# PROCEEDINGS of the BOARD OF SUPERVISORS

of the COUNTY OF MONTGOMERY 2007

# PROCEEDINGS of the BOARD OF SUPERVISORS of the COUNTY OF MONTGOMERY FOR THE YEAR 2007

THOMAS P. DiMEZZA, Chairman KIMBERLY SANBORN, Clerk

Compiled and arranged by the Clerk by Order of the Board

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#### 2007 BOARD OF SUPERVISORS

#### CITY OF AMSTERDAM

First Ward Wito L. Greco
Second Ward Barbara Johnson
Third Ward Bethany Schumann
Fourth Ward
Fifth Ward ————————————————————————————————————
TOWN OF
Amsterdam Thomas P. DiMezza
Canajoharie Robert F. McMahon
Charleston ————————————————————————————————————
Florida William E. Strevy
Glen John B. Thomas
Minden Thomas L. Quackenbush
Mohawk — Edward Paton
Palatine ————————————————————————————————————
Root Brian S. Cechnicki
St. Johnsville — Dominick Stagliano
St. Johnsville Brian R. Haak

BOARD OF SUPERVISORS, CHAIRMAN
CHILDREN WITH SPECIAL MEDS PROGRAM.  Barbara Fiedler  CONNELL COOPERATIVE EXTENSION FMC
CORNIEL COOPERATIVE EXTENSION FMC
CORNELL COOPERATIVE EXTENSION FMC
DISTRICT ATTORNEYJames E. Conboy
ECONOMIC OPPORTUNITY AND DEVELOPMENT
EMERGENCY MANAGEMENT AND FIRE SERVICE
HISTORY & ARCHIVES
PERSONNEL
PROBATION. Lucille Sitterly
PUBLIC DEFENDERWilliam Martuscello
PUBLIC HEALTH
PUBLIC WORKS
PURCHASINGScott Surento REAL PROPERTY TAX SERVICEFlorence A. Stanton
SAFETY OFFICER
SHERI FF
SOCIAL SERVICES
TREASURER
VETERANS SERVICE AGENCY
WEIGHTS AND MEASURES
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### PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY ORGANIZATIONAL MEETING

11:00 AM, January 1, 2007

#### CALL TO ORDER

The Organizational Meeting for 2007 was called to order at 11:00 am by the Clerk of the Board Kim Sanborn.

#### SALUTE TO THE FLAG

County Attorney Doug Landon led the Salute to the Flag.

#### **ROLL CALL**

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

#### SELECTION OF A TEMPORARY CHAIRMAN

Supervisor McMahon was nominated Temporary Chairman.

#### SELECTION OF PERMANENT CHAIRMAN

Supervisor Di Mezza was nominated Permanent Chairman.

#### **NEW BUSINESS**

#### **RESOLUTION NO.** 1 of 2007

**DATED:** January 1, 2007

RESOLUTION SELECTING TEMPORARY CHAIRMAN FOR 2007 ORGANIZATIONAL MEETING OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Greco

RESOLVED, that Supervisor \_\_\_\_\_\_ is hereby selected temporary Chairman of the 2007 Organizational Meeting of the Montgomery County Board of Supervisors.

MOTION TO AMEND by Full Board by inserting the name "Robert McMahon" where appropriate, passed with Aye(1316). Supervisors Schumann, Dybas, Jonker, Cechnicki and Haak were absent. (1/1/2007)

RESOLUTION ADOPTED with Aye(1316). Supervisors Schumann, Dybas, Jonker, Cechnicki and Haak were absent. (1/1/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Supervisor Jonker entered Chamber at 11:05 AM.

Supervisor Quackenbush spoke in support of Supervisor Thomas DiMezza as Chairman in a bipartisan effort regarding Resolution 2, to be voted as a full Board. There were no objections.

#### **RESOLUTION NO.** 2 of 2007

**DATED:** January 1, 2007

RESOLUTION ELECTING CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR THE YEAR 2007

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Thomas

RESOLVED, that Supervisor\_\_\_\_\_ hereby is elected Chairman of the Montgomery County Board of Supervisors for the year 2007, 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 Full Board by inserting the name "Thomas DiMezza" where appropriate, passed with Aye(1431). Supervisors Schumann, Dybas, Cechnicki and Haak were absent. (1/1/2007)

RESOLUTION ADOPTED with Aye(1431). Supervisors Schumann, Dybas, Cechnicki and Haak were absent. (1/1/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Chairman DiMezza thanked the Board for their support, and spoke briefly on his and the Board's hopes and aspirations for the new year. He mentioned some upcoming projects, including insurance premiums for retirees, a prescription program, website improvements, economic development, a new county office complex and MOSA issues. He stated that communication, cooperation and coordination are imperative now and in the future.

Regarding Resolution 3, Supervisor Quackenbush spoke in support of electing Supervisor Vito Greco for the position of Vice Chairman. He also stated his support in grooming a Vice Chair for the future position of Chair as a natural and logical sequence. There were no objections.

### **RESOLUTION NO.** 3 of 2007 **DATED:** January 1, 2007

RESOLUTION ELECTING VICE-CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR THE YEAR 2007

Resolution by Supervisor: Quackenbush Seconded by Supervisor: McMahon

RESOLVED, that Supervisor  $\_\_\_$  hereby is elected Vice-Chairman of the Montgomery County Board of Supervisors for the year 2007, 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 Full Board by inserting the name "Vito Greco" where appropriate, passed with Aye(1431). Supervisors Schumann, Dybas, Čechnicki and Haak were absent. (1/1/2007)

RESOLUTION ADOPTED with Aye(1431). Supervisors Schumann, Dybas, Cechnicki and Haak were absent. (1/1/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

County Clerk Helen Bartone swore in Chairman DiMezza and Vice Chairman Greco.

#### **RESOLUTION NO.** 4 of 2007

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

**DATED:** January 1, 2007

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

Resolution by Supervisor: Strevy Seconded by Supervisor: Johnson

RESOLVED, that the Rules of Procedure, attached hereto, hereby are adopted by the Montgomery County Board of Supervisors for 2007, or until amended by Resolution.

RESOLUTION ADOPTED with Aye(1431). Supervisors Schumann, Dybas, Cechnicki and Haak were absent. (1/1/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### RESOLUTION NO. 5 of 2007

**DATED:** January 1, 2007

RESOLUTION DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR 2007

Resolution by Supervisor: Manci ni Seconded by Supervisor: Johnson

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 2007:

The Recorder

Couri er-Standard Enterprise

RESOLUTION ADOPTED with Aye(1431). Supervisors Schumann, Dybas, Cechnicki and Haak were absent. (1/1/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 6 of 2007 **DATED:** January 1, 2007

RESOLUTION DESIGNATING DEPOSITORIES FOR COUNTY FUNDS IN THE NAME OF THE COUNTY TREASURER DURING 2007 AND FIXING MAXIMUM AMOUNTS WHICH MAY BE KEPT ON DEPOSIT THEREIN AT ANY ONE TIME

Resolution by Supervisor: Jonker Seconded by Supervisor: Manci ni

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 2007, 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 - \$20,000,000.00

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(1431). Supervisors Schumann, Dybas, Cechnicki and Haak were absent. (1/1/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### MOMENT OF SILENCE

Supervisor Quackenbush asked for a moment of silence to honor deceased President Gerald Ford.

#### **OTHER**

Supervisor Quackenbush nominated Bob McMahon as Minority Leader. There were no objections.

Supervisor Mancini nominated Barbara Johnson as Majority Leader. There were no objections.

Chairman Di Mezza disseminated a document to all present Supervisors outlining the Committee assignments. There were no objections.

Chairman DiMezza stated that refreshments will be served downstairs following the Organizational Meeting.

#### **ADJOURNMENT**

MOTION TO ADJOURN by Supervisor Quackenbush, seconded by Supervisor Thomas, passed with Aye(1431). Supervisors Schumann, Dybas, Cechnicki and Haak were absent.

Respectfully submitted,

## PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - EDUCATION/GOVERNMENT 7:00 PM, January 9, 2007

#### COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Stagliano, Jonker, Paton and Schumann. Supervisor Johnson was absent.

Additional Supervisors present were Supervisors Greco, Quackenbush, Greco, Di Mezza, Strevy, Dybas, Walters, Thomas. Absent was Supervisor Cechnicki.

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

- Resolution Establishing Salaries Chairperson Election Inspectors (Board of Elections)
- 2. Resolution Authorizing Chairman to Sign Agreements New York State Board of Elections (Board of Elections)
- 3. Discussion Regarding Established Chargebacks Board of Elections
- 4. Resolution Adopting Introductory Local Law #4 of 2006 A Local Law Entitled "The Montgomery County Ethics Renewal Law"
- 5. Discussion regarding those elected and appointed officials who will be required to comply with the Ethics Renewal Law.
- 6. Other

Item #1: Election Commissioner Joan M. Grainer clarified the Resolution when queried. She stated that the group of inspectors elected the Chairperson.

Supervisors Mancini 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 #2: Supervisors Schumann and Paton made a motion and seconded, respectively, to sponsor the Resolution.

Election Commissioner Lyn A. May requested that the amount listed for Technical Equipment (\$387,714) shouldn't be included as anticipated revenue in the Resolution as no state contract has been received. She supported the \$49,344 figure, which represents three contracts (representing polling place accessibility funds among other things), which are ready for the Chairman's signature.

Due to the numerous changes in the Resolution, the motion was made by Chairman McMahon to move the Resolution to the Finance Committee for fine-tuning. There were no objections.

Item #3: Election Commissioner May stated that bills have been sent to municipalities as appropriate per Resolution 231 of 2005. Payment was to be received by Dec. 1, 2006. \$875 in chargebacks have not been received in a timely manner by the Town of Glen. She stated that the Resolution should be amended to include a line item should this occur again.

Supervisor Schumann stated that the system currently works and has worked in the past, and sees no need for change at this time. She recommended that the Board of Elections notify the towns in advance if there will be any anticipated increases.

When queried by Chairman DiMezza, Commissioner May stated that the City paid a stipend for the use of polling places.

Supervisor Thomas stated that though additional expenses were anticipated within his town, the amount went well over budget.

Supervisor Schumann stated the importance of all towns and municipalities be treated equally in regards to this situation.

Supervisor Walters stated that the he would like to keep the 2007 expenses at the County via new Resolution (instead of chargebacks), as it comes out of the County pocket anyway.

Chairman McMahon stated that the draft Resolution, being written by Treasurer Shawn Bowerman, is to be sent to the Finance Committee for policy discussion. There were no objections.

Item #4: Supervisors Jonker and Schumann made a motion and seconded, respectively, to sponsor the Resolution.

When queried by Supervisor Stagliano, County Attorney Doug Landon stated that the "gifts" mentioned on page six of the policy is an aggregate of all gifts received during the 12 month period.

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

Item #5: Chairman McMahon stated that the prior Resolution clarifies the discussion item, so further consideration or discussion is not needed. There were no objections.

Item #6, Other: RESOLUTION ADOPTING A FINANCIAL DISCLOSURE STATEMENT FORM FOR USE BY COUNTY OFFICIALS IN ACCORDANCE WITH ITS ETHICS RENEWAL LAW. This Resolution was moved to the full Board with a positive recommendation. There were no objections.

(Clerk's Note: This Resolution was already entertained in Committee and moved to the full board with a positive recommendation prior to this Committee meeting. This Resolution was entertained in error.)

Item #7, Other: Chairman McMahon stated that a draft Resolution needs to be prepared for the Finance Committee, authorizing the engineering work on the six previously approved FMCC projects. There were no objections.

