in New York State; and

WHEREAS, concern exists that the award of the racing franchise could jeopardize the current revenue stream to the County; now, therefore, be it

RESOLVED, that Montgomery County, while not expressing an opinion as to which potential bidder should be awarded the racing franchise in New York State, does call upon the Governor and the Legislature not to take any action that would diminish or otherwise jeopardize the current revenue stream generated by horse racing to the County; and be it

FURTHER RESOLVED, that the Chairman of the Board of Supervisors is hereby directed to transmit these sentiments to the Governor, the legislative leaders, and the legislative representatives of Montgomery County.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Greco stated that he will have a name to insert into Resolution 432 at the next full Board meeting. The Board chose to table the Resolution at this time.

RESOLUTION NO. 432 of 2006

DATED: December 26, 2006

RESOLUTION APPOINTING MOSA BOARD REPRESENTATIVE

Resolution by Supervisor: Thomas

Seconded by Supervisor: McMahon

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

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

WHEREAS, the appointment for the representative of the City of Amsterdam is set to expire December 31, 2006, and

WHEREAS, the Chairman of the Board of Supervisors has appointed _____ of Amsterdam as a City of Amsterdam Representative to the Board of the Montgomery-Otsego-Schoharie Solid Waste Authority for a four-year term ending December 31, 2010,

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

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Thomas, passed with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 433 of 2006

DATED: December 26, 2006

RESOLUTION APPOINTING MEMBER - BOARD OF DIRECTORS - CORNELL COOPERATIVE EXTENSION OF FULTON AND MONTGOMERY COUNTIES

Resolution by Supervisor: Schumann

Seconded by Supervisor: Thomas

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

RESOLVED, that Supervisor Brian Cechnicki is hereby appointed as a Director on the Board of Directors of the Cooperative Extension Association of Fulton and Montgomery Counties for a term beginning on January 1, 2007 and ending on December 31, 2007.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Greco stated that he will have a name to insert into Resolution 434 at the next full Board meeting. The Board chose to table the Resolution at this time.

RESOLUTION NO. 434 of 2006

DATED: December 26, 2006

RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY OCCUPANCY TAX ADVISORY BOARD

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

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, said Local Law was amended by Local Law No. 2 of 2005 creating terms of such appointments 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.

WHEREAS, said Board currently has a appointments that will expire December 31, 2006, and

WHEREAS, the Chairman of the Board of Supervisors has recommended that Ron Hezel be appointed to fill a three-year term ending on December 31, 2009, and

WHEREAS, the Chairman of the Board of Supervisors has also recommended that _____ be appointed to fill a three-year term ending on December 31, 2009, and

WHEREAS, the Chairman has also designated Supervisor Barbara Johnson to serve as an ex-officio member of said Board,

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

MOTION TO TABLE by Supervisor Greco, seconded by Supervisor DiMezza, passed with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 435 of 2006

DATED: December 26, 2006

RESOLUTION APPOINTING SUPERVISOR - MONTGOMERY COUNTY RECORDS MANAGEMENT ADVISORY BOARD

Resolution by Supervisor: Strevy

Seconded by Supervisor: Greco

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 Thomas is hereby appointed to serve on the Montgomery County Records Management Advisory Board for a term to expire on December 31, 2007.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 436 of 2006

DATED: December 26, 2006

RESOLUTION APPOINTING REGION IV FISH AND WILDLIFE MANAGEMENT BOARD MEMBERS

Resolution by Supervisor: Strevy

Seconded by Supervisor: Schumann

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

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

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

WHEREAS, the land owner and alternate land owner appointments will expire on December 31, 2006 and the Chairman of the Board of Supervisors has reappointed the following as members of the Region IV Fish and Wildlife Management Board:

Mike Marshall of Town of Amsterdam representing the Landowner Appointment for a term ending on December 31, 2008.

Miles Frasier of Town of Palatine representing the Alternate Landowner Appointment for a term ending on December 31, 2008.

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

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 437 of 2006

DATED: December 26, 2006

RESOLUTION APPOINTING REGION IV FOREST PRACTICE BOARD MEMBERS

Resolution by Supervisor: Mancini

Seconded by Supervisor: Greco

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

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

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

WHEREAS, currently, the two appointments of individual owners or representatives of corporate owners of forest or woodland appointments are set to expire on December 31, 2006, and

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

Miles Frasier of Palatine Bridge, representing Forest or Farm Woodland Owners for a term beginning on January 1, 2007 through December 31, 2008

Ed Young of Ft. Plain, representing Forest or Farm Woodland Owners for a term beginning on January 1, 2007 through December 31, 2008

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

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 438 of 2006

DATED: December 26, 2006

RESOLUTION APPOINTING MEMBER - MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS

Resolution by Supervisor: Paton

Seconded by Supervisor: Mancini

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, and

WHEREAS, the term of appointment for the member-at-large is set to expire December 31, 2006,

RESOLVED, that Richard Kennedy is hereby reappointed as the Member-at-Large to the Montgomery County Soil and Water Conservation District Board of Directors for a term to begin on January 1, 2007 and to expire on December 31, 2009.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 439 of 2006

DATED: December 26, 2006

RESOLUTION APPOINTING DEMOCRATIC ELECTION COMMISSIONER

Resolution by Supervisor: Mancini

Seconded by Supervisor: Cechnicki

WHEREAS, the Democratic Party Chairperson has submitted a request that Joan M. Grainer of 231 Hessville Road, Fort Plain, NY, be appointed to the office of Democratic Election Commissioner,

WHEREAS, by Resolution 85 of 2005, and in accordance with New York State Election Law Section 3-202, Election Commissioners, Term of Office, the Montgomery County Board of Supervisors established the term of office for the Election Commissioners of Montgomery County to be a four-year term,

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. 85, of 2005, to a four-year term commencing on January 1, 2007 and ending on December 31, 2010 at an annual base salary for 2007 of \$33,691.

RESOLUTION ADOPTED with Aye(1718). Supervisor Thomas voted Nay. Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 440 of 2006

DATED: December 26, 2006

RESOLUTION APPOINTING MONTGOMERY COUNTY BUDGET OFFICER - 2007

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,

RESOLVED, that Shawn Bowerman, County Treasurer, is hereby appointed Montgomery County Budget Officer for a term beginning January 1, 2007 and ending on December 31, 2007, and

FURTHER RESOLVED, that said Budget Officer shall be compensated the amount of \$10,000, 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.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisors Thomas stated that Resolution 441 should also state that the Board of Supervisors staff shall support the Safety Officer in clerical duties.

Supervisor Strevy stated that the Resolution should be split into two parts to reflect the two separate positions, which would alleviate confusion.

Supervisor McMahon stated that the Resolution should go back to Personnel Committee for further consideration.

RESOLUTION NO. 441 of 2006

DATED: December 26, 2006

RESOLUTION RE-ESTABLISHING THE RESPONSIBILITIES OF RISK COORDINATION (BOARD OF SUPERVISORS)

Resolution by Supervisor: Johnson

Seconded by Supervisor: Jonker

WHEREAS, Resolution 397 of 2006 adopted certain recommendations made by NYMIR, the County's general liability insurance carrier, regarding the administration of insurance and risk management within the County of Montgomery.

WHEREAS, Resolution 397 of 2006 also established the title of Risk Coordinator as a part-time position at an annual salary of \$12,500, and precluded full-time employees of Montgomery county from serving as said Coordinator, and

WHEREAS, said position and duties have been recommended by the Personnel Officer, and

WHEREAS, a Safety Officer will be appointed, with duties and responsibilities to be set by the Personnel Officer, with an annual salary of \$_____,

RESOLVED, that the risk coordination responsibilities, as related to general liability insurance, shall be transferred to the Board of Supervisors office, and

FURTHER RESOLVED, that, effective January 1, 2007, Jacki Meola, Administrative Aide to the Board of Supervisors, shall be responsible for the risk coordination of the County as it relates to general liability insurance, and

FURTHER RESOLVED, for said responsibilities Jacki Meola shall be paid an annual stipend of \$2,500 from A-01-4-1010-00-1120(565), and

FURTHER RESOLVED, that the 2007 Operating Budget shall be amended as follows:

Transfer From:

A-31-4-1910-00-4480 Unallocated Insurance \$623,030

Transfer To:

A-01-4-1910-00-4480 Unallocated Insurance \$623,030

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor McMahon by inserting "\$6,000" in the last WHEREAS clause for salary, passed with Aye(1655). Supervisor Paton voted Nay. Supervisor Cechnicki was absent. (12/26/2006)

MOTION TO TABLE by Supervisor Strevy, seconded by Supervisor McMahon, passed with Aye(938). Supervisors Greco, Johnson, DiMezza, Quackenbush, Jonker and Haak voted Nay. Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Supervisor Walters stated that Resolution 442 is still up in the air.

Supervisor Jonker spoke in support of the Resolution.

RESOLUTION NO. 442 of 2006

DATED: December 26, 2006

RESOLUTION ESTABLISHING POSITION - SENIOR ACCOUNT CLERK TYPIST (BOARD OF SUPERVISORS)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Johnson

WHEREAS, it has been recommended that the clerical position in the Board of Supervisors Office be upgraded to a higher skill level to provide for better efficiency in the office,

RESOLVED, that, effective January 1, 2007, the position of Senior Account Clerk Typist is hereby established in the Board of Supervisors Office, and

FURTHER RESOLVED, that said position will work for the Board of Supervisors and is supervised by the Administrative Aide to the Board of Supervisors,

FURTHER RESOLVED, that said position is in the non-bargaining confidential management class with an annual base salary of \$28,500, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1010-00-1120(756)	Risk Coordinator - P/T	\$ 2,375
A-01-4-1010-00-1110(351)	Account Clerk Typist	\$28,625

TRANSFER TO:

A-01-4-1010-00-1110(748)	Senior Account Clerk Typist	\$31,000
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MOTION TO TABLE by Supervisor Walters, seconded by Supervisor Strevy, was defeated with Aye(801). Supervisors Schumann, Dybas, McMahon, Walters, Strevy, Thomas and Paton voted Aye. Supervisor Cechnicki was absent. (12/26/2006)

RESOLUTION ADOPTED with Aye(1419). Supervisors Walters, Strevy, Thomas and Paton voted Nay. Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding the Non-Bargaining Personnel Policy attached to Resolution 443, Supervisor Schumann stated that the wording "sexual orientation" should be included in section 2A, as agreed upon during the last Personnel Committee.

Supervisors Walters and Thomas stated that they don't support the changed Policy as stated above, and will not support the Resolution.

Supervisor Haak stated that the policies (like this) need to be reflecting current state laws, and supports the amended Policy.

RESOLUTION NO. 443 of 2006

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

DATED: December 26, 2006

RESOLUTION ADOPTING A REVISED NON-BARGAINING PERSONNEL POLICY

Resolution by Supervisor: Johnson

Seconded by Supervisor: Mancini

WHEREAS, the Board of Supervisors established a Non-Bargaining Personnel Policy by the adoption of Resolution 374 of 1992, and

WHEREAS, it has been recommended by the Personnel Officer that certain revisions be made to the Non-Bargaining Personnel Policy to keep in line with certain revisions to the Bargaining Agreements,

RESOLVED, that the Board of Supervisors hereby adopts the revised Non-Bargaining Personnel Policy as attached hereto and made part of this resolution.

RESOLUTION ADOPTED with Aye(1606). Supervisors Walters and Paton voted Nay. Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

(Clerk's Note: Supervisor Thomas voted "Present". This is recorded as an "ABSTAIN".)

Regarding Resolution 444, Supervisor Schumann stated that Mental Health Director Jim Gumaer should be in the Resolution, as well as other Department Heads. She stated that she intends to table the Resolution after Board discussion, for further consideration.

Supervisor DiMezza stated that he supports the Resolution as it stands, based on the recommendations of the Personnel Committee and the Personnel Officer.

Supervisor Thomas stated that weights and Measures Director Nick Bartosik also should be listed

in the Resolution.

Supervisor Greco removed his sponsorship of Resolution 444 in support of sending the Resolution back to Committee for further consideration. Supervisor Thomas agreed to sponsor the Resolution.

Chairman Quackenbush asked the Board if they would consider bulking all amendments together as one amendment, to be sponsored by Supervisors Johnson and Thomas. There were no objections from the Board or County Attorney Doug Landon. The amendment passed.

Supervisor McMahon stated that he doesn't support the amended Resolution.

Supervisor DiMezza stated that this Resolution is just a starting point, and he expects more changes to occur in 2007, and suggests also that non-bargaining employees such as departmental deputies be considered in the future, also.

Supervisor Haak stated that in looking at comparable counties for salary comparisons, the Board must also look at the tax base and the ability to pay for increases.

RESOLUTION NO. 444 of 2006

DATED: December 26, 2006

RESOLUTION ADJUSTING CERTAIN DEPARTMENT HEAD SALARIES FOR 2007 AND 2008

Resolution by Supervisor: Thomas

Seconded by Supervisor: Mancini

WHEREAS, the Personnel Officer has presented a study comparing the base salaries of Department Heads with 18 other comparable Counties in New York State, and

WHEREAS, as a result of said study, it has been recommended that certain Department Heads receive a base salary adjustment for 2007 and 2008 which would make their salaries more suitable to their level of responsibility and to remain competitive with other comparable Counties,

RESOLVED, that the Board of Supervisors hereby adopts the following base salary adjustments for certain Department Heads:

DEPARTMENT HEAD	2007 BASE SALARY	2008 BASE SALARY
SOCIAL SERVICES COMMISSIONER	\$60,699	\$68,430
COUNTY TREASURER	\$59,199	\$65,363
DATA PROCESSING DIRECTOR	\$56,715	\$61,567
EMERGENCY MANAGEMENT DIRECTOR	\$37,419	\$41,603
PURCHASING AGENT	\$39,538	\$42,817
REAL PROPERTY TAX DIRECTOR	\$47,590	\$51,232
SHERIFF	\$63,430	\$68,284
PUBLIC WORKS COMMISSIONER	\$59,085	\$66,244

, and

FURTHER RESOLVED, that the Board of Supervisors will continually review Department Head salaries and adjust as needed, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

\$28,200

TRANSFER TO:

A-18-4-6010-00-1110(52)	SOCIAL SERVICES COMMISSIONER	\$ 5,000
A-06-4-1325-00-1110(82)	COUNTY TREASURER	\$ 3,500
A-14-4-1680-00-1110(444)	DATA PROCESSING DIRECTOR	\$ 7,700
A-02-4-3640-00-1110(202)	EMERGENCY MANAGEMENT DIRECTOR	\$ 2,500
A-31-4-1345-00-1110(701)	PURCHASING AGENT	\$ 1,500
A-07-4-1355-00-1110(616)	REAL PROPERTY TAX DIRECTOR	\$ 1,500
A-15-4-3110-00-1110(510)	SHERIFF	\$ 2,000
A-12-4-1490-00-1110(50)	PUBLIC WORKS COMMISSIONER	\$ 4,500

MOTION TO TABLE by Supervisor Greco, seconded by Supervisor Strevy, was defeated with Aye(779). Supervisors Greco, Schumann, Dybas, Strevy, Paton and Jonker voted Aye. Supervisor Cechnicki was absent. (12/26/2006)

MOTION TO AMEND by Supervisor Johnson, seconded by Supervisor Thomas, to strike in the second

FURTHER RESOLVED clause "\$28,200" and insert "\$37,200" and also by inserting the following under the "TRANSFER TO LINE":

"A-20-4-6610-00-1110(81)	WEIGHTS AND MEASURES	\$ 2,000
A-24-4-6430-00-1110(472)	ECONOMIC OPPOR AND DEVEL	\$ 3,000
A-17-4-4310-00-1110(302)	COMMUNITY SERVICES	\$ 4,000"

passed with Aye(1105). Supervisors Greco, DiMezza, McMahon, Walters and Paton voted Nay. Supervisor Cechnicki was absent. (12/26/2006)

RESOLUTION DEFEATED with Aye(899). Supervisors Johnson, Mancini, DiMezza, Walters, Thomas, Quackenbush and Jonker voted Aye. Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

(Clerk's Note: Per County Treasurer Shawn Bowerman, the account number will remain blank for the time being.)