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

Chairman McMahon adjourned the Education/Government Committee meeting at 7:37 PM.

Respectfully submitted,

## PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - HEALTH & HUMAN SERVICES 7:15 PM, January 9, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Jonker presided over the meeting commencing at 7:38 PM.

Roll call indicated Committee members present included Supervisors Quackenbush, Dybas, Strevy, Paton, Mancini and Thomas.

Additional Supervisors present were Supervisors Stagliano, Schumann, Di Mezza, Walters, Greco and McMahon. Supervisors Cechnicki and Johnson were absent.

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

- Resolution Amending 2007 Operating Budget Child Passenger Safety Grant (Public Health)
- 2. Resolution Amending 2007 Operating Budget Preparedness and Response to Bioterrorism Grant (Public Health)
- 3. Resolution Amending 2007 Operating Budget Immunization Action Plan Grant (Public Health)
- 4. Resolution Amending 2007 Operating Budget Lead Poisoning and Prevention Grant (Public Health)
- 5. Resolution Authorizing Chairman to Sign Agreement NYS DOH Early Intervention/Children with Special Health Care Needs (Public Health)
- 6. Resolution Authorizing Chairman to Sign Agreement NYS OFA Point of Entry Contract Long Term Care (Social Services)
- 7. Other
- Item #1: Supervisors Dybas 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: Supervisors Quackenbush 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: 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 #4: Supervisors Paton 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 #5: Supervisors Quackenbush 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.
- I tem #6: Supervisors Strevy and Dybas made a motion and seconded, respectively, to sponsor the Resolution.

When queried, Social Services Commissioner William Cranker stated that the \$52,000 figure as stated in the Resolution may not be an even split between DSS & OFA (the co-lead agencies). Treasurer Bowerman stated that the accounting of the split doesn't need to be on the Resolution, as the OFA vouchers will be paid from DSS Medicaid money.

Supervisor Dybas stated that the figures should be on the Resolution.

After polling by Chairman Jonker, the Resolution was moved to the full board with a positive recommendation. There were no objections.

Motion was made and seconded by Supervisors Quackenbush and Dybas, respectively, to adjourn the Committee meeting.

Chairman Jonker adjourned the Health & Human Services Committee meeting at 7:47 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - PUBLIC SAFETY 7:25 PM, January 9, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 7:48 PM.

Roll call indicated Committee members present included Supervisors Dybas, Greco, Strevy, Jonker and Schumann. Absent was Supervisor Cechnicki.

Additional Supervisors present were Quackenbush, Stagliano, Paton, McMahon, Walters, Mancini and DiMezza. Absent was Supervisor Johnson.

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

- Resolution Authorizing Chairman to Sign Agreement 2007 Annual Alternatives to Incarceration Performance-Based Service Plan (Youth Bureau/Alternative to Community Service Department)
- 2. Resolution Authorizing Rate Increases Part-Time Deputy Sheriffs and Corrections Officers (Sheriff)
- 3. Other

Item #1: Supervisors McMahon 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 Schumann 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.

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

Chairman Thomas adjourned the Public Safety Committee meeting at 7:50 PM.

Respectfully submitted,

## PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - GENERAL SERVICES 7:35 PM, January 9, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:51 PM.

Roll call indicated Committee members present included Supervisors Quackenbush, Stagliano, Paton, Greco and Strevy. Absent was Supervisor Cechnicki.

Additional Supervisors present were McMahon, Thomas, Mancini, Jonker and DiMezza. Absent were Supervisors Schumann, Johnson and Dybas

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

- Resolution Appointing Member of Montgomery County Sanitary Sewer District No. 1 Board of Directors
- 2. Resolution Setting up Capital Project Flood Damaged Annex Building (Public Works)
- Resolution Authorizing Chairman to Sign Engineering Services
   Agreement Annex Building Environmental Remediation Earth Tech,
   Inc. (Public Works)
- 4. Resolution Establishing Position Structural Maintenance Helper (Public Works)
- Resolution Establishing Position Mail/Material Specialist (Public Works)
- 6. Other

Item #1: 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 #2: County Treasurer Shawn Bowerman and DPW Commissioner Paul Clayburn clarified 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 #3: Commissioner Clayburn disseminated a document clarifying the Resolution.

Supervisors DiMezza 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.

(Clerk's Note: Commissioner Clayburn is going to send me a copy of the said document.)

Item #4: Commissioner Clayburn stated that the Custodian position related to the Resolution is vacant.

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.

I tem #5: Supervisors Paton and Strevy made a motion and seconded, respectively, to sponsor the Resolution.

Commissioner Clayburn clarified the need for the position upgrade and related rate increase as stated in the Resolution, when queried by Supervisor Jonker.

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

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

Chairman Walters adjourned the Public Safety Committee meeting at 8:01 PM.

Respectfully submitted,

### PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - PERSONNEL

6:30 PM, January 16, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 6:30 PM.

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

Additional Supervisors present were Stagliano, DiMezza, Jonker and Schumann. Absent were Supervisors Paton, Strevy, Dybas, and Cechnicki.

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

- 1. Presentation CanaRx Canadian Drug Program Review
- 2. Resolution Authorizing Chairman to Sign Renewal Agreement Midwest Employers Reinsurance Corporation Excess Workers Compensation Coverage (Personnel)
- 3. Discussion Regarding Non-Bargaining Salary Adjustment Project
- 4. Other

Item #1: CanaRX representative Chris Collins, Benetech Pres. Barry McNamara and Representative Pat Baia spoke regarding the Canadian Drug Plan.

Pres. McNamara spoke on recouping the retiree drug subsidy, the mail order program, and two new initiatives: 1) joint RFP for County program & City of Amsterdam program by 7/1/07, as well as a low-cost, Medicare supplemental program, and 2) finalizing secure online access ("E-Benefit") via a County-provided website.

Supervisor Paton entered Chamber at 6:35 PM.

Chairman Di Mezza thanked CSEA for their support in the program, and stated that the CSEA newsletter will highlight the program.

Rep. Collins disseminated a document to the Board outlining related cost savings during the last quarter, the top-25 maintenance medications previously ordered, and a partial formulary.

Chairman DiMezza stated that a note will be put in with the paychecks offering the program.

Supervisor Thomas entered Chamber at 6:45 PM.

Item #2: Supervisors DiMezza and Mancini made a motion and seconded, respectively, to sponsor the Resolution.

Chairman Di Mezza clarified the Resolution.

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

Item #3 (formerly item #4, Other): Add-on Resolution Appointing Members - Montgomery County Soil & Water Conservation District Board of Directors.

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.

Supervisor Strevy entered chamber at 6:55 PM.

Item #4 (formerly item #3, "Discussion Regarding Non-Bargaining Salary Adjustment Project"): Chairman Quackenbush disseminated a two-page document to the Board titled "MC Non-Bargaining Salary Review", which also included a spreadsheet comparing Montgomery County with Fulton, Westchester, Yates, Wyoming and Saratoga counties (population, income, home values, tax estimates, etc)

He stated that the information was carefully compiled by Personnel Officer Rich Baia, Board of Supervisors Administrative Aide Jacki Meola and County Treasurer Shawn Bowerman.

He also asked the present Committee and Board members if the information should be forwarded to the Labor Management Committee for consideration, or if they had other opinions.

Supervisors McMahon, Greco and Schumann stated that they feel that the Personnel Committee can handle the project to cover all non-bargaining personnel.

Supervisor Thomas asked that special consideration be given to the employees who haven't received raises (or a comparable raise) in the past.

Chairman DiMezza feels the information should go to the Labor Management Committee before being heard in Personnel Committee.

Supervisor Schumann requested to see a more detailed analysis (data) on the subject, and that the Committee and Board shouldn't feel rushed on this important issue.

Chairman Quackenbush recommended to the Committee that the information go to the Labor Management Committee for consideration.

Supervisor Stagliano clarified the Labor Management Committee's duties and responsibilities and talked about bargaining vs. non-bargaining discrepancies between counties. He feels that all employees should be fairly considered to be equitable.

Chairman DiMezza stated that Bargaining employees will be bargaining in 2008, as stated in their contract.

Chairman Quackenbush encouraged carefully studying the impact to taxpayers and other related considerations.

Chairman DiMezza stated that if necessary, separate Personnel Committee meetings can be held to work on this issue.

Supervisor McMahon, Mancini and Greco stated that job details should be entertained in Executive Session in Personnel Committee, bypassing the Labor Management Committee.

Supervisor Thomas stated that members of the Labor Management Committee (Personnel, Finance, Treasurer, Sheriff & Chairman) should be included as needed.

Chairman Quackenbush requested that the Board members submit any amendments to page one of the disseminated documents by Tuesday, 1/23/07, to Jacki Meola, Shawn Bowerman and Rich Baia. He stated that once the project gets underway, a realistic timeline can then be created.

(Clerk's note: The two-page document, as well as related minutes, will be sent to all absent Board members for consideration.)

Supervisors Mancini and Greco made a motion and seconded, respectively, to adjourned the Committee meeting.

Chairman Quackenbush adjourned the Personnel Committee meeting at 7:29 PM.

Respectfully submitted,

### PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - FINANCE

#### 6:45 PM, January 16, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Greco presided over the meeting commencing at 7:30 PM.

Roll call indicated Committee members present included Supervisors Jonker, Quackenbush, Mancini and McMahon. Supervisors Johnson and Walters were absent.

Additional Supervisors present were Supervisor Paton, Stagliano, Strevy, Thomas, Di Mezza and Schumann. Absent were Supervisors Cechnicki and Dybas.

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

- 1. Resolution Authorizing Chairman to Sign Agreements New York State Board of Elections (Board of Elections)
- 2. Resolution Amending 2007 Operating Budget Section 5311 Capital Project Grant (Board of Supervisors)
- 3. Resolution Increasing Title Grade Accountant (Treasurer)
- Resolution Delegating Erroneous Assessment Correction Approval Authority to County Auditor
- 5. Resolution Transferring Funds STOP DWI Reserve (STOP-DWI)
- 6. Resolution Authorizing Chairman to Sign Agreement Empire Zone Administration Services
- 7. Discussion Regarding Montgomery County Revolving Loan Fund
- 8. Other

Item #1: This Resolution, previously sponsored by Supervisor Schumann and Paton, was moved to the full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Quackenbush and Strevy made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Stagliano asked County Attorney Doug Landon about indemnity. County Attorney Landon stated that he will take another look at the issue before the Committee and any questions will answered more fully at next week's Full Board meeting.

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

Item #3: Supervisors McMahon 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 #4: Supervisors McMahon 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 #5: Supervisors McMahon and Mancini made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Stagliano expressed his concern over indemnity and also a recent critical newspaper editorial. He recommended that the police car go to the Sheriff's Dept instead of back to the County for disposition, as stated in the eighth WHEREAS.

STOP-DWI Coordinator Jen Petteys outlined enforcement, the current STOP-DWI reserve fund (\$105,000) and disposition of previous vehicles. She also spoke in support of the Resolution and the benefits of said vehicle.

Supervisor Quackenbush recommended that the used car not be returned to the County. He also stated that perhaps each of the five townships and municipality (in rotation) receive a new car every five years.

Chairman DiMezza stated that funds are currently available for this 4WD vehicle, which will be used for STOP-DWI business exclusively.

Supervisors Strevy and Mancini spoke in support that the vehicle not returning to the County for

di sposi ti on.

Based on the recommendations of the Board members, Attorney Doug Landon will work on specific new language for the Resolution that will clarify the purchase and disposition of said vehicle. To clarify, the City of Amsterdam agrees to use the sum of money to purchase the vehicle and use it accordingly.

Supervisor Quackenbush suggested giving the monetary value of the vehicle to STOP-DWI outright.

Supervisor Jonker stated that it would be more cost effective to purchase a non-4WD vehicle.

The Committee chose to move the Resolution to the full Board with no recommendation, so it can be formerly amended at the Full Board meeting. There were no objections.

Item #6: Supervisors Quackenbush 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 Schumann and Stagliano Left Chamber at 8:06 PM.

Item #7 (formerly item #8, Other): Add-on Resolution Authorizing Chairman to Sign Agreement - Phillip Associates - Design Plans and Specifications for Various 2007 Capital Projects (FMCC).

Supervisors McMahon 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 #8, OTHER: Supervisor McMahon stated that he would like to draft and sponsor a Resolution adjusting the water & sewer taxes on the Montgomery Meadows at closing. Supervisor Quackenbush seconded. This draft Resolution will be entertained during the regular Finance Committee meeting in February. There were no objections.

Item #9, OTHER: Chairman Greco stated that he has met with Treasurer Bowerman regarding the Finance Committee & budgets in general. He stated that every month (in arrears), a status report will be presented regarding the budget, appropriations, fund balance & contingency fund. There were no objections.

Item #10, Other: Chairman Greco stated that the percentage of mandated vs. controlled services should be voluntarily listed on County tax bills. There were no objections.

Supervisor Strevy volunteered to provide a copy of Fulton County's bill for comparison.

Item #11, Other: Chairman Greco disseminated a memo to all Board members requesting that budget-related items come before the Finance committee prior to a Full Board meeting. There were no objections.

Item #12 (formerly item #7, "Discussion Regarding Montgomery County Revolving Loan Fund"): Pursuant to Section 105 (f) 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 financial history of particular person or organization. Executive Session commenced at 8:13 PM.

Motion to adjourn the Executive Session at 7:55 PM was made and seconded by Supervisors Jonker and Thomas, respectively.

As a result of Executive Session, EOD Director Ken Rose submitted a draft Resolution titled "RESOLUTION RECOMMENDING REVOLVING LOAN FUND AGREEMENT - UNIVERSAL CUSTOM MILLWORK, INCORPORATED".

The draft Resolution is sponsored and seconded by Supervisors Jonker and Quackenbush, respectively. The Resolution was moved to the full Board with a positive recommendation. There were no objections.

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

Chairman Greco adjourned the Finance Committee meeting at 8:43 PM.

Respectfully submitted,

### PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY REGULAR MEETING

7:00 PM, January 23, 2007

#### CALL TO ORDER

Chairman Di Mezza called the Regular Meeting of the Montgomery County Board of Supervisors for January 23, 2007 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, Stagliano, Dybas, Cechnicki, Schumann, Walters, Thomas, Jonker, Mancini and DiMezza were present.

#### MOMENT OF SILENCE

Chairman DiMezza asked for a moment of silence to honor the passing of Frances Diamond, former Commissioner of Social Services

#### PRIVILEGE OF THE FLOOR

A. Proclamation - Josh Beekman, City of Amsterdam Resident Academic and Athletic Achievement

Supervisor Dybas presented the Proclamation to Mr. Beekman in his absence. He outlined Mr. Beekman's many accomplishments both locally and at Boston College. He noted that December 30th, 2006, was named "Josh Beekman Day" in Amsterdam.

Chairman DiMezza presented former Supervisor Brian Haak with a plaque from the Board of Supervisors expressing appreciation for his dedication and work within the County and the Town of St. Johnsville.

Chairman DiMezza asked that all public comments be limited to three minutes, and a written copy of the public comment be provided to the Clerk of the Board for dissemination to all Board members.

Chairman DiMezza stated that if any Supervisors have any questions related to Resolutions or discussion items, to please contact Department Heads prior to Committee and Board meetings for clarification.

#### B. Public Comment

Chairman Di Mezza asked if anyone wished to speak.

Amsterdam Mayor Joseph Emanuele III congratulated the new Chairman and Vice Chair on their new appointments to the Board.

Also, he stated his dismay at being inappropriately notified of the increase in the MOSA tipping fee. He stated that all of the County municipalities should be unified in their objection to the fee increase, and encourages further consideration and discussion on the MOSA issue.

Chairman DiMezza adjourned the Privilege of the Floor at 7:11 PM.

#### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (Dec. 26, 2006 - Jan. 16, 2007) by Supervisor Quackenbush, seconded by Supervisor Johnson, passed with Aye(1868).

#### APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor McMahon, seconded by Supervisor Greco, passed with Aye(1765). Supervisor Strevy voted Nay.

#### UNFINISHED BUSINESS

TABLED RESOLUTION 432 OF 2006 - "RESOLUTION APPOINTING MOSA BOARD REPRESENTATIVES"

TABLED RESOLUTION 434 OF 2006 - "RESOLUTION APPOINTING MEMBERS-MONTGOMERY COUNTY OCCUPANCY TAX ADVISORY BOARD"

TABLED RESOLUTION 441 OF 2006 - "RESOLUTION RE-ESTABLISHING THE RESPONSIBILITIES OF RISK COORDINATION"

#### **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)

MOTION TO REMOVE FROM TABLE by Supervisor McMahon, seconded by Supervisor Strevy, passed with Aye(1868). (1/23/2007)

MOTION TO AMEND by Supervisor Greco, seconded by Supervisor Quackenbush to insert the name "DANIEL BAKER", passed with Aye (1/23/2007)

RESOLUTION ADOPTED with Aye(1868). (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 434, Supervisor Johnson stated that the second to last WHEREAS clause should be removed because there is no second appointee to name at this time. There were no objections.

#### **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-efficio 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)

MOTION TO REMOVE FROM TABLE by Supervisor McMahon, seconded by Supervisor Mancini, passed with Aye(1868). (1/23/2007)

MOTION TO AMEND by Supervisor Walters, seconded by Supervisor McMahon to strike the second to last WHEREAS clause, passed with Aye(1868). (1/23/2007)

RESOLUTION ADOPTED with Aye(1868). (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**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, Di Mezza, Quackenbush, Jonker and Haak voted Nay. Supervisor Cechnicki was absent. (12/26/2006)

THERE WAS NO MOTION TO REMOVE FROM TABLE, THEREFORE, THE RESOLUTION DIED. (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### **NEW BUSINESS**

#### A. Resolutions

#### B. Other

Attorney Doug Landon stated that the Public Hearing will be held on Feb. 27, 2007 at 6:55 PM in Chamber, as stated in Resolution 7. He also stated that Resolutions 8 & 9 should be tabled. There were no objections.

(Clerk's note: The Public Hearing was to be originally held on 1/23/07, but appropriate legal notice wasn't given in time, so the Public Hearing will occur on 2/27/07.)

#### **RESOLUTION NO.** 7 of 2007

**DATED:** January 23, 2007

RESOLUTION ESTABLISHING A PUBLIC HEARING ON INTRODUCTORY LOCAL LAW #1 OF 2007 - A LOCAL LAW ENTITLED 'THE MONTGOMERY COUNTY ETHICS RENEWAL LAW'

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 1 of 2007, a Local Law entitled "The Montgomery County Ethics Renewal Law"

RESOLVED, that Introductory Local Law No. 1 of 2007 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. SUPERSESSION 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.
- Š Exclusions from the Code of Ethics and from Transactional Disclosure. 103.
- Interests in Contracts with the County 104.
- § 105. Appearances by Outside Employers and Businesses of County Officers and Empl oyees.
- Annual Disclosure. 106.
- Applicant Disclosure. 107.
- 108. Void Contracts.
- 109. Penal ti es.
- 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.
- Š 205. Ethics Board: Jurisdiction, Powers, and Duties.
- Maintenance of Disclosure Statements. 206.
- § 207. Designation of Officers and Employees Required to File Annual Disclosure Statements
- 208. Review of Lists and Disclosure Statements.
- Investigations; Hearings. 209.
- § 210. § 211. Recommended actions.
- Wai vers.
- 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. "Gi 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.
- 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.

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.

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.

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) Seking 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. Mi sdemeanor.

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 1of 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 or 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 statemenť.
- § 208. Review of Lists and Disclosure Statements.
- 1. The Ethics Board shall review:
- 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 of 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. Wai vers.

- 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 through9 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.

FURTHER RESOLVED, that said public hearing shall be held Tuesday, February 27, 2007 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(1868). (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 8 of 2007 **DATED:** January 23, 2007

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW #4 OF 2006 - A LOCAL LAW ENTITLED 'THE MONTGOMERY COUNTY ETHICS RENEWAL LAW'

Resolution by Supervisor: Jonker Seconded by Supervisor: Schumann

WHEREAS, on December 26, 2006 a proposed Local Law for the County of Montgomery County entitled "The Montgomery County Ethics Renewal Law" was presented to the Board of Supervisors for consi derati on, and

WHEREAS, on December 26, 2006, Resolution 405 of 2006 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 23rd day of January, 2007 at the time and place appointed, and

WHEREAS, said public hearing has been held,

RESOLVED, that Introductory Local Law No. 4 of 2006 entitled "The Montgomery County Ethics Renewal Law" hereby is adopted and is incorporated 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. SUPERSESSION OF GENERAL MUNICIPAL LAW §808; 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.
- Code of Ethics for County Officers and Employees. 101.
- Transactional Disclosure. 102.
- 103. Exclusions from the Code of Ethics and from Transactional Disclosure.
- 104. Interests in Contracts with the County
- Appearances by Outside Employers and Businesses of County Officers and 105. Empl oyees.
- Annual Disclosure. 106.
- Applicant Disclosure. 107.
- 108. Void Contracts.
- 109. Penal ti es.
- Debarment.
- § 111. Injunctive Relief.

### PART B: ADMINISTRATIVE PROVISIONS

§ 201. Ethics Board: Establishment; Qualifications of Members; Appointment of Members;

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Term of Office.
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- § 202. Ethics Board: Vacancies.
- Removal of Members. 203. Ethics Board:
- 204. Ethics Board: Meetings.
- § 205. Ethics Board: Jurisdiction, Powers, and Duties. § 206. Maintenance of Disclosure Statements.
- Designation of Officers and Employees Required to File Annual Disclosure 207. Statements.
- ş 208. Review of Lists and Disclosure Statements.
- Investigations; Hearings. 209.
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- Annual Reports; Review of Ethics Laws. 214.
- § 215. Public Inspection of Records; Public Access to Meetings.
- 216. Mi scel I aneous provi si ons.
- § 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. "Gi 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

(a) Any activity, other than services to the country, from which the country officer of emproyee 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.

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.

- 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.

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.

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;

(Ď) Séeking 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. Mi sdemeanor.

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 1of 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
- 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 statemenť.
- § 208. Review of Lists and Disclosure Statements.
- 1. The Ethics Board shall review:
- 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 of 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. Wai vers.
- 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 through9 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. Mi scellaneous 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.

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

MOTION TO TABLE by Supervisor Walters, seconded by Supervisor Quackenbush, passed with Aye(1868). (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 9 of 2007

**DATED:** January 23, 2007

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

RESOLUTION ADOPTING A FINANCIAL DISCLOSURE STATEMENT FORM FOR USE BY COUNTY OFFICIALS IN ACCORDANCE WITH ITS ETHICS RENEWAL LAW

Resolution by Supervisor: Dybas Seconded by Supervisor: Schumann

WHEREAS, a financial disclosure statement form has been presented for use by County Officials in accordance with the County's Ethics Renewal Law,

RESOLVED, that the financial disclosure statement form, as attached hereto and made part of, is hereby adopted by the Montgomery County Board of Supervisors to be completed by County Officials in accordance with the County's Ethics Renewal Law.