Due to the outcome of Resolution 444, Supervisor Thomas withdrew his sponsorship of Resolution 445. No one picked it up.

RESOLUTION NO. 445 of 2006

DATED: December 26, 2006

RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW #5 OF 2006 - A LOCAL LAW ESTABLISHING 2007 SALARIES OF VARIOUS COUNTY OFFICIALS

Resolution by Supervisor: Thomas

Seconded by Supervisor: Mancini

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 5 of 2006 - A Local Law Establishing the 2007 Salaries of Various County Officials,

RESOLVED, that Introductory Local Law No. 5 of 2006 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing as follows:

"A Local Law Establishing the 2007 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:

Title	Salary
County Treasurer	\$60,799
Purchasing Agent	\$40,288
Sheriff	\$66,180
Public Works Commissioner	\$61,835
Director of Real Property Tax	\$50,340
Social Services Commissioner	\$63,699

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.

FURTHER RESOLVED, that said public hearing shall be held _____ at _____ 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 WITHDRAWN BY SPONSOR (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 446 of 2006

DATED: December 26, 2006

RESOLUTION REVISING AND APPROVING 2007 CAPITAL PROJECTS - FULTON MONTGOMERY COMMUNITY COLLEGE

Resolution by Supervisor: McMahon

Seconded by Supervisor: Strevy

WHEREAS, by Resolution 125 of 2005 and Resolution 109 of 2006, the Montgomery County Board of Supervisors approved capital projects at Fulton-Montgomery Community College for 2005 and 2006, respectively, and

WHEREAS, on October 20, 2006 the Master Plan Steering Committee met and reviewed the status of all 2005 and 2006 projects at FMCC and requested that FMCC compile a list of priorities and a report of how unexpended funds should be redirected, and

WHEREAS, in response to that request, FMCC prepared a revised list of capital projects that they recommended should be implemented, and

WHEREAS, the Master Steering Plan Committee has recommended implementation of said list and ask that Fulton and Montgomery County endorse this revised list of projects as there will be not increase or change in amount of money required to be committed by both Counties to implement said list of Capital Projects in 2007,

RESOLVED, that the Montgomery County Board of Supervisors hereby adopts the following list of Capital Projects at Fulton Montgomery Community College for the year 2007:

Electrical Vault	
Eliminate Water Infiltration	\$171,900
PE Building	
Replace condensate piping	\$ 93,200
Replace condensate return pipes/system	\$ 31,000
Repair and refinish cedar plank soffits	\$ 5,000
Replace exhaust fans	\$ 38,000
Replace exhaust fans	\$ 31,000
Replace steam pressure-reducing station	\$ 12,500
Asbestos abatement	\$ 25,000
Total	\$236,500
Total with 8% escalation	\$255,420
College Union	
Replace steam and condensate piping	\$ 43,500
Replace heating hot water system	\$ 23,400
Replace steam pressure-reducing station	\$ 12,500
Replace exhaust fans	\$ 21,800
Asbestos abatement	\$ 20,000
Total	\$121,200
Total with 8% escalation	\$130,896
Pool	
Replace gutter (currently leaking approx. 1000 gal. Every 3-4 days)	\$ 70,000
Install vinyl liner (pool surface needs replacement)	\$ 35,000
Classroom Bldg	
Replace one (1) rooftop compressor on chiller	\$ 25,000
Student Services	
Replace roof	\$ 94,700
Total with 8% escalation	\$102,276
Classroom Building	
Design/construct Radiological Tech Program	\$160,000
Classroom Bldg & PE Bldg	
Replace exterior doors - selective doors currently not usable	\$ 25,300
Replace exterior doors - northeast entrance	\$ 5,000
Total	\$ 30,000

Total with 8% escalation \$ 32,724

Grand Total	\$991,616
Potential Funds Available	\$918,307
Difference	(\$ 73,309)

FURTHER RESOLVED, that the Board of Supervisors approves said project list contingent upon the contribution from Montgomery County towards said Capital Project list not exceeding the total amount previously budgeted in the 2005, 2006 & 2007 Operating Budget, and

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

RESOLUTION ADOPTED with Aye(1527). Supervisors Schumann and Dybas abstained. Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 447 of 2006

DATED: December 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - STEVEN E. SMITH, PE - ENGINEERING SERVICES - DESIGN PLANS & SPECIFICATIONS - REVISED 2007 CAPITAL PROJECTS (FMCC)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Mancini

WHEREAS, Resolution 238 of 2006 authorized the signing of an agreement with Steven E. Smith, PE for engineering services related to previously approved 2006 capital projects - water infiltration and pool heating system repair - that were never completed, and

WHEREAS, the Master Plan Steering Committee has recommended that both Counties endorse a revised list of 2007 Capital Projects to be implemented at FMCC with existing funds from 2005-2007 capital projects that were not completed, and

WHEREAS, said revised capital project list does not include the water infiltration project or the pool heating system repair projects, and

WHEREAS, this revised Capital Projects list was approved by the Montgomery County Board of Supervisors by Resolution 109 of 2006, and

WHEREAS, it has been recommended that the college retain the services of Steven E. Smith to design some of the projects on the revised projects list,

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 agreement with Steven E. Smith, PE of Gloversville as follows:

1. Delete all design work on the College Union Water Infiltration/Pool Repair Project
2. Add design plans and bid specifications for the following projects:
 - a. Pool - replace gutter, install vinyl liner
 - b. Student Services - replace roof
 - c. Classroom Building - Renovation for Rad Tech Program
 - d. Classroom Building & P.E. Building - Replace exterior doors

,and

FURTHER RESOLVED, that the original contract, signed for an amount not to exceed \$10,350 is hereby amended to include above the list at a cost not to exceed \$28,450, and

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

RESOLUTION ADOPTED with Aye(1663). Supervisor Schumann abstained. Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 448 of 2006**DATED:** December 26, 2006**RESOLUTION AUTHORIZING DISTRIBUTION OF REQUEST FOR PROPOSALS FOR DESIGN PLANS AND SPECIFICATIONS FOR VARIOUS 2007 CAPITAL PROJECTS**

Resolution by Supervisor: McMahan

Seconded by Supervisor: Strevy

WHEREAS, Resolution 446 of 2006 approved a revised list of Capital Projects for 2007 at Fulton-Montgomery Community College, and

WHEREAS, it is necessary to request proposals for design services for certain 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 and bid specifications on the following approved capital projects:

PE Building

Replace condensate piping
 Replace condensate return pipes/system
 Repair and refinish cedar plank soffits
 Replace exhaust fans
 Replace steam pressure-reducing station
 Asbestos abatement

College Union

Replace steam and condensate piping
 Replace heating hot water system
 Replace the steam pressure-reducing station
 Replace the exhaust fans
 Asbestos abatement

Classroom Building

Replace one (1) compressor on rooftop chiller

, 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(1663). Supervisor Schumann abstained. Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
 County Attorney

Kimberly Sanborn
 Clerk, Board of Supervisors

RESOLUTION NO. 449 of 2006**DATED:** December 26, 2006**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MARTIN, SHUDT, WALLACE, DILORENZO & JOHNSON - LABOR NEGOTIATIONS SERVICES - FULTON MONTGOMERY COMMUNITY COLLEGE**

Resolution by Supervisor: McMahan

Seconded by Supervisor: Johnson

WHEREAS, the FMCC Board of Trustees and Fulton and Montgomery Counties desire to contract with Martin, Shudt, Wallace, DiLorenzo & Johnson to negotiate the salaries of the College's faculty employees for 2006-2007, along with other labor relations 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 between the Counties of Fulton and Montgomery, the FMCC Board of Trustees and Martin, Shudt, Wallace, DiLorenzo & Johnson, of Troy, NY, for their services as outlined in said agreement, as the labor relations attorneys and consultants for Fulton-Montgomery Community College, for a period beginning September 1, 2006 through August 31, 2007, at an hourly rate of \$200.00, plus disbursements, and

RESOLVED, that said agreement is contingent upon passage of a similar resolution by the Fulton County Board of Supervisors and FMCC Board of Trustees.

RESOLUTION ADOPTED with Aye(1286). Supervisors DiMezza and Quackenbush voted Nay. Supervisor

Schumann abstained. Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

RESOLUTION NO. 450 of 2006

DATED: December 26, 2006

RESOLUTION AMENDING 2006 OPERATING BUDGET - INSURANCE DEDUCTIBLES DUE (BOARD OF SUPERVISORS)

Resolution by Supervisor: Mancini

Seconded by Supervisor: Johnson

WHEREAS, Insurance deductible invoices have been presented and it is necessary to transfer money to provide payment for,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2006 operating Budget as follows:

TRANSFER FROM:

A-01-4-1010-00-2260	Other Equipment	\$ 2,000
A-01-4-1990-00-0000	Contingent Account	\$11,592

TRANSFER TO:

A-01-4-1010-00-4431	Professional Services	\$ 6,884
A-01-4-1930-00-4433	Judgments & Claims	\$ 6,708

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 451, Supervisor Strevy asked County Treasurer Shawn Bowerman if it would be appropriate to amend the Resolution to include "not exceeding \$623,030." Supervisor Dybas seconded the request. Treasurer Bowerman agreed, and there were no objections. The Resolution was changed to reflect the said amendment.

RESOLUTION NO. 451 of 2006

DATED: December 26, 2006

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - INSURANCE COVERAGES FOR GENERAL LIABILITY AND NFIP - 2007

Resolution by Supervisor: Mancini

Seconded by Supervisor: Johnson

WHEREAS, it is the desire of the County to maintain general liability insurance with New York Municipal Insurance Reciprocal, and

WHEREAS, the County is required, as a recipient of Federal funding related to the flood of 2006, to maintain National Flood Insurance on certain County properties designated as being in a Special Hazard Flood Zone,

WHEREAS, it is the desire of the County to continue its relationship with Mang Insurance Agency as its broker to facilitate said insurance coverages,

RESOLVED, that the Montgomery County Board of Supervisors authorizes the order for insurances related to general liability to be placed by Mang Insurance Agency through New York Municipal Insurance Reciprocal, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors also authorizes the order for insurances related to the National Flood Insurance Program to be placed by Mang Insurance Agency with Selective Insurance Company as the provider of the National Flood Insurance Program, and

FURTHER RESOLVED, that said coverages shall be effective January 1, 2007 through December 31, 2007, 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 any and all documents to effectuate such orders.

MOTION TO AMEND by Supervisor Strevy, seconded by Supervisor Dybas as follows:

in the second FURTHER RESOLVED clause inserting ", not exceeding \$623,030," after "coverages",
passed with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki was absent. (12/26/2006)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor DiMezza, seconded by Supervisor Haak, passed with Aye(1802).
Supervisor Cechnicki was 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 2006, 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
11 of 2006

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
As Adopted by Resolution No. 11-January 2, 2006

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.

RULES OF PROCEDURE

Rule 7. Passage of any motion to suspend a rule shall require a two-thirds majority (1,246) of the weighted votes of the members of the Board at a regular or special meeting of the Board, except those rules of procedure prescribed by a state or county law.

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)

RULES OF PROCEDURE

Rule 15. No motion for the reconsideration of the vote upon any question shall be entertained unless moved by one who voted in the majority upon such question, and unless such motion be made prior to the adjournment of the following regularly called Board meeting. When a motion for the reconsideration of any question has been made and decided, there shall be no further 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

RULES OF PROCEDURE

Vice Chairman shall serve at the direction either of the Chairman or of the Board of Supervisors, which direction shall always supersede the Chairman. The Vice Chairman shall receive no additional compensation unless he/she shall act as Chairman in excess of thirty (30) consecutive days after assuming the duties of Chairman.

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.

RULES OF PROCEDURE

Rule 29. 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

RULES OF PROCEDURE

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.

- 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 or 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

RULES OF PROCEDURE

committees, within ten (10) days following creation thereof. (County Law, Section 154, sub 3)

Rule 34. The Board may from time to time create special committees. Any resolution creating a special committee shall specify the powers and duties of the committee and the number of its 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

RULES OF PROCEDURE

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

Office for the Aging	Public Health Service
Veterans Services Agency	Youth Bureau
Youth Board	Mental Health
Office of Community Services	Meadows Residential Health Care Facility
Department of Social Services	

and all other related matters referred to the Committee.

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
-------------------	----------------------

RULES OF PROCEDURE

Enhanced 911	Fire Coordinator
Probation	Public Defender
Sheriff and Corrections	Weights and Measures
Alternatives to Incarceration	STOP DWI
Office of the Coroner / Medical Examiner	

as well as the Radio Communications, Computer-Aided Dispatch and all other related matters referred to the Committee.

41.5 PLANNING, AGRICULTURE AND ECONOMIC DEVELOPMENT

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

Agriculture	County Historian
Cooperative Extension	Planners
Tourism	Economic Opportunity and Development
Record Management	Private Industry Council
Workforce Development Board	

41.6 EDUCATION/GOVERNMENT

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

Fulton Montgomery Community College	Rules of Procedure
Policies	Intergovernmental Relations
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.

RULES OF PROCEDURE

ARTICLE VI. - RULES OF ORDER

Rule 42. The rules contained in the most recent edition of “Robert’s Rules of Order” shall govern the Board of Supervisors in all cases to which they are applicable, and in which they are not inconsistent with:

1. These Rules of Procedure;
2. Any special rules of order the Board may adopt;
3. Any statutes applicable to the Board.

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
102 of 2006



NORTHWOODS

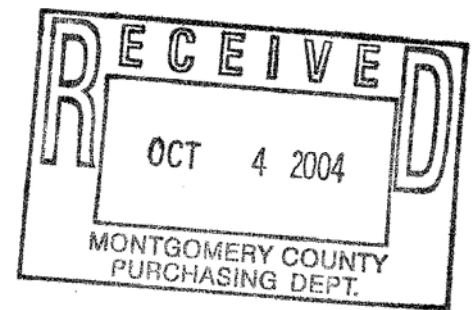
HIGHGATE LTC MANAGEMENT, LLC

COPY

1805 Providence Avenue, Niskayuna, New York 12309 phone/518-374-2212 fax/518-381-9080

October 1, 2004

Mr. Mark Zumbolo,
Purchasing Agent
Montgomery County Purchasing Department
County Annex Building - Room 104
Fonda, New York 12068-1500



Re: Proposed Letter of Intent to purchase the operation and
certain assets of the Montgomery County Nursing Home
(d/b/a Montgomery Meadows H.C.F.) RFP # 02-04

Dear Mr. Zumbolo:

Highgate Manor Group, LLC or its nominee ("Buyer") is interested in assuming/purchasing (1) the operation and certain assets of: **MONTGOMERY MEADOWS HEALTH CARE FACILITY**, a 120 bed licensed and Medicare/Medicaid certified skilled nursing home in Amsterdam, NY; and (2) the real property associated with the Facility (collectively, the "MEADOWS ENTITY") and hereinafter referred to as ("Seller" or "Facility"). The Sellers wish to transfer their interests in certain of the assets of the Facility.

This letter sets forth the preliminary proposal between Seller and Buyer with respect to the purchase and sale of those assets and related matters. This preliminary understanding is non-binding on the parties. The final and binding agreement between the parties will be reflected in a definitive, written asset purchase agreement, subject to certain contingencies further detailed in this proposal.

Buyer proposes to purchase certain of the Seller's assets (the "Purchased Assets"), on the following terms and conditions:

1. Purchased Assets. Seller agrees to sell, convey, transfer, assign and deliver to Buyer all right, title and interest of Seller in the following assets: (A) Seller's ownership in fee simple to all of the real property described in the deed attached hereto including any improvements on said parcel; (B) any and all furniture, fixtures, machinery and equipment, moveable walls, partitions and other tangible personal property; and, (C) all inventory and/or supplies, all rights and records which relate to any contract (to the extent assignable with terms agreeable to Buyer) to provide services to the nursing homes' operations, all rights to any proprietary information about patients and payer sources, and all rights under any contract of employment with any nurses or other persons providing services or staff relief for the Seller. The Purchased Assets shall also include, to the extent the same can be sold or assigned, all patient records and nursing files, and to the extent that such cannot be sold or assigned, then a copy of all such files. The Purchased Assets shall exclude any cash, accounts receivable, corporate records, and insurance policies. The Purchased Assets shall be acquired free and clear of all liens or encumbrances, whether recorded or unrecorded, except those specifically disclosed to Buyer and agreed upon by the parties.

2. Purchase Price and Terms. Buyer shall pay the net undepreciated value of the Plant, Property and Equipment (a value of \$ 1,698,431 as of 12/31/2002) plus repayment of monies Due to Other Funds (as of 12/31/2002 the current portion of that liability was \$ 221,088.00 and \$ 267,959.00 for the long term portion) to a maximum of \$ 2,000,000.00 for all the Purchased Assets being sold. Buyer's offer is contingent on the following:

- 1) The ability of the Purchaser to obtain a mortgage commitment in the amount of approximately 85% of the total selling price.
- 2) The Purchaser shall give to the Seller a \$25,000 refundable down payment, to be paid in cash at the signing of the Letter of Intent, which amount shall be held in escrow by the Seller's legal counsel.
- 3) The Purchaser shall give to the Seller a \$ 75,000 refundable down payment, to be paid in cash at the signing of the Purchase Contract.
- 4) The remaining balance shall be paid at closing of the mortgage and sale.
- 5) Purchaser obtaining acceptable appraisal in the amount of at least \$ 3,000,000.00.
- 6) Purchaser obtaining acceptable environmental and structural studies for mortgage lender.

7) Purchaser receiving an acceptable and reasonable period of time for Due Diligence review of the books, records and operations of the Facility.

3. Liabilities. Buyer will not assume any liabilities of Seller, unless otherwise agreed upon, with a corresponding credit given to Purchaser. Any liabilities of the Seller which will affect or encumber the Purchased Assets or (if not paid) interfere with the operation of the Business shall be paid out of the Purchase Price. Buyer will not be required to employ any of the existing personnel of the Seller after the closing or assume any contracts, leases or agreements relating to the operation of the nursing home. (Buyer will give preference to existing staff for positions available.) Buyer will not be required to assume any other obligations of the Seller arising out of the operations of the nursing home prior to the closing date including all forms of compensation payable for the benefit of the employees, unless previously agreed to by both Buyer and Seller.

4. Asset Purchase Agreement. It is proposed that the parties enter into a definitive, formal, written asset purchase agreement within 90 days after completion of Due Diligence.

5. Due Diligence/Access:

Seller: Following the date of execution of this letter by Seller and for a period of up to 90 days thereon, Buyer and its representatives shall have access to all books, records and other financial and non-financial information of Seller as required by Buyer to perform appropriate due diligence. Seller shall furnish to Buyer all such data and information reasonably requested by Buyer for the completion of Buyer's due diligence. Buyer will also be permitted to contact and interview within reason and with Seller's consent Seller's administrative and staff employees, suppliers, vendors, customers, and referral sources. Subject to the disruption which may be caused by the transaction proposed hereby, Seller will use reasonable efforts to preserve its business and operation and to retain the goodwill of Seller's customers, patients, suppliers, nurses, and other employees pending completion of the negotiations for and closing of the proposed acquisition referred to herein.

Buyer: Buyer shall provide Seller with background information describing in detail satisfactory to the Seller with regard to the Buyer's (i) experience in the long term care and/or a related health care industry, (ii) the Buyer's financial resources demonstrating the Buyer's ability to fulfill its obligation to pay the full purchase price and to procure the financing arrangements proposed by the Buyer, and (iii) such additional information relating to the Buyer's character and competency as the Sellers shall reasonably request, including, without limitation such information that the Sellers believe to be pertinent with regard to the Buyer's ability to achieve approval from the New York State Department of Health/Public Health Council.

6. Receivership. Seller is willing under a Voluntary Receivership, with terms agreeable to all parties (including New York State Department of Health), to give the Purchaser control of the operation of the nursing home, up to and including the closing date. The Receiver shall not be liable for any losses during the Receivership period, and hold harmless the Purchaser for any monies lost during that period of time. Purchaser will begin working immediately on behalf of the Seller, to improve operating efficiencies, and to increase revenues to minimize or eliminate resultant losses.

7. Purchase Agreement. The parties respective counsels will prepare an appropriate asset purchase agreement (the "Purchase Agreement") and other documents necessary to effect the transaction contemplated herein, such documents to be subject to approval by both parties. The Purchase Agreement will contain, without limitation, the following terms; (a) appropriate warranties as to the financial statements and status of Seller, the absence of any undisclosed material, adverse change or changes in the Business or its financial condition since the date of this letter, and the condition and title of the Purchased Assets; (b) other appropriate representations and warranties reasonably necessary to assure Buyer that it will have and enjoy the benefit of its bargain; (c) indemnification provisions in favor of Buyer against liabilities of Seller under claims based on or arising out of actions or events which occurred on or before the Closing (including any liability claims); (d) appropriate provisions concerning the confidentiality of the transaction herein contemplated; and (e) any other provision mutually acceptable to the parties.

8. Employees. At closing, all wages, salaries, bonuses, benefits, vacation and comp time or other compensation owed to employees of Seller shall be paid current, or for the liability to be assumed by the Purchaser, for which an appropriate amount of cash or a credit from the balance owed to the Seller.

9. Expenses. Each party agrees to pay the expenses of its accountants, attorneys and other professionals or employees used in connection with the transaction contemplated herein.

10. Non-Binding Effect. Except for the obligations of paragraphs 7 and 8, this letter is intended to be non-binding. Binding obligations in respect of the subject matter herein shall not arise until (A) the preparation and execution of a definitive, written purchase agreement; (B) approval by the respective Board of Directors and/or shareholders of the parties; and (C) Buyer's reasonable satisfaction with its review of Seller's records and operations. Any acquisition of assets of Seller shall be conditioned upon receipt of all necessary approvals from federal, state or local authorities including the New York State Department of Health, and the obtaining of such consents as may be necessary for the purchase of the Purchased Assets.

11. Representations/Warranties In addition to whatever representations and/or warranties to be included in the Purchase Agreement, the Seller shall give representations and warranties on the physical condition of the building and equipment.

12. Provider Agreements/ Provider Numbers The Purchaser wishes to maintain a continuum of regular cash flow, and as such the Purchaser shall have the right to use the existing Provider Numbers after the closing date, subject to and in accordance with such terms and conditions to be agreed upon in the Purchase Agreement. Purchaser shall not be responsible for any liabilities from prior period audits or changes in reimbursement from Medicare or Medicaid (or any other third parties) for the period prior to the closing.

13. Accounts Receivable/ Accounts Payable The Purchaser wishes to continue with the use of the existing vendors of the Facilities. It must be assured that the existing outstanding Accounts Payable will be paid for the smooth transition and continuation of use of those vendors. As such, the Purchaser shall assume Accounts Payables of the Seller, along with the Accounts Receivable, whose collection will be used to pay the existing vendors and other debts of the Facilities. Every three months, a reconciliation will be made of the balance due the Seller (excess of Accounts Receivables actually received over Accounts Payable paid). If after a period of twelve (12) months after closing, any monies that are due the Seller, shall be paid in one lump sum.

14. Adverse affects on Operation The Seller shall not do anything that will materially adversely affect the Operation and profitability of the operations of the Seller, including its operation of the Home, including without limitations, the applicable Medicare, Medicaid and other reimbursement rates, and that currently, there are no Medicaid or Medicare audits, investigations, or inquiries or any state of facts, events, conditions or suits, proceedings or audits of which could otherwise affect the Operations or profitability of the Facilities.

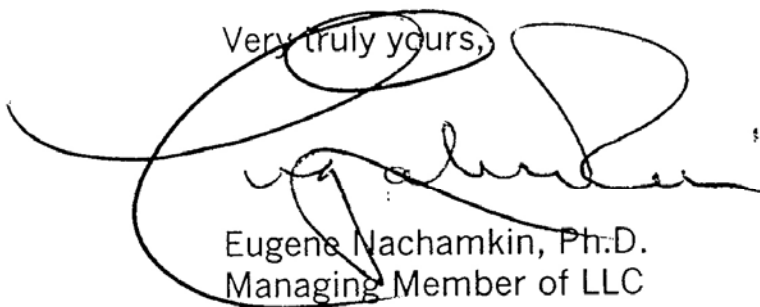
15. Authorization of all Parties The Seller shall provide the Purchaser an agreement of all members of the County Legislature for the sale of these Facilities and agreement to accept the Letter of Intent's conditions.

16. Conditions required for Closing Closing of this Purchase shall be subject to the Purchaser receiving all approvals necessary to operate these Facilities as Licensed Nursing Home's in New York State, as well as obtaining acceptable financing from either H.U.D. or other lender under terms acceptable to the Purchaser.

17. Non-Competition Seller agrees to enter into customary non-competitive restrictive covenants.

If the foregoing reflects the intention of and is acceptable to Seller, please execute and date the enclosed copy of this letter signed by Buyer and return such executed copy to Buyer for receipt.

Very truly yours,

A handwritten signature in black ink, appearing to read 'E. Nachamkin', is written over the printed name and title. The signature is fluid and cursive, with a large loop at the end.

Eugene Nachamkin, Ph.D.
Managing Member of LLC

CC: Howard Krant

For BUYER:

HIGHGATE MANOR GROUP, LLC.

By: 

**Eugene Nachamkin,
Managing Member of LLC**

Date: October 1, 2004

ACCEPTED AND AGREED:

SELLER:

By: _____

Date: _____



Attachment for:

**Resolution
106 of 2006**

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
As Adopted by Resolution No. 11-January 2, 2006
As Amended by Resolution No. 106 – February 28, 2006

**STANDING RULES OF PROCEDURE OF THE
MONTGOMERY COUNTY BOARD OF SUPERVISORS**

ARTICLE I – 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.

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 matter the Chair 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 a 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 supervisors representing a simple majority (935) of the weighted votes of supervisors, but a lesser number may adjourn. No part of this rule shall be construed to waive the requirements of these Rules of Procedure relating to the number of votes for passage of any resolution or other action by the Board.

Rule 7. Passage of any motion to suspend a rule shall require a two-thirds majority (1,246) of the weighted votes of the supervisors at a regular or special meeting of the Board, except those rules of procedure prescribed by a state or county law.

Rule 8. Any supervisor desiring to speak or present any subject or matter to the Board shall seek the recognition of 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 Chair, 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 Chair.

Rule 11. The order of business of each Regular Meeting of the Board shall be:

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 by a majority of supervisors.

Rule 13. After a resolution or motion is stated by the Chair, it shall be in the 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 is 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 a supervisor who voted in the majority upon such question before the adjournment of the following regularly called Board meeting. When a motion for the reconsideration of any question has been made and decided, there shall be no further 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 supervisor. (County Law No. 153, sub 4) Such roll call shall begin with the prime sponsor or mover and must be completed before any other action is taken. During such roll call, every supervisor shall vote “Aye”, “Nay”, may abstain or pass upon the calling of the supervisor’s name. Any supervisor who passes upon the calling of the roll shall be polled at the conclusion of the roll call vote. A member may pass only 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 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 supervisor 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 supervisors who voted in the minority and those not voting by reason of being excused or absent.

ARTICLE III – CHAIR AND VICE CHAIR OF THE BOARD

Rule 19. The Chair of the Board shall be the presiding officer, 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 Chair shall include all duties and functions of the Chair in his/her absence, excluding the appointment of the members of standing committees.

The Vice Chair shall serve at the direction either of the Chair or the Board of Supervisors, which direction shall always supersede the Chair. The Vice Chair shall receive no additional compensation unless he/she shall act as Chair in excess of thirty (30) consecutive days after assuming the duties of Chair.

Rule 21. In the absence of the Chair at any meeting of the Board of Supervisors, the Vice Chair shall serve as Acting Chair and shall call the Board to order. In the absence of the Chair and Vice Chair, 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 Chair at such meeting. The Acting Chair shall have and exercise all the powers and duties of the Chair at the meeting over which he or she is called to preside. (County Law No. 151, sub 6)

Rule 22. In the case of a vacancy in the Office of Vice Chair, 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 Chair of the Board for the unexpired term of the previous Vice Chair.

Rule 23. The Chair 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 Chair, he shall have the right to assign his reason for his decision.

Rule 24. The Chair shall decide all questions relating to the priority of business (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 Chair who shall rule on all questions of order of 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 the committee having jurisdiction over the particular matter shall be filed with the Clerk of the Board in accordance with Rule 29.

Rule 27. Upon request of any supervisor, any amendment to a resolution shall be reduced to writing.

Rule 28. The Chair 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 supervisor.

Rule 29. Procedure

- A) All resolutions requested or proposed shall be submitted through the Clerk of the Board of Supervisors to the Chair of the Board for inclusion on 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 detailing 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 information memorandum above, may appear before the appropriate committee to discuss any resolution(s) they wish to propose.
- D) The Chair of the Board, together with the chair 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 the appropriate 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 supervisors, and the County Attorney either by mail or by personal delivery.
 - 2) At least five (5) 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.

- E) Neither the Chair of the Board nor any committee chair shall exclude from an agenda for 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 (5) calendar days prior to the regular meeting.

Any decision by the Chair of the Board or a committee chair 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 a 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 in committee, which will place the resolution on that committee's agenda.

Rule 30. 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 (1,246) of the aggregate 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 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 committee members. If a committee disapproves a resolution or local law by the affirmative vote of a simple majority of the members of the committee referred for its consideration, the Chair 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 therefore. 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 Chair of the Board shall appoint the members and designate the chair of all standing committees within ten (10) days following his election. He or she shall also appoint the members and designate the chair of all special committees or subsequently created standing committees within ten (10) days following their creation. (County Law, Section 154, sub 3)

Rule 34. The Board may from time to time create special committees. Any resolution creating a special committee shall specify the powers and duties of the committee and the

number of its 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 or she shall have been elected as a supervisor. (County Law, Section 154, sub 2)

Rule 35. Standing committees shall consist of the designated supervisors for that Committee exclusive of the Chair of the Board. The presence of a majority of committee members, inclusive of the Chair of the Board (or Vice Chair in the Chair'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 or she ceases to be a supervisor.

Rule 37. The Chair of the Board of Supervisors (or Vice Chair, in Chair'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 such committees including the right to vote. The Chair shall be counted in determining the presence of a quorum. (County Law, Section 450, sub. 1)

Rule 38. The Chair of the Board shall fill any vacancy occurring on any standing or special committee within thirty (30) days after such vacancy occurs. In the event such vacancy occurs in the position of committee chair, he or she shall designate a new committee chair within ten (10) days after such vacancy occurs. (County Law, Section 154, sub 4)

Rule 39. Neither the chair 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 chair 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 chair shall call all necessary meetings. Upon his or her refusal or neglect to call any meeting, the Clerk of the Board, upon written request signed by the Chair 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 Chair of the Board or as designated herein.