MOTION TO TABLE by Supervisor Walters, seconded by Supervisor Johnson, passed with Aye(1868). (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

# **RESOLUTION NO.** 10 of 2007 **DATED:** January 23, 2007

RESOLUTION EXPRESSING APPRECIATION FOR THE SERVICES OF THE 2006 CHAIRMAN AND VICE CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS

Resolution by Supervisor: Full Board

Seconded by Supervisor:

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

WHEREAS, Chairman of the Board, Thomas L. Quackenbush and Vice-Chairman of the Board, Thomas P. DiMezza have presided over said matters in a judicious manner, providing for the successful conduct of business of this Board, and

WHEREAS, the Board of Supervisors desires to express its appreciation for the work of the Chairman and Vice-Chairman of the Board during 2006,

RESOLVED, that the Montgomery County Board of Supervisors hereby expresses its appreciation to Supervisor Thomas L. Quackenbush and Supervisor Thomas P. Di Mezza for their invaluable services as Chairman and Vice-Chairman of the Board during 2006.

RESOLUTION ADOPTED with Aye(1868). (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

# **RESOLUTION NO.** 11 of 2007 **DATED:** January 23, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NYS OFA - POINT OF ENTRY CONTRACT - LONG TERM CARE (SOCIAL SERVICES)

Resolution by Supervisor: Strevy Seconded by Supervisor: Dybas

WHEREAS, the Commissioner of Social Services has been notified by the New York State Office for the Aging of approval and award of funding for the County's Point of Entry Application for the Long Term Care Program, and

WHEREAS, the Commissioner has recommended entering into an agreement with the New York State Office for the Aging for said 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 the New York State Office for the Aging for the purpose of providing Long Term Care Point of Entry Services in an amount not to exceed \$52,000, for the period October 1, 2006 - September 30, 2007.

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas voted Nay. (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 12 of 2007 **DATED:** January 23, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NYS DOH - EARLY INTERVENTION/CHILDREN WITH SPECIAL HEALTH CARE NEEDS (PUBLIC HEALTH)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Schumann

WHEREAS, the Public Health Department has been awarded funding for the Early Intervention/Children with Special Health Care Needs programs, and

WHEREAS, the NYS Department of Health has approved the Public Health Department's operating budget for the contract period October 1, 2006 through September 30, 2007,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the 2006-07 EI/CSHCN funds, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign said agreement for the period October 1, 2006 through September 30, 2007.

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki abstained. (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 13 of 2007 **DATED:** January 23, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - LEAD POISONING AND PREVENTION GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Paton Seconded by Supervisor: Manci ni

WHEREAS, the Board of Supervisors authorized acceptance of the Lead Poisoning and Prevention Grant funds for the period commencing April 1, 2006 and ending March 31, 2007, and

WHEREAS, said funds were appropriated in the 2006 Operating Budget and the unexpended balance should be carried forward in the 2007 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget, as follows:

INCREASE REVENUE:

A-16-3-3401-05 Public Health Grant \$ 719.00

INCREASE APPROPRIATIONS:

A-16-4-4010-05 Public Health Grant

. 4408 Office Supplies \$ 250.00 . 4436 Medical Fees \$ 290.00 . 4445 Medical Supplies \$ 179.00

RESOLUTION ADOPTED with Aye(1868). (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

# **RESOLUTION NO.** 14 of 2007 **DATED:** January 23, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - IMMUNIZATION ACTION PLAN GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Schumann Seconded by Supervisor: Di Mezza

WHEREAS, the Board of Supervisors authorized acceptance of the Immunization Action Plan Grant funds for the period commencing April 1, 2006 and ending March 31, 2007, and

WHEREAS, said funds were appropriated in the 2006 Operating Budget and the unexpended balance should be carried forward in the 2007 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget, as follows:

### INCREASE REVENUE:

A-16-3-3401-03 Public Health Grant \$ 7356.26

INCREASE APPROPRIATIONS:

A-16-4-4010-03 Public Health Grant

. 2259	Computer Equipment	\$ 5250.00
. 4408	Office Supplies	\$ 174. 56
. 4409	Office Furniture	\$ 400.00
. 4445	Medical Supplies	\$ 1031. 70
. 4470	Travel Related Expense	\$ 250.00
. 4471	Mileage Expense '	\$ 250.00

RESOLUTION ADOPTED with Aye(1868). (1/23/2007)

Douglas Landon Kimberly Sanborn
County Attorney Clerk, Board of Supervisors

**RESOLUTION NO.** 15 of 2007 **DATED:** January 23, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - PREPAREDNESS AND RESPONSE TO BIOTERRORISM GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Manci ni

WHEREAS, the Board of Supervisors authorized acceptance of the 2006-07 Preparedness and Response to Bioterrorism Grant funds for the period commencing August 31, 2006 and ending August 30, 2007, and

WHEREAS, said funds were appropriated in the 2006 Operating Budget and the unexpended balance should be carried forward in the 2007 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget, as follows:

## INCREASE REVENUE:

A-16-3-3401-06 Public Health Grant \$ 73, 297. 02

INCREASE APPROPRIATIONS:

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

. 4407	Office Equipment	\$ 650.00
. 4408	Office Supplies	\$ 4925. 94
. 4409	Office Furniture	\$ 7400.00
. 4411	Tel ephone Expense	\$ 3421. 30
. 4425	Maintenance Agreements	\$ 1495. 26
. 4431	Professi onal Šervi ces	\$ 35000.00
. 4438	Misc. Supporting Svc.	\$ 3350.04
. 4445	Medical Supplies	\$ 5600.10

. 4446	Food Supplies	\$ 1280.00
. 4453	Postage	\$ 1000.00
. 4455	Trai ni ng	\$ 1000.00
. 4459	Computer Software	\$ 1000.00
. 4470	Travel Related Exp.	\$ 1000.00
. 4471	Mileage Expense .	\$ 1424. 38
. 4491		\$ 2250.00
. 4526	Education Programs	\$ 2500.00

RESOLUTION ADOPTED with Aye(1868). (1/23/2007)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

# **RESOLUTION NO.** 16 of 2007 **DATED:** January 23, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - CHILD PASSENGER SAFETY GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Dybas Seconded by Supervisor: Di Mezza

WHEREAS, the Board of Supervisors authorized acceptance of the Child Passenger Safety Grant funds for the period commencing October 01, 2006 and ending September 30, 2007, and

WHEREAS, said funds were appropriated in the 2006 Operating Budget and the unexpended balance should be carried forward in the 2007 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget, as follows:

INCREASE REVENUE:

A-16-3-3401-08 Public Health Grant \$3605.00

INCREASE APPROPRIATIONS:

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

.4449 Special Supplies & Materials \$3505.00 .4455 Training \$100.00

RESOLUTION ADOPTED with Aye(1868). (1/23/2007)

Douglas Landon Kimberly Sanborn

County Attorney Clerk, Board of Supervisors

**RESOLUTION NO.** 17 of 2007 **DATED:** January 23, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2007 ANNUAL ALTERNATIVES TO INCARCERATION PERFORMANCE-BASED SERVICE PLAN (YOUTH BUREAU/ALTERNATIVE COMMUNITY SERVICES DEPARTMENT)

Resolution by Supervisor: McMahon 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, 2007 and ending on December 31, 2007, 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(1868). (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

# **RESOLUTION NO.** 18 of 2007 **DATED:** January 23, 2007

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

Resolution by Supervisor: Schumann Seconded by Supervisor: Dybas

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

RESOLVED, that the Board of Supervisors hereby authorizes and directs that compensation for parttime Deputy Sheriffs and Correction Officers shall be as follows:

### CORRECTIONS OFFICERS

New	(Untrained)	-	after 6 Months	\$12. 75
New	(with less than 1 year experience)	-	after 6 months	\$12. 75
	(with 1 year experience or greater)			\$12. 75

### ROAD PATROL

New	(Untrained)	-	after	Basic Iraining	\$13.00
New	(with less than 1 year experience)	-	after	3 months	\$13.00
New	(with 1 year experience or greater)	_	upon s	start	\$13.00

#### , and

FURTHER RESOLVED, that movement will be based on skill level and Sheriff's approval, and FURTHER RESOLVED, that said increases shall take effect upon the first full payroll of June 2007. RESOLUTION ADOPTED with Aye(1868). (1/23/2007)

Douglas Landon County Attorney

Kimberly Sanborn Clerk, Board of Supervisors

# **RESOLUTION NO.** 19 of 2007 **DATED:** January 23, 2007

RESOLUTION APPOINTING MEMBER OF MONTGOMERY COUNTY SANITARY SEWER DISTRICT # 1 BOARD OF DIRECTORS

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Strevy

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, 2007 and ending on December 31, 2007.

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, 2007.

RESOLUTION ADOPTED with Aye(1868). (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors **RESOLUTION NO.** 20 of 2007 **DATED:** January 23, 2007

RESOLUTION SETTING UP CAPITAL PROJECT - FLOOD DAMAGED ANNEX BUILDING - PUBLIC WORKS

Resolution by Supervisor: Paton Seconded by Supervisor: Di Mezza

WHEREAS, on June 28, 2006, severe flooding occurred in the County and flooded the basement of the Annex Building, damaging asbestos containing material; and

WHEREAS, Federal and State disaster assistance will fund this project in the amount of \$185,750.00;

RESOLVED, the Board of Supervisors hereby approves this project and directs the County Treasurer to establish a capital project for the Annex Building Asbestos Abatement.

RESOLUTION ADOPTED with Aye(1868). (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 21 of 2007 **DATED:** January 23, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT - ANNEX BUILDING - ENVIRONMENTAL REMEDIATION - EARTH TECH, INC. (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Thomas

WHEREAS, the Board of Supervisors wishes to proceed with the asbestos abatement of the Annex Building, and said abatement cannot be completed until an environmental remediation has been completed;

RESOLVED, that the Chairman of the Board of Supervisor, 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 Annex Building Environmental Remediation;

FURTHER RESOLVED, that said services shall be provided at a cost not to exceed \$13,000.00.

RESOLUTION ADOPTED with Aye(1868). (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 22 of 2007 **DATED:** January 23, 2007

RESOLUTION ESTABLISHING POSITION - STRUCTURAL MAINTENANCE HELPER (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Manci ni

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 Custodian 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 (421) Custodi an \$24, 783. 00

TRANSFER TO:

A-12-4-1620.00.1110 (149) Hourly Employees Buildings \$24,783.00

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas voted Nay. (1/23/2007)

Douglas Landon County Attorney

Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 23, Supervisor Quackenbush stated that he will not be supporting future Resolutions with upgrades for existing positions as this should be done during budget time.

Supervisor McMahon stated that he supports any upgrades as needed.

RESOLUTION NO. 23 of 2007 **DATED:** January 23, 2007

RESOLUTION ESTABLISHING POSITION - MAIL/MATERIAL SPECIALIST (PUBLIC WORKS)

Resolution by Supervisor: Paton Seconded by Supervisor: Strevy

WHEREAS, it has been recommended that the position of Mail Clerk be upgraded to Mail/Material Specialist to better describes and compensate for the actual work performed,

RESOLVED, that effective January 1, 2007 the position of Mail/Material Specialist is hereby established in the Department of Public Works,

FURTHER RESOLVED, that beginning with the P/R period 2/5/07, the upgrade is to take effect retroactive to 1/1/07, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-12-4-1671-00-1110(83) Mail Clerk \$23,087.32 A-12-4-1671-00-4453 Postage Expense 1, 241.00

TRANSFER TO:

A-12-4-1671-00-1110(477) Mail/Material Specialist \$24, 328. 32

RESOLUTION ADOPTED with Aye(1868). (1/23/2007)

Douglas Landon

Kimberly Sanborn County Attorney Clerk, Board of Supervisors

Regarding Resolution 24, Supervisor McMahon stated that there are several Board of Elections issues that need to be addressed in the next Government/Education Committee, to be held 2/6/07.