41.1 HEALTH AND HUMAN SERVICES

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

Office for the Aging	Public Health Service
Veterans Services Agency	Youth Bureau
Youth Board	Mental Health
Office of Community Services	Meadows Residential Health Care Facility
Department of Social Services	

and all other related matters referred to the Committee.

41.2 GENERAL SERVICES

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	Non-Employee Insurance

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
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 AGRICULTURE, PLANNING AND 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
Records Management	Private Industry Council
Workforce Development Board	

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

41.6 EDUCATION AND 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
County Attorney	Clerk of the Board
County Administrative Officer	Board of Elections

as well as the review and modification of the structure of county government, review of government management, effectiveness and efficiency, 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	Employee Insurance
Personnel Department	Grievances
Collective Bargaining	

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

ARTICLE VI. – RULES OF ORDER

Rule 42. The rules contained in the most recent edition of “Robert’s Rules of Order” shall govern the Board of Supervisors in all cases to which they are applicable and in which they are not inconsistent with:

1. These Rules of Procedures;
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 chair.

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.



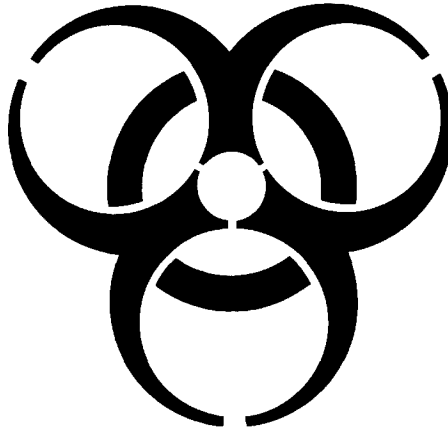
Attachment for:

**Resolution
136 of 2006**

Montgomery County Exposure Control Plan

**Bloodborne Pathogens Standard
29 CFR Part 1910.1030**

adopted from:
New York State Department of Labor



This revision printed on 10/17/2005

Adopted by the: Safety & Security Committee
Date:

EXPOSURE CONTROL PLAN

POLICY

MONTGOMERY COUNTY is committed to provide a safe and healthful work environment. In pursuit of this endeavor, the following Exposure Control Plan (ECP) is provided to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with OSHA Bloodborne Pathogens Standard, Title 29 Code of Federal regulations 1910.1030.

The Exposure Control Plan is a key document to assist MONTGOMERY COUNTY in implementing and ensuring compliance with the Bloodborne Pathogens Standard 29 CFR Part 1910.1030, thereby protecting our employees. This ECP includes:

- I. Employee exposure determination
- II. The procedures for evaluating the circumstances surrounding an exposure incident, and
- III. The schedule and method for implementing the specific sections of the standard, including:
 - Methods of Compliance
 - Hepatitis B vaccination and post-exposure follow-up
 - Training and communication of hazards to employees
 - Recordkeeping

• ECP throughout this plan means Exposure Control Plan

PROGRAM ADMINISTRATION

- **The County Board of Supervisors** is (are) responsible for the implementation of the ECP. **The Director of Emergency Management** will maintain and update the written ECP at least annually and whenever

necessary to include new or modified tasks and procedures. He shall consult with members of the Safety & Security Committee as necessary.

- Those employees who are reasonably anticipated to have contact with or exposure to blood or other potentially infected materials are required to comply with the procedures and work practices outlined in this ECP.
- **The following individuals** will have the responsibility to ensure that designated employees comply with written housekeeping protocols, and will ensure that effective disinfectants are purchased.

Director of Eligibility

DSS Transporters

DPW Cleaning
Staff Supervisor

DPW Cleaning Staff

Director of Houskeeping
Infection Control RN

Montgomery Meadows Housekeeping Staff

- **The Personnel Officer** will be responsible for ensuring that all medical actions required are performed and that appropriate medical records are maintained, for all individuals receiving Hepatitis B vaccination and in those cases where exposure has been reported.
- **The Personnel Officer** will be responsible for ensuring training, documentation of training, and making the written ECP available to employees, OSHA, and NIOSH representatives. The following individuals will be available to provide the training.

Director of Emergency Management

Assistant Public Health Director

Public Health Educator

Montgomery Meadows Infection Control RN

Jail RN

Personnel Officer

- **Individual Department Heads** will maintain and provide all necessary personal protective equipment (PPE), engineering controls (i. e., sharps containers, etc.), labels, and red bags as required by the standard, for their

departments and ensure that adequate supplies of the aforementioned equipment are available.

EMPLOYEE EXPOSURE DETERMINATION [REDACTED]

I. EMPLOYEE EXPOSURE DETERMINATION

- A. As part of the exposure determination section of our ECP, the following is a list of all job classifications at our establishment in which all employees have occupational exposure:

JOB CLASSIFICATIONS IN WHICH ALL EMPLOYEES HAVE OCCUPATIONAL EXPOSURE TO BLOODBORNE PATHOGENS

Below are listed the job classifications in our facility where **all** employees will have reasonably anticipated exposure to human blood and other potentially infectious materials:

<u>JOB TITLE</u>	<u>DEPARTMENT/LOCATION</u>
Public Health Nurse	Public Health
Assistant Public Health Director	Public Health
Registered Nurse	DSS, Jail, Meadows, Public Health
Community Health Worker	Public Health
Supervising Nurse	Meadows
Director of Nursing	Meadows
Assistant Director of Nursing	Meadows
Licensed Practical Nurse	Meadows, Jail
Nursing Aide	Meadows
Orderly	Meadows
Physician	Meadows, Jail, Public Health
Housekeeping, Cleaning Staff	Meadows, DPW
Correction Officer	Jail
Road Patrol Deputy	Sheriff
Sheriff	Sheriff
Undersheriff	Sheriff
Jail Administrator	Jail
Director of Emergency Management	Emergency Management

County Fire Coordinator
Coroner
Housekeeping
Maintenance
Medicaid Transporters
Probation Officers

Fire Coordinator
Coroner
Meadows
DPW, Meadows
Department Social Services
Probation

B. Designated First Aid Providers

Health Care Staff (RNs, LPNs, Physicians, Etc.)

The Infection Control RN, the Jail RN, and the Assistant Public Health Director will train first aid providers on the specifics of the reporting procedures, in addition to all the training required in the Standard.

Our facility has decided to offer pre-exposure vaccination to Designated First Aid Providers

In the event of an exposure where blood or other potentially infectious materials (OPIM) are present, the employee(s) is (are) instructed to report to the **Infection Control Nurse at the Meadows, the RN at the Jail, the Assistant Public Health Director at the Public Health Department and for all other departments their Supervisor** immediately.

The above mentioned Individuals will report to the Personnel Officer whom shall maintain a report (Exposure form) which describes name of the exposed employee, date, time, and description of incident.

The Infection Control Nurse, the Jail RN, the Assistant Public Health Director, or supervisor will ensure that any exposed employee after an incident involving blood or OPIM will be evaluated as soon as possible, but no later than **twenty four hours** after the incident.

EFFECTIVE DATES



II. EFFECTIVE DATES-CODE OF FEDERAL REGULATIONS



**Bloodborne Pathogens Standards
(Including Universal Precautions)
March 6, 1992**



**Exposure Control Plan
May 5, 1992**



**Recordkeeping
June 4, 1992**



**Information and Training
June 4, 1992**



**Methods of compliance (Except Universal Precautions)
July 6, 1992**



**Hepatitis B Vaccination and Post-Exposure Evaluation and
Follow-Up
July 6, 1992**



**Labels and Signs
July 6, 1992**

EXPOSURE CONTROL PLAN



III. METHODS OF IMPLEMENTATION AND CONTROL

1.0 Universal Precautions

- 1.1** All employees will utilize Universal Precautions. Universal Precautions is an infection control method which requires employees to assume that all human blood and specified human body fluids are infectious for HIV, HBV and other bloodborne pathogens and must be treated accordingly.

2.0 Exposure Control Plan (ECP)

- 2.1** Employees covered by the Bloodborne Pathogens Standard will receive an explanation of this ECP during their initial training session. It will also be reviewed in their annual refresher training. All employees will have an opportunity to review this Plan at any time during their work shifts by contacting **the Personnel Officer.**

Employees seeking copies of the Plan may contact **the Personnel Officer.** A copy of the Plan will be made available free of charge and within 15 days of the request.

- 2.2 The Director of Emergency Management, in consultation with the Safety and Security Committee,** will be responsible for reviewing and updating the ECP annually or sooner if necessary to reflect any new or modified tasks and procedures which affect occupational exposure and to reflect new or revised employee positions with occupational exposure.

ENGINEERING CONTROLS

3.0 Engineering Controls and Work Practices

- 3.1** Engineering controls and work practice controls will be used to prevent or minimize exposure to bloodborne pathogens. The specific engineering controls and work practice controls used are listed below:

Engineering Controls:

Personal Protective Equipment
Sharps Containers
Red Bags
Spill Kits

New technology for needles and sharps will be evaluated and implemented whenever possible to further prevent accidental needle sticks and cuts. Our engineering controls (i. e. sharps containers, etc.) will be inspected and maintained or replaced by the **Infection Control RN, the Jail Nurse, Assistant Public Health Director, and the Housekeeping/Cleaning Supervisors** as needed.

Work Practices:

The following operating procedures shall be followed:

- readily accessible hand washing facilities shall be available
- hands shall be washed immediately or as soon as feasible after removal of gloves
- at non-fixed sites (i. e., emergency scenes, mobile blood collection sites) which lack hand washing facilities, interim hand washing measures will be available, such as antiseptic towelettes, hand sanitizer and paper towels (after 5 uses the employee must use soap and water). Employees can later wash their hands with soap and water as soon as feasible.
- after skin contact with blood or other potentially infectious materials, body parts shall be thoroughly washed as soon as possible
- the recapping or bending of needles is prohibited (unless otherwise instructed)
- the shearing or breaking contaminated needles is prohibited
- all hazardous material shall be labeled
- any material which has blood on it or other potentially infectious material, should be deposited into a red bag and disposed of properly and any equipment which has been contaminated should be cleaned appropriately with an acceptable disinfectant. Housekeeping gloves shall be worn when cleaning areas where infectious material is likely to present, such as laboratories.
- eating, drinking, smoking, applying cosmetics or lip balm and handling contact lenses in work areas where there is a likelihood of occupational exposure is prohibited
- food and drink shall not be kept in refrigerators, freezers, shelves, cabinets or on counter tops or bench tops where blood or other potentially infectious materials are present
- all procedures involving blood or other potentially infectious materials shall be performed in such a manner as to minimize splashing, splattering, and generation of droplets of these substances

- specimens of blood or other potentially infectious materials shall be placed in a container which prevents leakage during collection, handling, processing, storage, transport, or shipping
- equipment which may become contaminated with blood or other potentially infectious materials shall be examined prior to servicing or shipping and decontaminating such equipment as necessary. Items will be labeled per the standard if not completely decontaminated

PERSONAL PROTECTIVE EQUIPMENT

4.0 Personal Protective Equipment (PPE)

- 4.1 Personal protective equipment must also be used if occupational exposure remains after instituting engineering and work practice controls, or if controls are not feasible. Training will be provided by **the Infection Control RN, the Jail Nurse, the Assistant Public Health Director or the Individual department liaison** in the use of the appropriate personal protective equipment for employees' specific job classifications and tasks/procedures they will perform.

Additional training will be provided, whenever necessary, such as if an employee takes a new position or if new duties are added to their current position.

Appropriate personal protective equipment is required for the following tasks; the specific equipment to be used is listed after the task:

TASK	EQUIPMENT
Handling body fluids or providing care where there is likelihood of contact with body fluids	gloves, gowns, and/or eye gear

The absence of barrier equipment should not preclude providing assistance to a person with a bleeding injury.

The Personal Protective Equipment available in the county includes:

Gloves, gowns, eye wear, resuscitation equipment, lab coats are examples of PPE available. Individual Department Heads will maintain and provide all necessary personal protective equipment (PPE), engineering controls (i. e., sharps containers, etc.), labels, and red bags as required by the standard, for their departments and ensure that adequate supplies of the aforementioned equipment are available.

4.2 As a general rule, all employees using PPE must observe the following precautions:

- Wash hands immediately or as soon as feasible after removal of gloves or other personal protective equipment.
- Remove protective equipment before leaving the work area and after a garment becomes contaminated.
- Place used protective equipment in appropriately designated areas or containers when being stored, washed, decontaminated, or discarded.



The Designated area or containers which are to be used and their location.

Various locations at the Meadows, the Health Office at the Jail, and the Public Health Department.

- Wear appropriate gloves when it can be reasonably anticipated that you may have contact with blood or other potentially infectious materials and when handling or touching contaminated items or surfaces. Replace gloves if torn, punctured, contaminated, or if their ability to function as a barrier is compromised.
- Following any contact of body areas with blood or any other infectious materials, you must wash your hands and any other exposed skin with soap and water as soon as possible. Employees must also flush exposed mucous membranes (eyes, mouth, etc.) with water.
- Utility gloves may be decontaminated for reuse if their integrity is not compromised. The decontamination procedure will consist of cleaning with an approved disinfectant

- Discard utility gloves when they show signs of cracking, peeling, tearing, puncturing, or deterioration.
- Never wash or decontaminate disposable gloves for reuse or before disposal.
- Wear appropriate face and eye protection such as a mask with glasses with solid side shields or a chin-length face shield when splashes, sprays, spatters, or droplets of blood or other potentially infectious materials pose a hazard to the eye, nose, or mouth.
- If a garment is penetrated by blood and other potentially infectious materials, the garment(s) must be removed immediately or as soon as feasible. If a pullover scrub (as opposed to scrubs with snap closures) becomes minimally contaminated, employees should be trained to remove the pull-over scrub in such a way as to avoid contact with the outer surface; e. g., rolling up the garment as it is pulled toward the head for removal. However, if the amount of blood exposure is such that the blood penetrates the scrub and contaminates the inner surface, not only is it impossible to remove the scrub without exposure to blood, but the penetration itself would constitute exposure. It may be prudent to train employees to cut such a contaminated scrub to aid removal and prevent exposure to the face.
- Repair and/or replacement of PPE will be at no cost to employees.

TRAINING

5.0 Training

- 5.1 All employees who have or are reasonably anticipated to have occupational exposure to bloodborne pathogens will receive training conducted by **The Personnel Office**. Approved trainers will be utilized.

In-service training will be used to inform employees of the epidemiology, symptoms, and transmission of bloodborne diseases. In addition, the training program will consist of:

- Explanation of the standard and how to obtain a copy (See Appendix K)
- Epidemiology of bloodborne pathogens
- Modes of transmission
- The Exposure Control Plan and how to obtain a copy
- Methods to recognize exposure tasks and other activities that may involve exposure to blood

- Use and limitations of Engineering Controls, Work Practice, and PPE
- PPE - types, use, location, removal, handling, decontamination, and disposal
- PPE - the basis for selection
- Hepatitis B Vaccine - offered free of charge to qualified employees. Training will be given prior to vaccination on its safety, effectiveness, benefits, and method of administration.
- Emergency procedures - for blood and other potentially infectious materials
- Exposure incident procedures
- Post-exposure evaluation and follow-up
- Questions and answer session

An Employee Education and Training Record will be completed for each employee upon completion of training. This document will be kept with the employee's records in the **personnel office**.

HEPATITIS B VACCINATION

6.0 Hepatitis B Vaccination

6.1 The Meadows Infection Control RN, or the Assistant Public Health Director will provide information on Hepatitis B vaccinations addressing its safety, benefits, efficacy, methods of administration, and availability. The Hepatitis B vaccination series will be made available at no cost within 10 days of initial assignment to Identified employees who have occupational exposure to blood or other potentially infectious materials unless:

- the employee has previously received the series
- medical reasons prevent taking the vaccination; or
- the employee chooses not to participate

All employees Identified by the Personnel Officer that have an occupational exposure are strongly encouraged to receive the Hepatitis B vaccination series. However, if an employee chooses to decline Hepatitis B vaccination, then the employee must sign a statement to this effect.