Supervisor Greco agreed that there should be further discussion regarding policy, management, budgetary numbers and chargeback details at the Committee level.

Supervisor Thomas, Town of Glen, stated that he doesn't support the stated pay cut in the Resolution.

(Clerk's Note: The Town of Glen has historically paid more than stated in Resolution 24, hence the objection from Supervisor Thomas.)

**RESOLUTION NO.** 24 of 2007 **DATED:** January 23, 2007

RESOLUTION ESTABLISHING SALARIES - CHAIRPERSON - ELECTION INSPECTORS (BOARD OF **ELECTIONS**)

Resolution by Supervisor: Manci ni Seconded by Supervisor: Schumann

WHEREAS, Resolution 231 of 2005 established salaries for election inspectors of \$75 for a primary and \$125 for general election, and

WHEREAS, it has been recommended by the Board of Elections Commissioners that there be additional compensation for those election inspectors who serve as Chairperson during an election,

RESOLVED, that the Montgomery County Board of Supervisors does hereby establish the following salaries for those election inspectors who serve as Chairperson during an election:

Primary Elections - \$90 General Elections - \$140

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas voted Nay. (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 25 of 2007 **DATED:** January 23, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - NEW YORK STATE BOARD OF ELECTIONS - (BOARD OF ELECTIONS)

Resolution by Supervisor: Schumann Seconded by Supervisor: Paton

WHEREAS, the Board of Elections has been awarded grant funds in the amount of \$14,177.40 for polling site access and an additional \$6,811 for polling place access improvements and \$28,354.80 for Poll Worker Training and Voter Education, all of which will assist with the requirements of the Help America Vote Act, and

WHEREAS, said funding will require a local match of \$1,418, of which \$1,418 has been included in the 2007 budget,

RESOLVED, that the Board of Supervisors hereby approves acceptance of the NYS Board of Elections funding in the amount of \$14,177.40 for polling site access and an additional \$6,811 for polling place access improvements and \$28,354.80 for Poll Worker Training and Voter Education, 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 contracts related to said funding, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 operating budget as follows:

Increase Revenue:

A-11-3-3089 State Aid

\$ 49,344

Increase Appropriation:

A-11-4-1450-00-4438 Miscellaneous Support Services \$ 49,344

RESOLUTION ADOPTED with Aye(1784). Supervisor Thomas voted Nay. (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 26 of 2007 **DATED:** January 23, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - SECTION 5311 CAPITAL PROJECT GRANT (BOARD OF SUPERVISORS)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Strevy

WHEREAS, by Resolution 89 of 2006, the Board of Supervisors authorized acceptance of grant funds from the New York State Department of Transportation for the purchase of one thirty foot bus - estimated cost of \$105,000 to be utilized by Brown's Coach, the County's Third Part Provider of its Mass Transportation Program, and

WHEREAS, said funds were appropriated in the 2006 Operating Budget and the unexpended balance should be carried forward in the 2007 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget, as follows:

INCREASE REVENUES:

 A-01-3-1789 \$ 10,500 Other Transportation Income

INCREASE APPROPRIATIONS:

Bus Operations - Motor Vehicle Equipment \$105,000 A-01-4-5630-00-2230

RESOLUTION ADOPTED with Aye(1868). (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn

Clerk, Board of Supervisors

Supervisor Stagliano cautioned the Board on their approach to raises in general and its possible inequity with bargaining units.

Regarding Resolution 27, when queried, County Treasurer Shawn Bowerman stated that the salary will not attract many potential candidates.

# **RESOLUTION NO.** 27 of 2007

**DATED:** January 23, 2007

RESOLUTION INCREASING TITLE GRADE - ACCOUNTANT

Resolution by Supervisor: McMahon Seconded by Supervisor: Manci ni

WHEREAS, the title of Accountant is currently classified as a Grade "G" position in the agreement between the County and CSEA with a 2007 base salary of \$28,798, and

WHEREAS, the qualifications for this position far exceed the starting salary, requiring either a four (4) year degree or two (2) year degree with two (2) years experience with a minimum of fifteen (15) hours of accounting courses, and

WHEREAS, at the present time there exists two Accountant positions in the county, both being in the Treasurer's office, and

WHEREAS, numerous attempts to fill these vacancies have been unsuccessful and employee retention is difficult due mainly to the starting salary,

RESOLVED, that the title of Accountant hereby is increased to a Grade "I" position with a 2007 base salary of \$32, 204, and

FURTHER RESOLVED, that the County Treasurer will fund the increases in salary from within his

RESOLUTION ADOPTED with Aye(1382). Supervisors Schumann, Dybas, Jonker and Stagliano voted Nay. (1/23/2007)

Douglas Landon County Attorney

Kimberly Sanborn Clerk, Board of Supervisors

# RESOLUTION NO. 28 of 2007 **DATED:** January 23, 2007

RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL AUTHORITY TO COUNTY **AUDI TOR** 

Resolution by Supervisor: McMahon Seconded by Supervisor: Manci ni

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 2007, per provisions of Sections 554 and 556 of the Real Property Tax Law, and

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

RESOLUTION ADOPTED with Aye(1868). (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 29 of 2007 **DATED:** January 23, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - STOP DWI VEHICLE - CITY OF AMSTERDAM POLICE DEPARTMENT AND APPROPRIATING RESERVE FUNDS FOR SAID AGREEMENT (STOP DWI)

Resolution by Supervisor: McMahon Seconded by Supervisor: Manci ni

WHEREAS, the STOP-DWI Coordinator has recommended an allocation of reserve funding to the City of Amsterdam for the purchase of a STOP-DWI vehicle to assist in the reduction of DWI/DWAI offenses and to enhance enforcement of all alcohol-related incidents, and

WHEREAS, the Amsterdam Police Department filed 179 charges against subjects within the city during 2005 for allegedly violating Vehicle & Traffic laws under section 1192, and

WHEREAS, the addition of a vehicle would assist this department in its continuing efforts to enforce the DWI laws within the City of Amsterdam, and

WHEREAS, this vehicle will provide the ability to set up road checks as well as the capability of carrying the necessary equipment needed at the road checks and various officers at the same time, and

WHEREAS, the approval of the Stop-DWI Coordinator will be necessary in determining the most effective graphic detail on the vehicle to ensure the vivid representation of the Stop-DWI message,

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 the City of Amsterdam providing for the funding of the purchase of such a vehicle from the Montgomery County STOP-DWI Reserve Fund, providing for such vehicle to owned, maintained, insured and used by the City of Amsterdam, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget, as follow:

I NCREASE:

A-511 Appropriated Reserve – STOP-DWI \$27, 252.00

I NCREASE:

A-32-4-3315-00-4520 Stop-DWI/Law Enforcement Programs \$27,252.00

, and

FURTHER RESOLVED, that said agreement shall provide that any portion of said allocation not used for the purchase expense of said vehicle shall be returned to the Montgomery county STOP-DWI Reserve Fund by the City of Amsterdam.

RESOLUTION ADOPTED with Aye(1649). Supervisor DiMezza abstained. (1/23/2007)

Douglas Landon

County Attorney

Kimberly Sanborn

Clerk, Board of Supervisors

**RESOLUTION NO.** 30 of 2007 **DATED:** January 23, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PHILLIP ASSOCIATES - DESIGN PLANS AND SPECIFICATIONS FOR VARIOUS 2007 CAPITAL PROJECTS (FMCC)

Resolution by Supervisor: McMahon Seconded by Supervisor: Manci ni

WHEREAS, Resolution 446 of 2006 approved a revised Capital Project List at Fulton-Montgomery Community College which included studies related to the PE Building, The College Union, and the Classroom Building, and

WHEREAS, Resolution 448 of 2006 authorized and directed the distribution of Request for Proposals for said studies,

WHEREAS, Proposals have been received and recommendation has been made for said projects,

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 Phillips Associates of Saratoga Springs, NY, for engineering design services and bid specifications on the following approved 2007 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

 $\hbox{FURTHER RESOLVED, that this resolution is contingent upon passage of a similar resolution by the Fulton County Board of Supervisors.}$ 

RESOLUTION ADOPTED with Aye(1868). (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

# **RESOLUTION NO.** 31 of 2007 **DATED:** January 23, 2007

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

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Strevy

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, 2006 and ending on June 30, 2007, shall provide for a total annual payment of \$10,000 to the City Controller.

RESOLUTION ADOPTED with Aye(1868). (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors **RESOLUTION NO.** 32 of 2007 **DATED:** January 23, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT - UNIVERSAL CUSTOM MILLWORK, INCORPORATED (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Quackenbush

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 Universal Custom Millwork, Inc., and

WHEREAS, said applicant has requested a loan form the Economic Development Program for the purposes of working capital,

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, and any other legal documents necessary to process an economic development loan, in a principal amount not to exceed \$240,000 to Universal Custom Millwork, Inc., and

FURTHER RESOLVED, that the proceeds shall come from Montgomery County's Program Income Account, and

FURTHER RESOLVED, that said loan shall be payable in not more than 84 monthly installments, with interest of prime minus two (at the time of closing), 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(1868). (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

# **RESOLUTION NO.** 33 of 2007 **DATED:** January 23, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - MIDWEST EMPLOYERS REINSURANCE CORPORATION - EXCESS WORKERS COMPENSATION COVERAGE (PERSONNEL)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Manci ni

WHEREAS, the policy has expired on December 31, 2006 for Excess Workers Compensation coverage, and

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval by the County Attorney, is hereby authorized and directed to sign an agreement with Midwest for the provision of Excess Workers Compensation coverage for the period commencing on January 1, 2007 and ending on December 31, 2007 at a cost not to exceed \$85,202.00.

RESOLUTION ADOPTED with Aye(1868). (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

# **RESOLUTION NO.** 34 of 2007 **DATED:** January 23, 2007

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

Resolution by Supervisor: Schumann Seconded by Supervisor: Jonker

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

WHEREAS, said Board of Directors shall consist of two members of the County board, two persons

whom shall be practical farmers and one member-at-large, and

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

WHEREAS, the term of appointment for the two practical farmers have expired December 31, 2006, and

WHEREAS, the farm bureau and the grange have both made recommendation,

RESOLVED, that Scott Ryan and Brian Holloway are hereby reappointed as the practical farmers representatives 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(1868). (1/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### **OTHER**

Supervisor Quackenbush stated that he disseminated a document to all Supervisors outlining non-bargaining unit salaries, as well as a list of positions for consideration. He stated that Supervisor Dybas has suggested that an independent company would be better suited to explore options and make recommendations to the Board.

Supervisors McMahon and DiMezza stated that they feel the issue should remain in-house.

Supervisor Strevy questioned the adjustments in general.

## OTHER2

Supervisor Quackenbush stated the need for more discussion on subsidizing MOSA tipping fee.

Supervisor Stagliano stated that reconsideration and further discussion should occur in the General Services Committee.

Supervisor McMahon suggested that the Board consider legal relief from the contract.