Employees who decline may request and obtain the vaccination at a later date at no cost. Documentation of refusal of the HB vaccination will be kept in **the Personnel Office** with the employee's other medical records.

POST EXPOSURE EVALUATION

7.0 Post Exposure Evaluation and Follow-up Procedures for Reporting, Documenting, and Evaluating the Exposure

7.1 Should an exposure incident occur contact **your immediate Supervisor or the Meadows Infection Control RN, or the Jail RN, or the Assistant Public Health Director** immediately. Each exposure must be documented by the employee on a "Montgomery County Blood/Body Fluids Exposure Report Form" (See Appendix B). **The Supervisor or the Meadows Infection Control RN, or the Jail Nurse, or the Assistant Public Health Director** will add any additional information as needed. The employee will be immediately referred for a confidential medical evaluation and follow-up. The following elements will be performed:

- Document the routes of exposure and how exposure occurred.
- Identify and document the source individual unless the employer can establish that identification is infeasible or prohibited by State or local law
- Obtain consent and test source individual's blood as soon as possible to determine HIV and HBV infectivity and document the source's blood test results.
- If the source individual is known to be infected with either HIV or HBV, testing need not be repeated to determine the known infectivity.
- Provide the exposed employee with the source individual's test results and information about applicable disclosure laws and regulations concerning the source identity and infectious status.
- After obtaining consent, collect exposed employee's blood as soon as feasible after the exposure incident and test blood for HBV and HIV serological status.
- If the employee does not give consent for HIV serological testing during the collection of blood for baseline testing, preserve the baseline blood sample for at least 90 days. **The Personnel Officer** will review the circumstances of the exposure incident to determine if procedures, protocols and/or training need to be revised.

Note to Employer: Please Review

Note #1 Public Health Law (Article 27-F) requires information about AIDS and HIV to be kept confidential. This law requires that anyone receiving an HIV test **MUST** sign a consent form first. The law strictly limits disclosure of HIV - related information. When disclosure of HIV - related information is authorized by a signed release, the person who has been given the information **MUST** keep it confidential. Redisclosure may occur with another authorize signed release.

- Note #2** If consent is not obtained, the employer must show that legally required consent could not be obtained. Where consent is not required by law, the source individual's blood, if available, should be tested and the results documented.
- Note #3** If, during this time, the exposed employee elects to have the baseline sample tested, testing shall be done as soon as feasible.
- Note #4** Appendixes D, E, and F are forms which have been provided to assist employers with gathering information that is required by the standard. If an employer chooses not to use these forms, this information must still be provided and recorded in accordance with the Standard.
- Note #5** Following an exposure incident, prompt medical evaluation and prophylaxis is imperative. Timeliness is, therefore, an important factor in effective medical treatment.

Highlights of Post Exposure Evaluation and Follow-Up Requirements

- Documentation of exposure routes and how exposure incident occurred
- Identification and documentation of source individual's infectivity, if possible
- Collection and testing of employee's blood for HBV and HIV serological status (employee's consent required)
- Post exposure prophylaxis when medically indicated
- Counseling
- Evaluation of reported illnesses

HOUSEKEEPING

9.0 Housekeeping

9.1 **Montgomery County** has developed and implemented a **written schedule for cleaning** and decontaminating work surfaces as indicated by the standard.

- Decontaminate work surfaces with an appropriate disinfectant after completion of procedures, immediately when overtly contaminated, after any spill of blood or other potentially infectious materials, and at the end of the work shift when surfaces have become contaminated since the last cleaning.

- Remove and replace protective coverings such as plastic wrap and aluminum foil when contaminated.
- Inspect and decontaminate, on a regular basis, reusable receptacles such as bins, pails, and cans that have a likelihood for becoming contaminated. When contamination is visible, clean and decontaminate receptacles immediately, or as soon as feasible.
- Always use mechanical means such as tongs, forceps, or a brush and a dust pan to pick up contaminated broken glassware; never pick up with hands even if gloves are worn.
- Store or process reusable sharps in a way that ensures safe handling
- Place regulated waste in an appropriate sealed and labeled or color coded containers. When storing, handling, transporting or shipping, place other regulated waste in containers that are constructed to prevent leakage.
- When discarding contaminated sharps, place them in containers that can be sealed and are puncture-resistant, appropriately labeled or color-coded, and leak-proof on the sides and bottom.
- Ensure that sharps containers are easily accessible to personnel and located as close as feasible to the immediate area where sharps are used or can be reasonably anticipated to be found. Sharps containers also must be kept upright throughout use, replaced routinely, closed when moved, and not allowed to overfill.
- Never manually open, empty, or clean reusable contaminated sharps disposal containers. (See Medical Waste Section)
- Discard all regulated waste according to federal, state, and local regulations, i. e., liquid or semi-liquid blood or other potentially infectious material; items contaminated with blood other potentially infectious materials that would release these substances in a liquid or semi liquid state if compressed; items caked with dried blood or other potentially infectious materials and capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious materials.

9.2 Laundry

The following requirements must be met, with respect to contaminated laundry:

- Handle contaminated laundry as little as possible and with a minimum of agitation.
- Use appropriate personal protective equipment when handling contaminated laundry.
- Place wet contaminated laundry in leak-proof, labeled or color-coded containers before transporting.
- Bag contaminated laundry at its location of use.
- Never sort or rinse contaminated laundry in areas of its use.
- *Use red laundry bags or those marked with the bio hazard symbol unless universal precautions are in use at the facility and all employees recognize the bags as contaminated and have been trained in handling the bags.
- *All generators of laundry must have determined if the receiving facility uses universal precautions. If universal precautions are not used, then clearly mark laundry sent off-site with orange biohazard labels or use red bags. Leak proof bags must be used when necessary to prevent soak-through or leakage.
- When handling and/or sorting contaminated laundry, utility gloves and other appropriate personal protective equipment (i. e., aprons, mask eye protection) shall be worn.
- Laundries must have sharps containers readily accessible due to the incidence of needles and sharps being unintentionally mixed with laundry.
- Linen soiled with blood or body fluids should be placed and transported in bags that prevent leakage. If hot water is used, linen should be washed with detergent in water at least 140F-160F for 25 minutes. If low temperature (<140F) laundry cycles are used, chemicals suitable for low-temperature washing at proper use concentration should be used.

* **NOTE: For these items specify below which labeling system, red bags or biohazard labeling, will be used for laundering.**

LABELING

10.0 Labeling

10.1 The following labeling method(s) will be used at our facility.

Approved sharp containers and red bags

The Meadows Infection Control RN, the Jail RN and the Assistant Public Health Director will ensure warning labels are affixed or red bags are used as required within their respective facility. Employees are to notify their supervisor if they discover unlabeled regulated waste containers.

RECORDKEEPING

11.0 Recordkeeping

11.1 Medical Records

Medical records are maintained for each employee with occupational exposure in accordance with 29 CFR 1910.20.

The Personnel Department is responsible for the maintenance of the required medical records.

In addition to the requirements of 29 CFR 1910.20, the medical record will include:

- the name and social security number of employee;
- a copy of the employee's Hepatitis B vaccinations and any medical records relative to the employee's ability to receive vaccination;
- a copy of all results of examinations, medical testing, and follow-up procedures as required by the standard;
- a copy of all healthcare professional's written opinion(s) as required by the standard.

All employee medical records will be kept confidential and will not be disclosed or reported without the employee's express written consent to any person within or outside the workplace except as required by the standard or as may be required by law.

Employee medical records shall be maintained for at least the duration of employment plus 30 years in accordance with 29 CFR 1910.20.

Employee medical record shall be provided upon request of the employee or to anyone having written consent of the employee within 15 working days.

Highlights of Medical Records

- Employee name and social security number
- Employee Hepatitis B vaccination status
- Medical testing and post exposure follow-up results

- Healthcare Professional's written opinion
- Information provided to the healthcare professional

11.2 Training Records

Bloodborne pathogen training records will be maintained by **The Personnel Department**.

The training record shall include:

- the dates of the training sessions;
- the contents or a summary of the training sessions;
- the names and qualifications of persons conducting the training;
- the names and job titles of all person attending the training sessions.

Training records will be maintained for a minimum of three (3) years from the date on which the training occurred.

Employee training records will be provided upon request to the employee or the employee's authorized representative within 15 working days.

11.3 Transfer of Records

If **Montgomery County** ceases to exist and there is no successive employer to receive and retain the records for the prescribed period, the employer shall notify the Director of the National Institute for Occupational Safety and Health (NIOSH) at least three (3) months prior to scheduled record disposal and prepare to transmit them to the Director.

Highlights of Training Records

- Training dates
- Training session content or summary
- Names and qualifications of trainers
- Names and job title of all trainees

Appendix

A. Exposure Log

B. Blood/Body Fluids Exposure Report

C. Refusal of Treatment

D. Employee Exposure Evaluation

E. Informed Consent to Perform an HIV Test

F. HIPAA Compliant Authorization for Release of Medical Information and Confidential HIV Related Information

G. Hepatitis B Permission/Refusal Form

H. MSDS for DisCide

I. MSDS for Aridall 1460

J. Spill Clean Up Instructions

K. Occupational Safety and Health Standards



Attachment for:

Resolution
263 of 2006

Records to Deaccess

Y/N	Location	BOX #	Record Title	Volume	Format	Condition	Appraisal	Deaccession
Y		*104 moved to 91D	Fortune magazine	0.1	1 soft	good	not archival	not related to region/state
Y		007	Museums Directory of the United States and Canada	0.15	1 bound	good	not archival	obsolete, more recent
Y		010	Infamous Felon Fleet	0.01	1	good	not archival	not related to region or
Y		010	Knight Templar Magazine	0.01	1	good	not archival	has a general overview of
Y		018	World Almanac	0.2	3 soft	good	not archival	not rare, general info.
Y		019	What's to Eat	0.05	1 soft	good	not archival	not related to history, the
Y		025	Literary Rambles of a Journalist	0.1	1 bound	fair;	not archival	not region specific
Y		027	Pictures and Painters of the English School	0.1	1 bound	fair; stains	not archival	not region specific
Y		028	Life of John Quincy Adams	0.05	1 bound	poor; many	not archival	not region specific
Y		042	Identification of Aircraft for Army Air Forces Ground Ob. . .	0.05	1 soft	good	not archival	not region specific;
Y		042	Modern War Planes of the World	0.01	1 soft	good	not archival	not region specific;
Y		043	Life of George Washington	0.1	1 bound	poor; needs	not archival	not region specific; not
Y		048	Geological Survey	0.25	2 bound	good	not archival	not related to history or
Y		051	Reports of Exploration & Surveys; RR; Mississippi to Pacific	0.25	1 bound	poor; many	not archival	not region/state specific
Y		051	Natural Advanced Geography	0.05	2 bound	poor; needs	not archival	not region specific
Y		052	Bender's Practice Time - Table; re. Court Procedures	0.05	1 bound	good	not archival	obsolete; more recent
Y		107	Angell's A Treatise on the Law of Carriers	0.1	1 bound	poor; needs	not archival	reference, not rare
Y		169	Law of Inns, Hotels, and Boarding Houses	0.1	1 bound	fair; needs	not archival	law reference; not rare,
Y		170	Treatise on the Law of Sales of Personal Property	0.3	2 bound	bad; needs	not archival	law reference; not rare, out
Y		170	The Laws of Corporation	0.15	1 bound	fair; needs	not archival	law reference; not rare, out
Y		170	The American Corporation Legal Manual	0.15	1 bound	bad; needs	not archival	law reference; not rare, out
Y		170	A Treatise on the Laws of Descent	0.1	1 bound	fair; needs	not archival	law reference; not rare, out
Y		170	The Poor, Insanity and the Charities Laws	0.1	1 bound	fair; needs	not archival	law reference; not rare, out
Y		171	Treatise on the Laws of Banks and Banking	0.3	2 bound	fair; bad; 1	not archival	law reference; not rare, out
Y		171	Laws: Code of Civil Procedures	0.15	1 bound	fair; needs	not archival	law reference; not rare, out
Y		171	The Law Relating to Disposition of Descendent's Real Estate	0.05	1 bound	fair; needs	not archival	law reference; not rare, out
Y		171	Rules of Pleading Under the Codes	0.1	1 bound	fair; needs	not archival	law reference; not rare, out
Y		171	The Law & Practice of Referees and References	0.1	1 bound	fair; needs	not archival	law reference; not rare, out
Y		171	Commentaries on the Law of Receivers	0.15	1 bound	fair; needs	not archival	law reference; not rare, out
Y		172	Laws: Contracts	0.5	4 bound	bad; needs	not archival	law reference; not rare, out
Y		172	A Treatise relating to Insolvent Debtors	0.15	1 bound	fair; needs	not archival	law references; not rare, out

Y/N	Location	BOX #	Record Title	Volume	Format	Condition	Appraisal	Deaccession
Y		172	Real Property Law	0.3	2 bound	bad; needs	not archival	law references; not rare,
Y		173	Laws: Titles to Real Estate	0.6	3 bound	fair; needs	not archival	law reference; not rare, out
Y		203	Wharton's Criminal Law 8th Edition	0.2	2 bound	good; needs	not archival	reference, not rare
Y		207	White on Corporations	0.1	1 bound	poor-needs	not archival	reference, not rare
Y		207	Smith's Chattel Mortgages and Conditional Sales	0.05	1 bound	poor; needs	not archival	reference, not rare
Y		207	Kent's Commentaries on American Law	0.1	1 bound	poor; needs	not archival	reference, not rare
Y		207	Dayton's Surrogates and Surrogate Courts in NYS	0.1	1 bound	poor-needs	not archival	reference, not rare
Y		208	Barbour's Condensed Digest of the Court of Appeals Volume II	0.1	1 bound	poor; needs	not archival	reference, not rare
Y		208	Jessup's Surrogate Practice	0.2	1 bound	poor; needs	not archival	reference, not rare
Y		208	Jessup-Redfield's Law and Practice in the Surrogate's Courts	0.1	1 bound	good; needs	not archival	reference, not rare
Y		214	Supplement to Wait's Table of Cases - Andrews	0.05	1 bound	poor, needs	not archival	reference, not rare
Y		214	Wait's Digest New York Reports	0.2	2 bound	poor needs	not archival	reference, not rare
Y		214	Wait's Table of Cases Affirmed, Reversed, or Cited	0.1	1 bound	poor, needs	not archival	reference, not rare
Y		216	Wait's Law and Practice Vol. 1	0.2	2 bound	poor; need	not archival	reference, not rare
Y		216	The Law and Practice in Special Proceedings	0.1	1 bound	poor; needas	not archival	reference, not rare
Y		216	Abbott's Trial Brief	0.2	2 bound	poor; need	not archival	reference, not rare
Y		247	Appellate Division Reports: Supreme Court: 1954-55	0.1	1 bound	good	not archival	reference, not rare
Y		248	Local Laws of Cities, Counties & Villages: 1941-1956	0.16	16 bound	good	not archival	reference, not rare
Y		252	Consolidated Laws of NY: Birdseye; Vols. 9,10, 11 Supplements	0.3	3 bound	fair; needs	not archival	reference, not rare
Y		252	Consolidated Laws of NY; Birdseye: 1918, 1919	0.2	2 bound	fair; needs	not archival	reference, not rare
Y		253	United State s Courts: Equity and Admiralty Rules of Practice	0.1	1 bound	poor; Needs	not archival	reference, obsolete
Y		253	Skill in Trials; by J.W. Donovan	0.025	1 bound	poor; cover	not archival	reference only
Y		253	Supreme Court Reports; 1896-97	0.15	1 bound	poor; needs	not archival	reference, not rare
Y		253	Famous Legal Arguments; by Moses Field	0.025	1 bound	poor; needs	not archival	reference, only
Y		254	Procedures and Law of Surrogates' Courts; by W. E. Heaton	0.1	1 bound	poor; needs	not archival	reference, obsolete
Y		333	Assembly Bills; Supplemental Index to	0.1	1 bound	fair; needs	not archival	reference, not rare
Y		349	Gilbert's Criminal Code and Penal Law; 1923, 1927-29, 1933	0.5	5 bound	fairl; needs	not archival	reference, not rare
Y		350	Gilbert's Annotated Criminal Code & Penal Law; 1943	0.1	1 bound	fair; needs	not archival	reference, not rare
Y		350	Gilberts	0.3	3 bound	fair; needs	not archival	reference, not rare
Y		350	A Treatise on the Law of Negligence; Vol. II	0.1	1 bound	bad; needs	not archival	reference, not rare
Y		350	Gilbert's Annotated Criminal Code & Penal Law; 1934, 1937, 1941	0.3	3 bound	fair; needs	not archival	reference, not rare
Y		351	Bender's Manual for All County & Town Officers; 13th & 15th	0.2	2 bound	fair; needs	not archival	reference, obsolete
Y		351	Supervisor's Manual & Guide for County & Town Officers	0.1	1 bound	poor; torn	not archival	reference, obsolete
Y		351	Headley's New York Code of Criminal Procedures & Penal Code	0.1	1 bound	bad; needs	not archival	reference, not rare