Supervisor Walters, Chairman of the General Services Committee, encourages that all Mayors to attend a meeting to discuss a MOSA subsidy. He reminded the Board that the County has a contract with MOSA until 2014. He stated that other counties police their taxpayers, to make sure the garbage is going where it's supposed to go.

Supervisors Stagliano and Jonker made a motion and seconded, respectively, to draft a Resolution supporting an additional \$16/ton MOSA subsidy. There were no objections.

(Clerk's note: Supervisor Walters will contact the office to coordinate a General Services Committee meeting with the Mayors to discuss the MOSA issue.)

# **ADJOURNMENT**

MOTION TO ADJOURN by Supervisor Mancini, seconded by Supervisor Quackenbush, 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 MEETING - EDUCATION/GOVERNMENT 7:00 PM, February 6, 2007

#### COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Stagliano, Jonker, Paton, Johnson, Schumann and Cechnicki.

Additional Supervisors present were Supervisors Quackenbush, DiMezza, Mancini, and Thomas. Absent were Supervisors Greco, Strevy, Dybas and Walters.

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

- Discussion regarding Request for Supplemental Academic Funding -Fulton Montgomery Community College
- 2. Resolution Authorizing Closeout of Contract with Weatherguard Industries for the FMCC Library Roof Replacement Project (FMCC 2006 Capital Plan)
- 3. Discussion regarding Policy related to the Printing of Election Supplies and Billing Costs to the Municipalities (Board of Elections)
- 4. Other

Item #1: (Clerk's note: This discussion is a direct result of the discussion during the 8/15/06 Finance Committee meeting, which resulting in the rescinding of Resolution 251 of 2006 and reducing the \$100,000 FMCC budget to \$50,000, thereby matching Fulton County's actions.)

At the August 2006 Finance Committee meeting, several supervisors had suggested making a one-time donation/grant of \$50,000 to FMCC, to compensate for the loss of \$50,000. In response to that suggestion, President Dustin Swanger responded via memo on January 17, 2007 to Chairmans McMahon and Di Mezza listing the academic equipment that would be purchased with said donation/grant.

Supervisor Quackenbush asked President Swanger if Fulton County had been asked to contribute as well. President Swanger stated that he did not foresee Fulton County contributing more this year.

Chairman Di Mezza spoke in support of the \$50,000 donation/grant and stated he is sponsoring a draft Resolution authorizing the donation of funds to FMCC to purchase the specific academic equipment requested by President Swanger in his memo. Supervisor Schumann seconded this sponsorship.

Supervisor Stagliano stated that Montgomery County is not leveraging dollars and there would be no match.

When queried by Supervisor Stagliano, President Swanger stated that Montgomery County students would not receive any special financial benefit based on this contribution.

When queried by Supervisor Jonker, President Swanger stated that leveraging is not a simple process and would be a modification of the current plan. He stated that if both counties had come up with the originally budgeted \$100,000, the dollars would be leveraged against each other.

Supervisor Schumann supports the draft resolution in hopes that Fulton County will increase their FMCC contributions in the future.

Supervisor Cechnicki and Chairman McMahon stated their support of the timeliness of the draft resolution and the need for the stated academic equipment.

Supervisor Stagliano stated that Fulton County is our partner and both counties in the past of worked together on several issues. He stated that in our case he doesn't feel that the Montgomery County is not maximizing their funds and that it is county tax dollars that we are giving away. He also stated that we shouldn't be in competition or critical of Fulton County's actions.

Supervisor Quackenbush concurred.

Responding to a query by Supervisor Thomas, County Treasurer Shawn Bowerman stated that because Fulton County passed a resolution for \$50,000, Montgomery County had to retract Resolution 251 of 2006.

When polled, the Education/Government Committee moved the draft Resolution to the Finance

Committee with a positive recommendation.

Item #2: Supervisors Paton 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 #3: Supervisors DiMezza and Schumann made a motion and seconded, respectively, to sponsor RESOLUTION RESCINDING RESOLUTION 231 OF 2005 AND ESTABLISHING A NEW POLICY REGARDING PRINTING OF ELECTION SUPPLIES AND NO BILLING COSTS TO THE TOWNS, CITY OF AMSTERDAM AND VILLAGE OF FULTONVILLE.

Chairman McMahon stated that the question is whether to bill back to towns and villages or not. He supports that the discussion be forwarded to the Finance Committee.

Supervisor Schumann stated that for the calendar year 2006, all municipalities should be treated the same. She supports the county taking over the bill in 2007.

Supervisor Cechnicki is in opposition to the county making the payment. He stated his Town Board prefers status quo.

Chairman Di Mezza stated that the county should pick up the costs for 2007. He stated that all towns should pay their bill for 2006.

Treasurer Bowerman stated the loss of \$80,000.00 will create a hole right off the bat, because the revenue is already in the budget. He said that if a change is made, eight out eleven municipalities will realize a tax increase because of cost-sharing. He recommends that the whole issue remain status quo. He feels that the county should not be thought of as a bank for the municipalities and that there are some huge expenses that will be coming up in the future.

Supervisor Thomas recommends fully following the Election law, which states that municipalities can charge back the expenses.

Supervisor Schumann questioned the logic of charge backs.

Supervisor Jonker questioned where we should draw the line with charge backs for additional expenses such as janitorial services.

Supervisor Quackenbush stated that the towns should not be criticized for following the Election Law.

Election Commissioner Joan Grainer clarified the Election Law, stating that municipalities must have submitted a charge back letter of intent by June 1, 2006. She stated that certain municipalities did not comply.

Supervisor Schumann requested that the County Attorney Doug Landon provide Legal advice regarding charge backs in the Election Law at a future Committee meeting.

(Clerks Note: Attorney Landon was not present during the meeting, and RESOLUTION RESCINDING RESOLUTION 231 OF 2005 AND ESTABLISHING A NEW POLICY REGARDING PRINTING OF ELECTION SUPPLIES AND BILLING COSTS TO THE TOWNS, CITY OF AMSTERDAM AND VILLAGE OF FULTONVILLE was not given a sponsor or second.)

Supervisors Schumann and DiMezza made a motion and seconded, respectively, to table both add-on Resolutions and combine into one resolution, which will be entertained at the next Education/Government Committee meeting. There were no objections.

Item #4, Other: Discussion of A Local Law Entitled "THE MONTGOMERY COUNTY ETHICS RENEWAL LAW".

(Clerk's note: This references Resolution 8 of 2007, which is a tabled Resolution, awaiting public hearing on Feb. 27, 2007.)

Chairman DiMezza disseminated to all present supervisors a copy of the 20 page document titled same. He explained changes that he proposes to the document on pages one, two, five, six, seven, eight and nine.

Supervisor Schumann objected to the proposed wording changes on Page eight. She stated her support of Governor Eliot Spitzer's Executive Order which supports a two-year window between "employment relationships".

Chairman Di Mezza stated that county government should not be compared to state government. He also stated the proposed changes would restrict employees seeking outside employment.

Supervisor Stagliano stated that the county should demonstrate a certain degree of trustworthiness by adopting an Ethics Law. He also stated that the language should be clarified and supports allowing employment appeals via the Ethics Board.

Supervisor Cechnicki stated that even though we are not required by law to have the Ethics Law, the county should. He said that we should clean up the language and be in line with the state regarding the "revolving door law".

Supervisor Schumann clarified Governor Spitzer's Executive Order regarding the two-year ban.

Item #5, Other: Chairman DiMezza stated that the Montgomery County and Amsterdam Industrial Development Agencies met last night to discuss a proposal made by Governor Spitzer. He stated that the Governor is thinking of placing Montgomery County under the economic development umbrella which encompasses the western portion of the state. This would remove the County from the Capital District economic development district umbrella.

Chairmen Di Mezza and McMahon made a motion and seconded, respectively, to sponsor a draft resolution supporting continued affiliation with the Capital District for economic development purposes.

Supervisor Quackenbush left the chamber at 7:59 pm.

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

Motion was made and seconded by Chairmen DiMezza and McMahon, respectively, to adjourn the Committee meeting.

Chairman McMahon adjourned the Education/Government 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 COMMITTEE MEETING - GENERAL SERVICES 7:00 PM, February 13, 2007

#### COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Quackenbush, Stagliano, Paton, Greco and Strevy. Absent was Supervisor Cechnicki.

Additional Supervisors present were Johnson, McMahon, Thomas, Mancini, Jonker and Di Mezza. Absent were Supervisors Schumann and Dybas.

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

- 1. Presentation Montgomery County Transportation Proposal
- Resolution Adopting Contract Policy Montgomery County Sanitary District #1
- 3. Resolution Authorizing Chairman to Sign Amended GAT Subsidy agreement MOSA and Amending 2007 Operating Budget
- Resolution Approving 2007 Capital Projects Road Resurfacing (Public Works)
- 5. Resolution Approving 2007 Capital Projects Bridge Replacement (Public Works)
- 6. Resolution Awarding Bridge Replacement Contract Cranes Hollow Road BIN Nos. 3310250 & 3310310 (Public Works)
- 7. Resolution Awarding Bridge Replacement Contract Spring Street & Wagners Hollow Road BIN Nos. 3309680 & 3309780 (Public Works)
- 8. Resolution Approving 2007 Capital Projects Equipment Replacement (Public Works)
- 9. Other

Item #1: A map of Montgomery County outlining the proposed bus service was displayed for all to see.

Chairman Walters summarized a need in the County for a corridor transportation system. He summarized the CDTA feasibility study performed in 2006 for said issue. He read a list (provided by DSS) of employed and employable people (being serviced by DSS) who need transportation to and from work, also. He stated that the route should also include FMCC in some way, perhaps with Fulton County's cooperation to also include Wal-Mart Distribution Center and other businesses, in the future.

Chairman Walters stated that an RFP (for bus operator/maintainer) would be needed for the project, and confirmed that this program is not intended to compete with the Amsterdam bus service, but rather to expand the service they already provide.

Supervisor Schumann entered Chamber at 7:07 PM.

County Planner Doug Green spoke in support of a JARC (Job Access Reverse Commute) grant for \$140,000 that is available from NYS DOT to start a basic, core bus system for the County. He stated that the County must provide \$15,000 in matching funds (or approx. 11%), which could be offset by private business advertising on buses, etc. He stated the importance of teaming up with other providers that have buses or vans to help offset costs. He also spoke in support of a Public Transportation Program Capital Project grant, which would be for \$130,000. The local match would be \$13,000 (or 10%).

Supervisor Cechnicki entered Chamber at 7:11 PM.

John Reel and Jennifer Thorn from NYS DOT stated that their projected fares are based on \$1 per ride, to start, and clarified STOA revenue that is projected in Budget Appendix A of the proposed plan (which was disseminated to all Supervisors prior to the meeting within their packets).

Supervisor Walters stated that this program can be looked at as one, two or three-year trial basis. He feels it would be advantageous for the County to own the buses. He also stated that

Schoharie County has a curb-to-curb, 24-hour notice bus system, but feels Montgomery County is not ready to provide this kind of service.

Answering a query from Supervisor Greco, Social Services Director Bill Cranker stated that this kind of bus service would help alleviate "taxiing costs" for Social Services work programs.

Supervisor Quackenbush suggested RFPing an existing operator and using their buses for a trial period.

Chairman Walters stated that costs will be lower if the County owns the equipment, and supports pursuing RFPs. He stated that if the project fails, the buses would be available for other use or resale.

Supervisor DiMezza spoke in support of this proposed, cost-effective plan (with bus ownership).

Supervisor Stagliano cautioned that this project should be carefully considered, as the Amsterdam bus system seems to be in threat of discontinuation each year. He asked if a high-cost RFP could be subsidized by the County.