Y/N	Location	BOX #	Record Title	Volume	Format	Condition	Appraisal	Deaccession
Y		352	Supervisors' Manual & Guide for County & Town Officers;	0.1	1 bound	fair; needs	not archival	reference, obsolete
Y		352	Smith's Sheriffs, Coroners, and Constables; 2 copies	0.2	2 bound	fair; needs	not archival	reference, not rare
Y		352	Supplement to New York Annotated Code of Civil Procedures;v.	0.1	1 bound	fair; needs	not archival	reference, not rare
Y		352	Supervisors' Manual & Guide for County & Town Officers; 2nd	0.1	1 bound	fair; needs	not archival	reference, obsolete
Y		353	A Treatise on the Law of Evidence; by S. Phillipps; vol. 1	0.1	1 bound	bad; holes,	not archival	reference, not rare
Y		353	Pleadings & Evidence in Criminal Cases	0.1	1 bound	fair; needs	not archival	reference, not rare
Y		353	A Treatise on the Law of Evidence; by Simon Greenleaf; v.2	0.2	2 bound	poor; stains,	not archival	reference, not rare
Y		353	A Treatise on the Law of Evidence; Cowen & Hill; vols. 1-2	0.2	2 bound	poor; stains,	not archival	reference, not rare
Y		353	The assessors, Collectors & Town Clerk's Manual	0.05	1 bound	fair; needs	not archival	reference, obsolete
Y		353	A Treatise on the Law of Evidence; S. Phillipps; vol. 2	0.1	1 bound	poor; stains,	not archival	reference, not rare
Y		353	A Treatise on the Law of Evidence; S. Greenleaf; V. 1,2,3	0.4	4 bound	poor; needs	not archival	reference, not rare
Y		354	Cumming & Gilbert's official Court Rules	0.1	1 bound	poor;	not archival	reference, not rare
Y		354	Elements of Medical Jurisprudence; by T.R. Beck; vol. 1 & 2	0.2	2 bound	fair; needs	not archival	reference, not rare
Y		354	Wharton's Criminal Evidence; 8th Edition	0.1	1 bound	fair; needs	not archival	reference, not rare
Y		355	A Treatise on the Law of Negligence; by Sherman & Redfield; v.1	0.1	1 bound	poor; needs	not archival	reference, not rare
Y		355	Questions and Answers for Law Students; by E. Baylies	0.08	1 bound	poor;	not archival	reference, not rare
Y		355	A Treatise on the Law of Roads and Streets; Elliott; 2nd edition	0.125	1 bound	poor; needs	not archival	reference, not rare
Y		362	The War Revenue Law of 1898	0.05	1 bound	good	not archival	reference
Y		362	A Treatise on the Federal Income Tax Law of 1913, Frost	0.015	1 bound	good	not archival	reference
Y		363	Attorneys & Agencies Association Legal Directory, v.2 & 3	0.07	2 bound	poor, needs	not archival	reference, not rare
Y		363	Proceedings of the Board of Commissioners of the Land Office	0.015	1 bound	fair, some	not archival	reference, not rare
Y		363	Proceedings of the Board of Commissioners of the Land Office	0.15	10 bound	good, minor	not archival	reference, not rare
Y		363	Index to All the Law in L.R.A. Notes	0.07	1 bound	fair, needs	not archival	reference, not rare
Y		363	Banking Reform; by J. Laurence Laughlin	0.07	1 bound	good	not archival	reference, not rare
Y		363	A.L.R. Blue Book of Supplemental Decisions	0.09	3 bound	good	not archival	reference, not rare
Y		363	United States Income & War Tax Guide; by Kixmiller & Baar	0.21	3 bound	good	not archival	reference, not rare
Y		363	Income Tax Procedure; by Robert H. Montgomery	0.1	1 bound	fair, needs	not archival	reference, not rare
Y		364	A.L.R. Cumulative Index-Digest for years 1919, 1920 & 1921,	0.03	1 bound	good, binding	not archival	reference, not rare
Y		364	A.L.R. Biennial Cumulative Index-Digest to American Law	0.03	1 bound	good, binding	not archival	reference, not rare
Y		364	A.L.R. Cumulative Index-Digest for the year 1924, v.28-33	0.03	1 bound	good, binding	not archival	reference, not rare
Y		365	Law Catalogue; Banks & Brothers	0.1	1 bound	poor, stains,	not archival	reference, not rare
Y		365	Precedents or Practical Forms in Actions at Law; by McCall	0.1	1 bound	poor, needs	not archival	reference, not rare
Y		366	Law of Chattle Mortgages & Conditional Sales; by Griffin	0.015	1 bound	good, minor	not archival	reference, not rare
Y		366	Principles & Forms of Practice in Civil Actions; v. 2; by Abbott	0.1	1 bound	poor; needs	not archival	reference, not rare

Y/N	Location	BOX #	Record Title	Volume	Format	Condition	Appraisal	Deaccession
Y		366	Snow - Church Company's Legal & Banking Yearbook	0.1	1 bound	poor; needs	not archival	reference, not rare
Y		366	The New Clerk's Assistant; by John S. Jenkins	0.025	1 bound	fair, stains,	not archival	reference, not rare
Y		367	Law Catalogue; Banks & Brothers	0.1	1 bound	fair, needs	not archival	reference, not rare
Y		367	Employers' Liability, Workmen's Compensation & Liability	0.035	1 bound	fair, brittle	not archival	reference, not rare
Y		368	Assessors, Collectors & Town Clerks' Manual; by I.G.	0.035	1 bound	fair some	not archival	reference, not rare
Y		368	Assessors, Collectors & Town Clerks' Manual; by William	0.07	1 bound	fair, some	not archival	reference, not rare
Y		369	The Supervisor's Manual; by Isaac Grant Thompson	0.035	1 bound	poor, needs	not archival	reference, not rare
Y		369	The Supervisor's Manual; by Isaac Grant Thompson	0.14	2 bound	fair, minor	not archival	reference, not rare
Y		369	The Supervisor's Manual; by George C. Morehouse	0.1	1 bound	poor, needs	not archival	reference, not rare
Y		369	Theory of Law of Evidence; by William Reynolds; 3rd ed.	0.035	1 bound	good	not archival	reference, not rare
Y		369	The Northeastern Reporter, vol. 132	0.07	1 bound	fair, minor	not archival	reference, not rare
Y		369	First Lessons in Civil Government; 19th ed.	0.035	1 bound	poor, needs	not archival	reference, not rare
Y		429	Acts Passed at First Session of Twenty-First Congress	0.03	1 bound	poor; needs	not archival	reference, not rare
Y		429	Acts Passed at First Session of Twentieth Congress	0.03	1 bound	bad; pages	not archival	reference, not rare
Y		429	Laws of United States of America, vols. 1 - 5	0.38	5 bound	poor; needs	not archival	reference, not rare
Y		432	The Law of Husband & Wife, vols. 1 & 2	0.14	2 bound	poor; pages	not archival	reference, not rare
Y		432	Questions and Answers for Law Students	0.07	1 bound	fair; needs	not archival	reference, not rare
Y		432	The Equity Draftsman	0.07	1 bound	fair; needs	not archival	reference, not rare
Y		432	A Practical Treatise on Medical Jurisprudence	0.07	1 bound	poor; binding	not archival	reference, not rare
Y		435	Judicial Decisions from 1822 - 1913	0.1	1 bound	good	not archival	reference, not rare
Y		435	Questions and Answers for Bar-Examination Review	0.07	1 bound	good	not archival	reference, not rare
Y		435	Hubbell's Legal Directory	0.1	1 bound	excellent	not archival	reference, not rare
Y		435	The International Legal Annual	0.07	1 bound	excellent	not archival	reference, not rare
Y		436	The Martindale-Hubbell Law Directory: 73rd edition, vol. 1	0.2	1 bound	fair	not archival	reference, not rare
Y		436	Martindale's American Law Directory	0.2	1 bound	fair; needs	not archival	reference, not rare
Y		436	Boyer's Legal Directory of the United States and Canada	0.035	1 bound	fair	not archival	reference, not rare
Y		436	An English Code, by Sheldon Amos	0.035	1 bound	poor	not archival	reference, not rare
Y		436	Manual of the U.S. Bankruptcy Act, by Clinton Rice	0.07	1 bound	fair	not archival	reference, not rare
Y		436	A Dictionary of Law, by William C. Anderson	0.1	1 bound	poor	not archival	reference, not rare
Y		436	Prentice - Hall Federal Tax Service 1928 Act	0.07	1 bound	good	not archival	reference, not rare
Y		437	Law Catalogue, Cowen, Hill & Edwards	0.15	1 bound	poor; needs	not archival	reference, not rare
Y		437	United States Code, Supplements 1-3, 1940 Edition	0.24	3 bound	good	not archival	reference, not rare
Y		437	White on Corporations, 7th Ed.	0.17	1 bound	fair; needs	not archival	reference, not rare
Y		437	Abbott's Trial Evidence, 2nd Edition	0.15	1 bound	poor; needs	not archival	reference, not rare

Y/N	Location	BOX #	Record Title	Volume	Format	Condition	Appraisal	Deaccession
Y		437	Current Digest, Vol 1	0.1	1 bound	fair; needs	not archival	reference, not rare
Y		438	Supplement - The Code of the Laws of the United States of	0.1	1 bound	fair; needs	not archival	reference, not rare
Y		458	Manual of Law, The Use of Business Men, by Amos Dean	0.035	1 bound	poor; needs	not archival	reference
Y		672	America Her Grandeur and Her Beauty, Part 23, San Francisco	0.005	1 magazine	good		does not pertain to local
Y		672	America Her Grandeur and Her Beauty, Part 24, East Shore Lake	0.005	1 magazine	good		does not pertain to local
Y		672	America Her Grandeur and Her Beauty, Part 11, The White	0.005	1 magazine	good		does not pertain to local
Y		672	America Her Grandeur and Her Beauty, Part 6, Washington and	0.005	1 magazine	fair - cover		does not pertain to local
Y		672	America Her Grandeur and Her Beauty, Part 17, Delaware Water	0.005	1 magazine	good		does not pertain to local
Y		672	America Her Grandeur and Her Beauty, Part 18, Old Sante Fe &	0.005	1 magazine	good		does not pertain to local
Y		673	The Atlantic Charter	0.001	1 loose	good		not a unique publication
Y		673	Insect Control in the Vegetable Garden, Bulletin 503, May 1942	0.001	1	good		publication, no genealogical
Y		673	The Airship, Vol. 3, US Naval Air Station, Lakehurst, NJ, Sept.	0.01	1	fair -		publication, not unique
Y		673	Livorno	0.007	1 bound			does not pertain to local
Y		673	Sunday News, New York's Picture Newspaper	0.002	1	fair -		publication
Y		673	Palmermo	0.007	1 bound			does not pertain to local
Y		675	New York State Court of Appeals, vol 3	0.01	1 bound	poor -		reference, obsolete
Y		677	Juvenile Temperance Manual	0.02	1 bound	fair - dirty		publication, not unique
Y	Hudson	027	Forest, Rock, and Stream	0.1	1 bound	poor; needs	not archival	relates to Hudson Valley;
Y	New York	050	Natural History of New York	1	7 bound	fair; needs	not archival	multiple copies of vols. 4
Y	New York	479	State of New York, Department of Public Instruction, vol 2	0.07	1 bound	good	not archival	reference, not rare
Y	New York	479	University of the State of New York, Regents of the University	0.1	1 bound	good	not archival	reference, not rare
Y	New York	479	University of the State of New York, Regents of the University	0.07	1 bound	good	not archival	reference, not rare
Y	New York	479	University of the State of New York, Regents of the University	0.07	1 bound	good	not archival	reference, not rare
Y	New York	479	University of the State of New York, Regents of the University	0.07	1 bound	good	not archival	reference, not rare
Y	New York	479	State of New York, Department of Public Instruction, vols. 1 & 2	0.21	3 bound	good	not archival	reference, not rare
Y	New York	479	State of New York, Department of Public Instruction	0.2	1 bound	good	not archival	reference, not rare
Y	New York	479	State of New York, Department of Public Instruction	0.07	1 bound	good	not archival	reference, not rare
Y	New York	479	University of the State of New York, Regents of the University	0.07	1 bound	good	not archival	reference, not rare
Y	New York	479	State of New York, Department of Public Instruction	0.2	1 bound	good	not archival	reference, not rare
Y	New York	479	State of New York, Department of Public Instruction	0.1	1 bound	good	not archival	reference, not rare
Y	New York	479	State of New York, Department of Public Instruction	0.2	1 bound	good	not archival	reference, not rare
Y	New York	480	University of the State of New York Regent Report	0.07	1 bound	fair; pages	not archival	reference, not rare
Y	New York	480	University of the State of New York Regent Report	0.07	1 bound	fair; pages	not archival	reference, not rare
Y	New York	480	University of the State of New York Regent Report	0.1	1 bound	fair; pages	not archival	reference, not rare