Chairman Walters stated that the fare could be modified, if more funding is needed.

Answering a query from Supervisor Jonker, Chairman Walters stated that if the cost of operation increases in future years, JARC funding could also increase.

Answering a query from Supervisor Jonker, Chairman Walters stated that RFPs can be pursued with or without County ownership of the equipment.

Supervisor Quackenbush stated his support of RFPs both ways.

The consensus of the Board is to pursue RFPs both ways.

Mr. Green disseminated a draft RFP to all Supervisors present.

Supervisors McMahon and DiMezza made a motion and seconded, respectively, to sponsor two draft Resolutions (to apply for the JARC grant and to pursue two RFPs) and move them to the full board with a positive recommendation. There were no objections.

(Clerk's note: The Board's consensus is to hold off on PTPCP grant [which would purchase the 20-passenger, handicap accessible buses] until RFP responses are received.)

Item #2: Supervisors Jonker 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: Chairman Walters stated that the add-on RESOLUTION REQUESTING MOSA COMPENSATE MUNICIPALITIES FOR UNANTICIPATED TIPPING FEE INCREASE FOR CURRENT FISCAL YEARS be entertained along with the Resolution listed as agenda item #3.

Chairman Walters summarized the meeting that was held with City and Village officials regarding this issue recently. He stated that the Villages want to go with County representatives to MOSA to request that MOSA pay the budget shortfall from January to May, but wish to add no burden to the County. He stated that some villages have depleted their fund balances due to the flood last fall.

Chairman Walters feels that MOSA will not support the add-on Resolution. He stated that he would like to table the "Resolution Authorizing Chairman to Sign Amended GAT Subsidy Agreement - MOSA - and Amending 2007 Operating Budget" due to the financial amendment that will be needed.

Supervisors Greco and DiMezza made a motion and seconded, respectively, to table the Resolution.

Supervisor Quackenbush stated that he'd like this Resolution passed and not tabled, so that the County's communities can be assured that the County is moving forward on this issue.

When Committee members were polled, the Resolution was tabled.

Regarding add-on RESOLUTION REQUESTING MOSA COMPENSATE MUNICIPALITIES FOR UNANTICIPATED TIPPING FEE INCREASE FOR CURRENT FISCAL YEARS, Supervisors Walters 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 #4: Supervisors Strevy 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: Supervisors Paton 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 #6: Supervisors Johnson and Greco made a motion and seconded, respectively, to sponsor the Resolution.

DPW Commissioner Paul Clayburn disseminated a multi-page document to all Supervisors titled "2006 Bridge Program", outlining bids. He stated that there is a large increase in costs of materials because considerable time has passed since the bids were pursued. He stated that he would like to award the project to Steven Miller General Contractors.

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

Item #7: Commissioner Clayburn recommends that the Board reject all bids at this time, because the Wagners Hollow Bridge will be 100% FEMA funded. He stated that he will re-bid the Wagners Hollow Bridge separately.

Supervisors Greco and Cechnicki made a motion and seconded, respectively, to sponsor a draft Resolution rejecting all bids and move it 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 the Resolution and move it to the full board with a positive recommendation. There were no objections.

Item #9, Other: There was no additional discussion.

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

Chairman Walters adjourned the Public Safety 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 COMMITTEE MEETING - HEALTH & HUMAN SERVICES 7:15 PM, February 13, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Jonker presided over the meeting commencing at 8:09 PM.

Roll call indicated Committee members present included Supervisors Quackenbush, Strevy, Paton, Mancini and Thomas. Absent was Supervisor Dybas.

Additional Supervisors present were Supervisors Cechnicki, Johnson, Stagliano, Schumann, Di Mezza, Walters, Greco and McMahon.

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

- Resolution Authorizing Chairman to Sign Amended Agreements Early Intervention Evaluators - for the Provision of Screening Services (Public Health)
- 2. Resolution Amending 2007 Operating Budget Lead Poisoning and Prevention Grant (Public Health)
- 3. Resolution Authorizing Chairman to Sign Amended Agreement St. Mary's Hospital Mental Health Services and Amending 2007 Operating Budget (Mental Health)
- 4. Discussion Mental Health Services at the Montgomery County Correctional Facility
- 5. Other

Supervisor Walters left Chamber at 8:09 PM.

Item #1: Supervisors Schumann 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.

Supervisor Stagliano Left Chamber at 8:10 PM.

Item #2: Supervisors Strevy 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 #3: Supervisors Schumann 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 #4: Director of Community Services Jim Gumaer outlined suicide risks at County jails, in general. He stated that 5% of inmates are seriously mentally ill, and should be in a supportive facility within the community, not necessarily in jail. He stated that the Mental Health department, as well as the jail and sheriff's office, are looking at alternatives for this 5% population, and encourages discussion with the Board of Supervisors.

Sheriff Mike Amato stated that this isn't a new issue. He stated that it's all about money to provide these services. He would like a mental health professional be stationed at the jail, providing services on an as-needed basis.

Director Gumaer supports a "Psychiatric Social Worker" being on-staff at the jail, as opposed to a "Psychiatrist".

Supervisor Thomas recommends re-examining the existing contract with St. Mary's, prior to pursuing outside services, to determine exactly what mental health services are being provided to the jail now.

Supervisor Thomas volunteered to meet with Mr. Gumaer, Sheriff Amato and the Jail Administrator, in order to come back to the Board with specific recommendations. There were no objections. Chairman Jonker stated that he would like to attend that meeting, also.

Supervisor Schumann stated her support with an investigation on what services St. Mary's is providing to the jail.

When queried by Chairman Jonker, Sheriff Amato outlined how an inmate is evaluated and classified when he/she is admitted into the jail, as well as state and federal reimbursements.

Supervisor Walters entered Chamber at 8:39 PM.

Item #5, Other: No discussion.

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

Chairman Jonker adjourned the Health & Human Services Committee meeting at 8:39 PM.

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - PUBLIC SAFETY 7:30 PM February 13, 2007

### 7:30 PM, February 13, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 8:40 PM.

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

Additional Supervisors present were Quackenbush, Johnson, Paton, Walters, Mancini and DiMezza. Absent were Supervisors McMahon and Stagliano.

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

- Discussion Regarding the Purchase and Installation of Road Signs (STOP DWI)
- 2. Resolution Appointing Members Montgomery County Fire Advisory Board (Emergency Management)
- 3. Resolution Appointing Members Montgomery County EMS Advisory Board (Emergency Management)
- 4. Resolution Amending 2007 Operating Budget NYS DOS Legislative Grant (Emergency Management)
- 5. Resolution Amending 2007 Operating Budget Department of Homeland Security Funding (Emergency Management)
- 6. Resolution Amending 2007 Operating Budget NYS Emergency Management Office Local Disaster Planning and Preparedness Funding (Emergency Management)
- 7. Resolution Amending 2007 Operating Budget Flood Relief Funding (Emergency Management)
- 8. Resolution Awarding Bid No. 02-07 Cap Unit (Emergency Management)
- Resolution Awarding Bid No. 03-07 Cargo Trailer (Emergency Management)
- Resolution Authorizing Request for Proposals Pharmacy Services -Corrections Facility (Sheriff)
- 11. Resolution Appointing Members Montgomery County Traffic Safety Board
- Resolution Authorizing Chairman to Sign Agreement FBI Rental of Tower Space - Oak Ridge Site (Sheriff)
- Resolution Authorizing Chairman to Sign Agreement Local Emergency Management Assistance Participation Agreement
- 14. Resolution Authorizing Chairman to Sign Agreement Global Tel Link Inmate Phone Services (Sheriff)
- Resolution Amending 2007 Operating Budget Forfeiture of Crime Proceeds (Sheriff)
- 16. Resolution Upgrading Work Project Supervisor Position to Community Service Program Coordinator (Probation)
- 17. Other

Item #1: STOP DWI Coordinator Jennifer Petteys displayed an anti-DWI sign that is used in Pennsylvania, which was discovered by Chairman DiMezza. Chairman DiMezza stated that ten signs will be displayed on county roads throughout his Town.

Coordinator Petteys stated that the cost of each sign would be approximately \$85.00, and could be displayed on county and village roads.

Supervisor Quackenbush Left Chamber at 8:42 PM.

Chairman DiMezza stated that he feels his Town will surely contribute toward the cost of the signs.

Chairman Thomas also supports the signs to be displayed in the Town of Glen.

DPW Commissioner Paul Clayburn recommended that the County DPW department install all signs, to keep track of the locations and conditions of the signs.

Responding to a query by Supervisor Schumann, Ms. Pettey's stated that funds from DWI could possibly be used.

Supervisor Thomas requested that each Supervisor provide a count of how many signs they'd like, and a Resolution could be then formulated, authorizing the purchase, manufacture and installation of the signs.

Chairman DiMezza requested that Ms. Petteys take a digital photo and send it to all Mayors to get their impression. There were no objections.

Supervisors Mancini and DiMezza made a motion and seconded, respectively, to sponsor and move a draft Resolution (authorizing the use of DWI funding) to the full Board with a positive recommendation. There were no objections.

Chairman Thomas stated that these signs should be presented to the Thruway Authority in Albany also, for placement at exits.

Supervisor Schumann stated that color might be an issue with the Thruway Authority, and an inquiry will be needed.

Item #2: Supervisors Strevy and Jonker made a motion and seconded, respectively, to sponsor and move the Resolution to the full Board with a positive recommendation. Supervisor Schumann objected, with no explanation.

Item #3: Supervisors Schumann 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 #4: 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 #5: Supervisors Schumann 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 #6: Supervisors Jonker 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 #7: Supervisors Schumann 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 #8: Supervisors Schumann 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 #9: Supervisors Schumann 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 #10: Supervisors Schumann and Cechnicki 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 #11: Supervisors Jonker 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 #12: Supervisors 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: 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 #14: Supervisors Schumann 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 #15: 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 #16: 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 #17: Supervisors Mancini 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 #18, Other: Sheriff Amato stated that a Resolution might be needed in order to receive reimbursement from the state for the 911 program.

County Attorney Doug Landon stated a Resolution wouldn't be needed if there is already a Resolution on file.

Sheriff Amato stated that he is trying to locate any related Resolution prior to the next full Board meeting. There were no objections to a new Resolution, if one is needed.

Item #19, Other: Chairman DiMezza stated that he will close the County if we receive at least six inches of snow from the projected incoming snowstorm. There were no objections.

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

Chairman Thomas adjourned the Public Safety Committee meeting at 9:00 PM.

(Clerk's Note: Supervisor Thomas requested that space be left in the agenda for the next Full Board meeting for a presentation to the Sheriff's Dept., congratulating them on being honored and recognized state-wide for their work in prosecuting Meth labs. He stated that he will be in touch with the Board of Supervisors office in the near future regarding this.)

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, February 20, 2007

#### COMMITTEE MEETING DISCUSSION

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

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

 $\label{lem:constraint} \mbox{Additional Supervisors present were Paton, Strevy, Dybas, Jonker, and Cechnicki. Absent were Supervisors Stagliano, Di Mezza, and Schumann. \\$ 

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

- Resolution Authorizing Chairman to Sign Agreement MOU CSEA -Tuition Reimbursement (Personnel)
- 2. Resolution Amending Non-Bargaining Policy Tuition Reimbursement (Personnel)
- 3. Resolution Establishing Position Safety Officer and Amending 2007 Operating Budget (Purchasing)
- 4. Discussion regarding Non-Bargaining Personnel Salary Study
- 5. Resolution Establishing Position Part-time Clerk Typist and Amending 2007 Operating Budget (District Attorney)
- 6. Resolution Establishing Position Assistant District Attorney and Amending 2007 Operating Budget
- 7. Other

Item #1: Supervisors McMahon and Johnson made a motion and seconded, respectively, to sponsor the Resolution.