Y/N	Location	BOX #	Record Title	Volume	Format	Condition	Appraisal	Deaccession
Y	New York	480	University of the State of New York Regent Report	0.07	1 bound	fair; pages	not archival	reference, not rare
Y	New York	480	University of the State of New York Regent Report	0.1	1 bound	fair; pages	not archival	reference, not rare
Y	New York	481	State of New York, In Convention, vol. 2	0.07	2 bound	poor	not archival	reference, not rare
Y	New York	483	University of the State of New York Regents Report	0.02	1 bound	good	not archival	reference, not rare
Y	New York	483	University of the State of New York Regents Report	0.07	1 bound	good	not archival	reference, not rare
Y	New York	483	University of the State of New York Regents Report, vol. 2	0.2	1 bound	good	not archival	reference, not rare
Y	New York	483	University of the State of New York Regents Report	0.1	1 bound	good	not archival	reference, not rare
Y	New York	483	University of the State of New York Regents Report	0.07	1 bound	good	not archival	reference, not rare
Y	New York	483	University of the State of New York Regents Report	0.14	2 bound	good	not archival	reference, not rare
Y	PA	580	Coughenower Account Book, Orbisonia, PA	0.02	1 original	poor; loose	not archival	not region specific
Y	Pennsylvania	677	Memorial Addresses Life and Character of Samuel J. Randall	0.04	1 bound	poor - water		does not pertain to local
Y	Rehoboth,	568	Historical Addresses, poem; 250th Anniversary, Rehoboth, Ma.	0.01	1 bound	fair; needs	not archival	reference
Y	Rockland	254	The People vs. Dunbar Contracting Co.; Case on Appeal	0.15	1 bound	fair; needs	not archival	reference, not region
Y	Schenectady	592	Common School Recors; Town of Glenville	0.1	loose	good	not archival	not region specific
Y	Schenectady	600	Union College Memorabilia	0.04	5 booklets	fair to poor;	not archival	not region specific
Y	Schenectady	677	Thomas E. Romeyn Assessment Rolls, Schenectady County	0.05	7 bound	good		transfer to Schenectady
Y	Schenectady	682	Speech given by William C. Yates on Joseph C. Yates, First	0.003	loose	fair - dirty		does not pertain to
Y	Schenectady	682	Speech given by William C. Yates on Joseph C. Yates, First	0.003	loose	fair - dirty		does not pertain to
Y	Schenectady	689	Surveys, Town of Glenville, Schenectady Co.	0.04	folder of	poor - brittle,		does not pertain to
Y	St. Lawrence	597	Misc. original docs. Re. To history of St. Lawrence County	0.1	loose	fair; needs	not archival	not region specific;
Y	St. Lawrence	677	State of New York In Memoriam, Edwin A. Merritt, Jr. Speaker	0.03	1 bound	poor - water		does not pertain to local
Y	Sullivan/Oran	677	In Memory of Henry R. Low, Proccedings of New York State	0.02	1 bound	poor - stains,		does not pertain to local
Y	USA	010	Daughters of the American Revolution Magazine	0.01	1	good	not archival	not region specific
Y	USA	010	National Genealogical Society Quarterly	0.01	1	good	not archival	obsolete; more recent
Y	USA	010	Historic Preservation magazine	0.1	10 vols. of	good	not archival	not unique or rare; not
Y	USA	019	Our Navy Defenders	0.01	1 bound	good	not archival	general history of USA
Y	USA	019	The Formation of the Union	0.01	1 soft	good	not archival	General history of USA;
Y	USA	019	Portfolio of Photographs: USA	0.1	1 bound	poor; stains,	not archival	general; not region specific
Y	USA	024	History of the American People	0.04	5 bound	fair; dirty,	not archival	not region specific; general
Y	USA	026	The American Character	0.01	1 soft	good	not archival	general information
Y	USA	028	The Handbook of American Genealogy	0.3	4 bound	good	not archival	obsolete; more recent
Y	USA	031	Acts of the Congress; 17th-29	0.6	19 soft	bad; molding;	not archival	not unique info; available in
Y	USA	038	United States Navy and Marine Corp.	0.05	1 bound	poor; needs	not archival	not region or state specific
Y	USA	042	Airplanes of the U.S.A.	0.01	1 soft	good	not archival	not region specific;

Y/N	Location	BOX #	Record Title	Volume	Format	Condition	Appraisal	Deaccession
Y	USA	048	Reports of Committees & Discussions Thereon' USA	0.1	1 bound	fair; needs	not archival	general history; not region
Y	USA	051	United States Statutes	0.3	2 bound	fair; needs	not archival	not region specific; more
Y	USA	051	Revised Statutes of the USA	0.2	1 bound	poor; needs	not archival	not region specific; more
Y	USA	052	The Statesman's Manual; w/President's Messages	0.15	1 bound	poor; many	not archival	not region/state specific
Y	USA	052	The Case of the USA Tribunal of Arbitration	0.01	1 bound	poor; needs	not archival	not region/state specific
Y	USA	628	Acts Passed at 23rd Congress of USA	0.02	1	poor; stains,	not archival	reference: not record of
Y	Washington	010	5 Generation Ancestral Lineages; Seattle, Washington	0.05	1 booklet	fair; frayed	not archival	not region or state specific
Y	Washington	851	Prospectus Fort Edward Collegiate Institute	0.01	2	poor - dirty,		does not pertain to



Attachment for:

**Resolution
353 of 2006**

**New York State
Department of Agriculture and Markets**

AGRICULTURAL DISTRICT REVIEW PROFILE

DISTRICT IDENTIFICATION

County: Montgomery				District No.: 1	
Town(s) in District: Canajoharie, Minden					
No. acres in district: 49,446	No. of acres in farms: ¹ *37,899	No. acres cropped: *20,400	No. acres owned by farmers: *32,076	No. acres rented by farmers: *5,823	

AGRICULTURAL DATA

Number Farms by Principal Enterprise		Number Farms according to Gross Farm Sales		Number Farms According to Total Capital Investments (Land, Buildings, Livestock, Trees, etc.) Over Past Years	
Dairy	53	Below \$10,000	38	Below \$10,000	42
Cash Crop (Grain)	27	\$10,000 to \$39,999	51	\$10,000 to \$39,999	31
Vegetable	4	\$40,000 to \$99,999	10	\$40,000 to \$99,999	22
Orchard	1	\$100,000 to \$199,999	8	\$100,000 to \$199,999	11
Vineyard	0	\$200,000 to \$499,999	18	Over \$200,000	10
Livestock (Other Than Dairy)	21	Over \$500,000	6	No data	146
Poultry	1	No data	131		
Horticulture Specialties	3				
Sugarbush	0				
Christmas Tree	3	Total	262	Total	262
Aquaculture	0				
Horse Boarding	3				
Hay	35				
Other					
Woodlot, Wild	3				
Pasture	3				
Ground Cover	1				
TOTAL	158				

262 returned worksheets, 158 listed a principle farm enterprise

AGRICULTURAL DATA ANALYSIS

A. Since last review, number of acres in District	Added: 1590	Deleted: _____
B. Since last review, number of acres in farms:	Increased: 64	Decreased: _____
C. Since last review, number of farms	Increased: _____	Decreased: 16
D. Since last review, number of farms with gross sales over \$100,000	Increased: _____	Decreased: 20
E. Since last review, number of farms with Capital Investments over \$100,000	Increased: _____	Decreased: 31

Data Analysis reflects figures based on Agricultural District Review Worksheets only

¹ Number of acres in farms represents the sum of acres owned by farmers and rented by farmers.

* Information provided on returned Agricultural District Review Worksheets

(Attach additional sheets if necessary)



Attachment for:

**Resolution
406 of 2006**



**MONTGOMERY COUNTY
FINANCIAL DISCLOSURE STATEMENT**

FOR THE CALENDAR YEAR

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DEPARTMENT	TITLE
------------	-------

NAME (Last)	NAME (First)	NAME (Middle)

SPOUSE'S NAME (including maiden name) or DOMESTIC PARTNER

UNEMANCIPATED CHILDREN (Please list)

ADDRESS (Number and Street)	CITY	ZIP CODE

TELEPHONE NUMBER	EMAIL ADDRESS

List the name of any occupation, employment, trade, business or profession engaged in by and your spouse and the nature of each business.

YOUR EMPLOYER	NATURE OF BUSINESS

SPOUSE'S/DOMESTIC PARTNER EMPLOYER	NATURE OF BUSINESS

Have you are any member of your immediate family derived income within the past year from an external organization that does business with Montgomery County?

Yes ☐ No ☐

If YES, please list

ORGANIZATION	SELF/SPOUSE/PARTNER

List any sole proprietorship owned or professional practice operated by you or your spouse and the nature of the business.

ORGANIZATION	SELF/SPOUSE/PARTNER
<hr/>	
<hr/>	
<hr/>	

Are you or any member of your immediate family an officer, director, partner, trustee, employee, advisory board member or agent of an external organization who does business with Montgomery County?
Yes ☐ No ☐ If YES, please list

ORGANIZATION	SELF/SPOUSE/PARTNER
<hr/>	
<hr/>	
<hr/>	

Are you or any member of your immediate family the actual or beneficial owner of more than 5% of the voting stock or controlling interest of an external organization who does business with Montgomery County?
Yes ☐ No ☐ If YES, please list

ORGANIZATION	SELF/SPOUSE/PARTNER
<hr/>	
<hr/>	
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Do you or any member of your immediate family have any affiliation with any organization Montgomery County does business with that would be considered or be perceived to be considered a conflict of interest?
Yes ☐ No ☐ If YES, please list

ORGANIZATION	SELF/SPOUSE/PARTNER
<hr/>	
<hr/>	
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Have you or any member of your immediate family received a gift or gifts having a total fair market value in excess of \$75.00 from any organization that does business with Montgomery County?
Yes ☐ No ☐ If YES, please list

ORGANIZATION	SELF/SPOUSE/PARTNER
<hr/>	
<hr/>	
<hr/>	

AFFIRMATION	
I swear or affirm, under the penalty of perjury, that the facts as presented on this Financial Disclosure Statement are true, complete, and correct to the best of my knowledge and belief.	
I understand that I may file an amended statement upon discovery of additional information required to be reported.	
I will comply with any conditions or restrictions imposed by the Montgomery County Ethics Board to manage, reduce or eliminate actual or potential conflicts of interest.	
SIGNATURE	DATE SIGNED (Month/Day/Year)



Attachment for:

**Resolution
443 of 2006**

COUNTY OF MONTGOMERY

Personnel Policy

Non-Represented Employees

Revised per Resolution No. 443 of December 26, 2006

Effective: January 1, 2007

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COUNTY OF MONTGOMERY

Personnel Policy

Non-Represented Employees

Effective: January 1, 2007

1. Introduction

- A. This policy establishes the terms and conditions of employment for all full-time appointed managerial and management confidential personnel of the County of Montgomery, as identified in Appendix A, who are not represented by recognized bargaining units.
- B. Where specifically noted herein, this policy is extended to apply to full-time elected personnel, as identified in Appendix A.
- C. These policies shall not constitute an enforceable contract, and may be changed, at any time, at the discretion of the Board of Supervisors.

2. Equal Employment Opportunity

- A. It is the policy of the County of Montgomery to afford equal opportunity in employment, without regard to age, race, religion, creed, color, national origin, sex, sexual orientation, disability, marital status or any other non-merit factors, in compliance with Federal and State laws.

3. Work Day/Work Week

- A. The normal workday shall be from 8:30 a.m. to 4:00 p.m., with one-half hour for lunch, on each business day Monday through Friday. The normal workweek shall consist of a total of 35 hours.
- B. During the months of July and August, the workday shall be from 9:00 a.m. to 4:00 p.m., with one hour for lunch. During this period, the normal workweek shall consist of a total of 30 hours.

4. Compensatory Time

- A. A Management Confidential employee required to work beyond the normal 35 hour work week (30 hours in July and August), in any week, with the prior approval of their Department Head, the employee will be permitted to use such accumulated compensatory time (between 35 and 40 hours) with the prior approval of the Department Head. Employees may accrue up to 21 hours of compensatory time for work between 35 and 40 hours in a workweek, except for work in December, which shall be paid at straight time. Any time in excess of 21 hours shall be paid at straight time. All unused compensatory time earned prior to December 1st shall be paid in December and shall not be carried over until the next fiscal year. Compensatory time may be used with the approval of the Department Head.
- B. Managerial personnel will be entitled to compensatory time if required to work beyond 80 hours (70 hours in July and August) in any two-week pay period, subject to the above provisions.
- C. Department Heads (excluding elected officials) who are required to work more than 80 hours (70 hours in July and August) in any two week pay period can accumulate compensatory time and the compensatory time accrued can be used at their discretion. If the compensatory time can not be used by the end of the fiscal year, then the unused compensatory time shall be carried over at the end of the year and credited as accumulated sick leave.
- D. Department Heads (Appointing Authorities) have the ability to adjust their work hours as needed to achieve the required results in operating their Department in an efficient and professional manner to ensure that the needs and goals of their departments are met. If the Department Heads adjust their work hours, they must ensure that they fulfill their 35 to 40 hour workweek. If they need to charge time to accomplish this, it must be deducted from their leave accruals.

Deputy Department Head's time can be adjusted by the Department Heads (Appointing Authorities) to ensure that the work of that Department is satisfactorily met. If the hours of the Deputy Department Heads are adjusted, they must fulfill their 35 to 40 hour

workweek. If they need to charge time to accomplish this, it must be deducted from their leave accruals.

5. Mileage Allowance

- A. Employees authorized to use their personal vehicles for conducting County business, shall be reimbursed at the rate equal to the Internal Revenues Service allowable deduction. (This Section also applies to elected officials identified in Appendix A.)

6. Paid Holidays

- A. The following shall be designated holidays:

New Year's Day

Martin Luther King's Birthday

Washington's Birthday (President's Day)

Good Friday (Election Personnel Only)

Memorial Day

Independence Day

Labor Day

Columbus Day

Election Day (Except Election Personnel)

Veteran's Day

Thanksgiving Day

Day After Thanksgiving

Christmas Eve

Christmas Day

- B. Unless on authorized leave, employees failing to report on a working half-day prior to or immediately after a holiday shall not be paid for the holiday.
- C. When a holiday falls on a Sunday, it shall be observed on the following Monday. When a holiday falls on a Saturday, it shall be observed on the prior Friday.

- D. If an employee is required to work all or part of any holiday, the employee shall be allowed all or part of another day for each holiday worked.

7. Vacation Leave

- A. Managerial employees with at least one year's continuous service shall be entitled to vacation, with pay, as follows:

10 days (70 hours)	after	1 year
11 days (77 hours)	after	2 years
15 days (105 hours)	after	3 years
20 days (140 hours)	after	5 years
22 days (154 hours)	after	10 years
25 days (175 hours)	after	15 years

- B. Management Confidential employees with at least one year's continuous service shall be entitled to vacation with pay, as follows:

10 days (70 hours)	after	1 year
11 days (77 hours)	after	2 years
12 days (84 hours)	after	3 years
14 days (98 hours)	after	5 years
16 days (112 hours)	after	8 years
18 days (126 hours)	after	10 years
20 days (140 hours)	after	15 years
25 days (175 hours)	after	20 years

- C. An employee leaving the service of the County, for any reason, shall be compensated for credited and accrued vacation.
- D. All vacation will be taken in the anniversary year in which it is credited. However, should workload demands prevent the Department Head from authorizing use of all credited vacation during a year, up to 105 hours of unused vacation may be carried over to the following year.
- E. Vacation Carryover requires approval of the Department Head, and shall be reported to the Personnel Chairperson of the Board of Supervisors.
- F. Vacation requests must be submitted, in writing, to the Department Head at least ten (10) working days prior to requested commencement date.

- G. Employees may elect to receive compensation, at their regular pay rates, in lieu of vacation, not to exceed 105 hours per calendar year. Request for payment must be submitted, in writing, for approval by the Department Head.
- H. Vacation shall be used in minimum increments of 15 minutes.

8. Sick Leave

- A. Sick Leave with pay shall be granted by the department head when an employee is incapacitated or unable to perform the duties of the position by reason of sickness or injury. Employees may use accumulated Sick Leave for illness in the immediate household family.
- B. Sick Leave may be used in 15-minute increments, except for doctors' appointments or emergencies.
- C. Sick Leave credits are earned at the rate of seven (7) hours for each month of service. No credit for Sick Leave shall be allowed unless the employee has been on full pay status at least fifty percent (50%) of the working days of the calendar month.
- D. Employees will be credited with Sick Leave accumulated prior to the adoption of the policy. Under no circumstances, however, may an employee accumulate more than 255 days (1785 hours) of Sick Leave.
- E. In case of transfer within County service, accumulated Sick Leave shall be transferred with the employee.
- F. Employees who are granted leaves of absence not exceeding one (1) year shall not lose accumulated Sick Leave and are eligible to use these Sick Leave credits upon their return.
- G. When absence is required, the employee shall notify the department head before 9:30 a.m. Failure to report within the stated time limit, unless for reasons satisfactory to the Department Head, shall result in the absence not being deducted as Sick Leave.
- H. A Certificate of Affidavit showing incapacity and inability of the employee to perform duties, issued by the attending physician, may be required by the department head in case of absence of more than twenty-one (21) hours.
- I. When a pattern of abuse of Sick Leave is suspected, the department head may, upon advance notice, require an employee to provide proof of illness at any other time. The

Department Head also may require the employee to be examined, at the County's expense, by a physician designated by the Personnel Officer.

- J. If an employee fails to submit proof of illness, when required, the absence shall not be deducted from Sick Leave and shall be considered as time off without pay. If the proof submitted, other than a doctor's statement, in the judgment of the department head, does not justify the employee's absence, such absence shall not be deducted from Sick Leave and shall be considered time off without pay.
- K. Sick Leave and Workers' Compensation: Employees absent from work because of work incurred injuries or disabilities shall use available Sick Leave time only during the required statutory waiting period (5 work days).

9. Sick Leave Buy-Back Plan

- A. Employees may sell accumulated sick leave credits back to the EMPLOYER at the rate of \$25.00 per day with a maximum sell back of twelve (12) days in any fiscal year.
- B. The Employee shall provide his/her Department Head with a written notice by the first of October preceding the start of the new year (January), or their intent to utilize the sick leave buy back plan.

10. Sick Leave Credit Upon Retirement

- A. Effective January 1, 2007, upon retirement, an employee shall be credited with sixty (\$60.00) dollars for each day of unused sick leave to be used to offset the Retiree's share health insurance. This shall be independent of any retirement credit under Section 41J of the Retirement and Social Security Law.
- B. Any full-time elected County official retiring from Montgomery County with at least 15 years of County service shall be eligible for the following sick leave credit policy. For each year of completed service after 15 years they shall receive eight (8) sick days to be credited at sixty (\$60.00) dollars per day to be used only for the Retiree's share health insurance. Maximum accumulated days shall be one hundred and fifty (150).
- C. Those individuals leaving Montgomery County service prior to retirement shall be paid for the balance of any unused sick days at a rate of \$60.00/day not to exceed 255 days.

11. Personal Leave

- A. Personal Leave is leave with pay granted for religious observance or personal business.
- B. Effective January 1st of each year, employees shall be credited with 42 hours of personal leave.
- C. Except for religious observance, or conditions that might arise beyond the control of the employee, not more than twenty one (21) hours of Personal Leave may be granted consecutively.
- D. Whenever possible, a request for Personal Leave should be submitted to the Department Head forty-eight (48) hours prior to the requested date.
- E. Personal Leave may be granted only with the approval of the department head. Unused Personal Leave time shall be carried over at the end of the year and credited as accumulated sick Leave.

12. Bereavement Leave

- A. Five (5) days excused time with pay will be granted to employees for the death of a spouse or child.
- B. Three (3) days excused time with pay will be granted to employees for the death of the following: father, mother, father-in-law, mother-in-law, grandparent, brother, sister, grandchildren, or any person who lives in the household of the employee.
- C. One (1) day excused time with pay will be granted to employees for the death of the following: step-mother, step-father, brother-in-law, sister-in-law, aunt or uncle.
- D. Request for one (1) day excused time with pay may be granted to the employee for other than (A, B,C) above with the approval of the Department Head.

13. Jury Duty

- A. An employee who serves on jury duty shall be excused from County employment, with pay. During the period of absence, the employee shall report to work for any portion of the normal workday remaining after being excused from jury duty for that day.

- B. Any compensation received for service, as a juror shall be returned to the County Treasurer within five (5) working days of the time it is received by the employee. Reimbursement for out-of-pocket expenses may be retained by the employee.

14. Maternity and Child-Rearing Leave

- A. Pregnant employees may be asked or encouraged to report the existence of pregnancy, but they may not be required to do so. Where the nature of the duties performed may be particularly hazardous or burdensome during pregnancy, they should be asked or encouraged to do so. In any case where the pregnancy may cause the employee to become medically disabled, she may be required to submit medical evidence as to her fitness for the performance of her duties and/or she may be required to undergo a medical examination, at the expense of the department or agency, by a physician designated by the Personnel Officer. A pregnant employee who is determined to be medically disabled from the performance of her duties must be treated the same as any other employee similarly disabled insofar as disability leave benefits are concerned.
- B. In general, disabilities arising out of pregnancy or childbirth shall be treated the same as other disabilities in terms of eligibility for or entitlement to sick leave with and/or without pay, extended sick leave and sick leave at half-pay. Absences during pregnancy or following childbirth may be charged to vacation, overtime, or personal leave irrespective of whether the employee is disabled. An employee unable to work and on leave of absence because of pregnancy or childbirth shall not be allowed to charge such leave to sick leave credits unless she is determined to be medically disabled from the performance of her duties and then only for such period of her leave as she continues to be so disabled. At the discretion of the appointing authority and upon request of the employee, leave without pay may be granted during pregnancy and prior to the onset of any medical disability.
- C. Upon termination of pregnancy and the period of disability related thereto, an employee may request leave of absence for child-rearing purposes. Such requests may be approved for a reasonable period of time and, at the discretion of the appointing authority, may be approved for additional period. A “reasonable period of time” for an employee who ceases to be disabled from the performance of her duties within three or four weeks

following childbirth would be six (6) months. For an employee who continues disabled for four (4) months following childbirth, a leave of absence for three (3) months would be reasonable. Except in the case of continuing disability, any leave of absence beyond the seventh (7th) month period following childbirth shall be at the discretion of the appointing authority.

- D. A pregnant employee holding her position by permanent or temporary appointment is entitled to leave with full pay and/or without pay while unable to work because of pregnancy or childbirth as described above.
- E. In cases of legal adoption under Article 7 of the Domestic Relations Law leave for child-rearing purposes shall be granted where the adoptive child is required to reside with the adoptive parents for at least six (6) months prior to an order of adoption being made. In such cases, leave for child-rearing purposes shall be granted for six (6) months commencing from the date the adoptive child begins actual full-time residence with the adoptive parents. Additional leave for child-rearing purposes may be granted in the discretion of the appointing authority; provided, however, child-rearing leave shall not exceed a period of two years cumulatively.

15. Family and Medical Leave Act

- A. Family leave shall be granted to an eligible employee to a total of twelve (12) workweeks of leave during any twelve-month period for the following:
Leave for the birth of a child or the placement of a child with the employee for adoption or foster care shall be deemed to satisfy the requirements of the Federal Family Medical Leave Act.
 - 1. Because of the birth of a son or daughter of the employee and in order to care for such son or daughter.
 - 2. Because of the placement of a son or daughter with the employee for adoption or foster care.
 - 3. In order to care for the spouse, son, daughter, or parent of the employee, if such spouse, son, daughter, or parent has a serious health condition.
 - 4. Because of a serious health condition that make the employee unable to perform the functions of the position of such employee.

- B. An eligible employee shall be required to use accrued paid vacation, personal leave or family leave of the employee for the leave provided under subparagraphs, 1, 2, or 3 above. An eligible employee shall be required to use accrued paid vacation leave, personal leave or sick leave for leave provided under paragraph 3 or 4 above for any part of the twelve week period of such leave.
- C. The County shall maintain coverage for health insurance to an employee on leave pursuant to this section for the duration of the twelve week period, and under the conditions coverage would have been provided if the employee had continued in employment continuously for the duration of such leave. The County may recover the premium that the County paid for maintaining coverage for the employee under such group health plan during any period of unpaid leave if the employee fails to return from leave after the twelve week period and (1) the employee fails to return for a reason other than the continuation, recurrence or (2) onset of a serious health condition that entitles the employee to leave under subparagraph 3 or 4 above or, other circumstances beyond the control of the employee.
- D. Nothing contained in this provision shall otherwise limit the obligations of the employer or the employee under the provisions of the Family Leave Act.

16. Military Leave

- A. In accordance with Section 242 of the Military Law, employees serving as members of the organized militia, or any reserve force or reserve component of the armed forces of the United States, are entitled to paid Military Leave, in conjunction with such service, not to exceed thirty (30) calendar days per calendar year.
- B. Employees who wish to use Military Leave must notify their Department Head, giving at least two weeks notice, when possible, and submit a copy of their orders.

17. Volunteer Emergency Respondents

- A. Employees who are volunteer emergency respondents, ambulance corps and fire department personnel, who are called into service prior to the beginning of their scheduled work time, may be paid a maximum of one-half (1/2) of a normal day's work when such duty delays their reporting to work on time. To receive such compensation, however, the employee must produce, within three (3) business days, a written, authenticated notice signed by the ambulance corps or fire department official in charge at such emergency scene. Such written notice must indicate the employee's time of arrival and departure.
- B. This does not authorize employees, who have already reported to work, to leave their County assignments because they have been requested service to an emergency scene, except under the most extenuating of circumstances, and then only with the approval of the department head.

18. Hospitalization and Major Medical Insurance

- A. The County shall provide health insurance plans modified as agreed in countywide negotiations.
- B. Effective January 1, 2006, all employees shall contribute ten percent (10%) towards the health insurance premium for a plan in which the employee is enrolled. Effective January 1, 2007, employees shall contribute twelve and one half percent (12.5%) towards their health insurance premium. Effective January 1, 2008, all employees shall contribute fifteen percent (15%) towards their appropriate health insurance premium. (See Resolution No. 314 of November 2005 for details)
- C. Employees who are covered by any other health insurance plan may elect not to receive health insurance provided by the County. In such cases, the County will provide a "trust account" representing thirty-five percent (35%) of the premium savings to the County as a result of the employee voluntarily not receiving or voluntarily reducing health coverage. This amount will be paid to the employee in December of each year. Employees must elect not to receive health insurance in December for the following year and may not elect to reenter the County's health insurance plan unless the employee is no longer covered by any other health insurance. In such a situation, the employee may

elect to reenter the County plan without any waiting period. Employees shall receive thirty-five percent (35%) of the premium savings for voluntarily not receiving health coverage. (This Section also applies to Elected officials identified in Appendix A)

19. Dental and Vision Insurance

- A. The County shall provide individual dental and vision care. Employees may elect dependent coverage through payroll deductions. (This Section also applies to Elected officials identified in Appendix A)

20. New York State Retirement Plan

- A. The County shall participate in the New York State Employees' Retirement System with all the rights and benefits presently provided by the Career Retirement Plan under Section 75I of the Retirement and Social Security Law.
- B. Mandatory retirement shall be as required by law.
- C. In addition to the adoption of the 75I Plan, the Board of Supervisors shall adopt the following options:
 - 1. Section 41J (application of unused sick leave as additional service credit upon retirement).
 - 2. Section 41k (military World War II service credit buy back).
 - 3. Section 60b (guaranteed minimum death benefit of three times annual rate of pay, but limited to \$20,000).
 - 4. Tier I Employees under Section 60 of New York State Retirement Laws.
 - 5. Tier II Employees under Section 448 of New York State Retirement Laws.
 - 6. Tier III Employees under Sections 508 and 606 of New York State Retirement Laws.
 - 7. Tier IV Employees under Section 6060 of New York State Retirement Laws.
(This Section also applies to Elected officials identified in Appendix A.)

21. Longevity

- A. Effective January 1, 2004, employees shall be entitled to longevities as provided in the following schedule:
- B. For the purpose of this Longevity Program, service will be deemed continuous under the following conditions: absence from service does not exceed one (1) year. If the employee anniversary date falls between January 1 - June 30, he/she shall be eligible for the longevity on January 1st of that year. In the event that employees date falls between July 1 - December 31, he/she shall be eligible for the longevity on July 1st of that year.

Effective January 1, 2004 employees shall be entitled to the following:

Upon 3rd Year	\$500.00
Upon 5th Year	\$750.00
Upon 7th Year	\$1,000.00
Upon 10th Year	\$1,350.00
Upon 12th Year	\$1,600.00
Upon 15th Year	\$2,000.00
Upon 17th Year	\$2,250.00
Upon 20th Year	\$2,500.00
Upon 25th Year	\$2,750.00
Upon 30th Year	\$3,000.00

To be eligible to receive a longevity benefit, you must earn at least \$10,000 annually and
t here must not be a break in service except as set forth above.

22. Pay Period

- A. Employees shall be paid every two (2) weeks. (This Section also applies to Elected Officials identified in Appendix A.)

23. Out-of-Title Work

- A. Employees performing duties of a position having a higher salary level shall be paid at the higher level after completing a cumulative of ten (10) workdays in such higher classification. Payment, subject to the approval of the appointing authority, shall be made within the quarter such pay is earned.

24. Employees Assistance Program

- A. The County will offer a paid-in-full Employee Assistance Program through a qualified provider of the County's choice. All records of the Employee Assistance Program are confidential between the employee and the provider. The fact that an employee utilizes such Assistance shall not impact promotional opportunities or job security. . (This Section also applies to Elected Officials identified in Appendix A)

25. Employee Evaluations

- A. Employees shall receive a written evaluation from their Department Head, at least once annually. The written evaluation shall be reviewed with the employee by the evaluator, to clarify and permit reasonable discussion of its contents. (This Section does not apply to Elected Officials identified in Appendix A)

26. Employee Resignation

- A. Employees who resign shall give the County at least two weeks advance notice. Failure to give proper notice shall result in the loss of vacation accruals.

27. Educational Tuition Reimbursement Program

Effective January 1, 2007 employees shall be reimbursed for tuition upon completion of college or other courses which are job-related or which are necessary for a job-related degree. Courses must be pre-approved by the Department Head and the Personnel Officer. Employees may not take more than six (6) credit hours in any year and must receive a grade C or better. Employees who leave within two (2) years after the completion of the semester, in which the employee was reimbursed, shall reimburse any monies paid to the County. The County shall reimburse \$100.00 per credit hour for courses taken at FMCC, and \$75.00 per credit hour for non-FMCC courses. Employees shall be reimbursed on a "first-come, first-serve basis" until the monies are exhausted.

APPENDIX A

The policy applies to the following full-time appointed positions:

Managerial

Administrative Aide (Board Of Supervisors)
Assistant Director of Nursing Service (Meadows)
Assistant Director of Public Health
Assistant District Attorney/DWI Prosecutor
Business Manager (Meadows)
Children With Special Needs Program Coordinator (Public Health)
Commissioner of Public Works
Commissioner of Social Services
Corrections Administrator
County Historian
Deputy County Clerk
Deputy County Treasurer
Deputy Election Commissioner (2)
Director of Community Services
Director of Data Processing
Director of Economic Development
Director of Eligibility (Social Services)
Director of Emergency Management
Director of Financial Management (Social Services)
Director of Nursing Services (Meadows)
Director of Probation
Director of Public Health
Director of Real Property Tax Service
Director of Social Services
Director of Veterans Service
Director of Weights and Measures
Economic Development Specialist
Election Commissioner (2)
Nursing Home Administrator
Personnel Associate
Personnel Officer
Psychiatrist – Community Services
Purchasing Agent
Superintendent of Sanitary Sewer District #1
Undersheriff
Youth Bureau Director/ACSD/DWI Coordinator

Management Confidential

Senior Account Clerk Typist (Board of Supervisors)
Confidential Secretary to District Attorney
Confidential Secretary to Public Defender
Confidential Secretary to Sheriff
Human Resource Clerk
Lab Technician (MCSSD#1)
Laborer (MCSSD#1)
Maintenance Mechanic (MCSSD#1)
Principal Account Clerk Typist (Employee Benefits)

Selected portions of this Policy apply to the following full-time elected positions:

County Clerk
County Treasurer
District Attorney
Sheriff