Personnel Officer Rich Baia clarified the Resolution and the related contract.

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

Item #2: 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.

I tem #3: Supervisors Jonker and Thomas made a motion and seconded, respectively, to sponsor the Resolution.

Chairman Quackenbush clarified the Resolution, stating that the Safety Officer will take the place of the Risk Coordinator, who was previously going to be Purchasing Agent Scott Surento.

Supervisor Jonker stated that in light of that, he withdraws his sponsorship of the Resolution, as he supports Mr. Surento.

Personnel Officer Baia stated that Mr. Surento and his secretary will perform the necessary clerical and administrative duties to support the Safety Officer, but Scott won't have the title of "Risk Coordinator". He stated that Gary Nestle is currently the "Safety Officer" in title only, as he has many other active duties and titles. He stated that he supports advertising for the position of "Safety Officer", which would be a focused position.

When queried by Supervisor Dybas, Treasurer Shawn Bowerman stated that if the safety plan is adopted, the County will receive a \$6,000 reduction of the NYMIR premium, which will offset the salary of the Safety Officer.

Supervisor Thomas stated that, with the loss of the Meadows, the Purchasing Officer has fewer duties, and that the additional duties shouldn't overwhelm the Purchasing Office.

Supervisor Jonker stated that he will pick up his sponsorship again.

The Committee chose to move the Resolution to the full Board with a positive recommendation. Chairman Quackenbush objected.

Item #4: Personnel Officer Baia stated that 95% of non-bargaining employees responded to the survey. He stated that there are seven additional counties that could be looked at for salary comparisons, but aren't population compatible. He also asked the Committee what the time frame was for making any salary adjustments (for example, July 1st, or retroactive to Jan. 1st).

Supervisor Greco stated that the study should be completed before deciding when adjustments will be made.

Mr. Baia stated that in the March Personnel Committee meeting he'll have more updated information to share.

Item #5: Personnel Officer Baia clarified the Resolution, and will state the hourly rate at the full Board meeting.

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. Chairman Quackenbush objected.

Item #6: Supervisors Johnson and Mancini made a motion and seconded, respectively, to sponsor the Resolution.

Chairman Quackenbush stated that the two Resolutions pertaining to the DA's office should have been considered during budget time.

County Attorney Doug Landon stated that the entire salary as listed wouldn't be needed, as two months have already passed in 2007.

Supervisor Thomas stated that he doesn't support using Contingency Fund monies to support the position.

Chairman Quackenbush stated that at the full Board meeting the Board can decide where the money comes from.

When queried by Supervisor Strevy, Attorney Landon stated that, as of April 1, 2007, the Amsterdam City Court will have a full-time judge, which will require more time to prosecute cases, requiring the new position of Assistant DA. He also stated that no revenues from the court will be coming back to the County.

Supervisor Walters stated that the Resolution doesn't match the attached backup information.

Supervisor Dybas recommends that the Committee table the Resolution for additional research and discussion.

Supervisors McMahon and Thomas made a motion and seconded, respectively, to table the Resolution and return it to the DA's office for additional consideration. There were no objections.

Supervisors Thomas and Johnson made a motion and seconded, respectively, to adjourned the Committee meeting.

Chairman Quackenbush adjourned the Personnel Committee meeting at 7:47 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

7:15 PM, February 20, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Greco presided over the meeting commencing at 7:49 PM.

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

Additional Supervisors present were Jonker, Paton, Strevy, Dybas, and Cechnicki. Absent were Supervisors Stagliano, Di Mezza and Schumann.

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

- Discussion regarding Legislation to Eliminate Local Cable Franchising Process
- 2. Resolution Authorizing Disbursement of Surplus Dog License Funds (Treasurer)
- 3. Resolution Amending 2007 Operating Budget Supplemental Academic Funding Fulton Montgomery Community College
- 4. Resolution Modifying Montgomery County's Auction Policy
- 5. Resolution Authorizing Chairman to Sign Agreement Empire State Development Assistance with Training for the upcoming 2010 Census. (Economic Development)
- 6. Discussion regarding a letter from Schoharie BOS Chairman to Governor Spitzer regarding concerns on how equalization rates are calculated
- 7. Other

Item #1: Time Warner Cable representative Steven Shay clarified the new legislation to eliminate the local cable franchising process as it currently exists. He stated that the legislation may affect Montgomery County, even with it's rural population.

Mr. Shay stated that, as the legislation states, there would be no local negotiating (or control) of services.

Supervisor Dybas questioned on the need for a cable franchise.

Supervisor Walters stated that since cable TV isn't offered in his town, he supports any company (including a telephone company) offering cable service.

Supervisor Johnson stated that she feels that the County doesn't need to move on this issue at this time.

Item #2: Supervisors Quackenbush 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.

Supervisor Cechnicki left Chamber at 8:05 PM.

Item #3: Previously sponsored by Supervisors DiMezza and Schumann.

Supervisor Dybas objects to the Resolution, and stated that state law dictates that a contribution cannot be lowered in subsequent years.

Attorney Landon stated that a separate "2007 grant" line item should be used.

Supervisor Strevy stated that he doesn't support this Resolution, as it may embarrass Fulton County. He recommends that more conversation take place with Fulton County to try to work together on supporting FMCC.

Supervisor Cechnicki entered Chamber at 8:11 PM.

Supervisor Dybas stated that he supports FMCC, but doesn't support funding this Resolution.

Supervisors McMahon, Quackenbush, Cechnicki and Johnson stated their support of the Resolution.

Supervisor Quackenbush stated that Montgomery County has no desire to shame Fulton County into providing their own contribution or grant to FMCC.

When queried, Chairman Greco stated that the County did not budget for the grant/contribution.

When polled, the Committee chose to amend the Resolution and move it to the full Board with a positive recommendation, taking the money from contingency account. There were no objections.

Supervisor Dybas left Chamber at 8:20 PM.

Item #4: Supervisors McMahon and Cechnicki made a motion and seconded, respectively, to sponsor the Resolution.

Attorney Landon clarified that any water and sewer bills back due will be paid by the County, and not by the new buyer.

Treasurer Bowerman and Supervisor Jonker stated that they don't support the Resolution.

Supervisor Thomas stated that it doesn't matter who pays the bills, as long as they are paid.

Supervisor Strevy Left Chamber at 8:37 PM.

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

Item #5: Supervisors Quackenbush 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 #6: Supervisor Cechnicki stated that he feels the best way to go is to have annual assessment of 100% to make a level playing field.

Supervisor Walters stated that he saw the Assessor fight with ORPS. He supports Schoharie's position and feels that Montgomery County should get on board with this issue, also.

Supervisor McMahon stated that it's financially unrealistic to do a re-evaluation yearly or every two years.

Supervisor Thomas stated that there will be a meeting with ORPS tomorrow in Albany that a couple of Supervisors will be attending, regarding a National Grid issue. They will be challenging ORPS's methodology.

Supervisors Jonker and Quackenbush Left Chamber at 8:45 PM.

Chairman Greco asked if the Board should draft a letter in support of Schoharie County.

Supervisor Thomas stated that he feels that the County should go even further than that.

Item #7, Other: Treasurer Bowerman disseminated a document to the present Board members outlining the budget appropriations through January.

Supervisors Walters and Johnson made a motion and seconded, respectively, to adjourned the Committee meeting.

Chairman Greco adjourned the Finance Committee meeting at 8:47 PM.

(Clerk's note: I asked Chairman Greco after the adjournment for clarification on the decision on agenda item #6. He stated that the County should contact Schoharie County for additional information if needed, and draft a Resolution and bring before the full Board asking the Governor to challenge ORPS's methods.)

(Clerk's follow-up note: On 2/21/07, I spoke with Karen Miller, Clerk for the Board of Supervisors of Schoharie County. She asks that Montgomery County send a "copy and paste" letter to the Governor, the same that was sent by the Chairman of the Schoharie Board of Supervisors. She stated that David Williams from ORPS will be attending their next Board meeting on March 16, 2007 to do a presentation and answer questions at 1:00 PM. She stated that, based on the presentation, Schoharie County will decide at that time whether or not to write a Resolution. She invited any and all Montgomery County Supervisors to attend the meeting, which will be held in the County Office Building in Schoharie. For more information, please call Ms. Miller at 518/295-8347.

I spoke with Chairman Greco regarding that phone call with Clerk Miller, and he supports writing a duplicate letter to Governor Spitzer, ccing Schoharie County and signed by Chairman Di Mezza, thereby holding off on a Resolution at this time.)

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

6:55 PM, February 27, 2007

INTRODUCTORY LOCAL LAW #1 OF 2007 - A LOCAL LAW ENTITLED "THE MONTGOMERY COUNTY ETHICS RENEWAL LAW"

#### PUBLIC HEARING DISCUSSION

Chairman Di Mezza called the Public Hearing to order at 6:55 PM.

The following notice was read:

INTRODUCTORY LOCAL LAW #1 OF 2007 - A LOCAL LAW ENTITLED "THE MONTGOMERY COUNTY ETHICS RENEWAL LAW"

NOTICE IS HERE BY GIVEN, that the Board of Supervisors of the County of Montgomery will meet in the Supervisors' Chambers, County Office Building, Route 30A (Broadway), Fonda, New York at 6:55 p.m. on Tuesday, February 27, 2007 for the purpose of holding a public hearing on a Local Law entitled "The Montgomery County Ethics Renewal Law".

FURTHER NOTICE is hereby given that copies of said Local Law are available at the Montgomery County Board of Supervisors, 20 Park Street, Fonda, New York where they may be inspected or procured by any interested persons during business hours.

By order of the Board of Supervisors of Montgomery County.

Chairman DiMezza asked if there were any speakers.

There were no speakers.

Chairman Di Mezza 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, February 27, 2007

#### CALL TO ORDER

Chairman DiMezza called the Regular Meeting of the Montgomery County Board of Supervisors for February 27, 2007 to order at  $7:00\ PM$ .

#### SALUTE TO THE FLAG

Supervisor Mancini led the Salute to the Flag.

#### MOMENT OF SILENCE

A moment of silence was observed for Montgomery County resident Richard Hanson, a former Fire Coordinator.

#### **ROLL CALL**

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

#### PRIVILEGE OF THE FLOOR

A. Proclamation - Liberty

Montgomery County Chapter

NYSARC, Inc.

50th Anniversary

Chairman Di Mezza congratulated Liberty on their 50th Anniversary and providing continued service to the community with their many programs.

Frank Capone, Executive Director of Liberty in Amsterdam, summarized the history of Liberty. He expressed appreciation, on behalf of the families that Liberty serves, to the County and Communities that support Liberty and their efforts to better the lives of challenged individuals.

Town of Root Supervisor Brian Cechnicki disseminated a document to all Supervisors titled "The Town of Root extends its thanks to the following for their assistance in the aftermath of the Town Highway Garage Fire (partial list through 2/27/07)". He gave thanks to the outpouring of support to the many communities that are providing road care coverage and other help during the crisis. He mentioned that Bill Lake Modular Homes are providing garage space for the borrowed equipment.

Town of Glen Supervisor John Thomas re-presented a plaque to Sheriff Mike Amato and Undersheriff Jeff Smith, which the Sheriff's Department received from the NY Sheriff's Association. The Plaque is for "Innovative Program of the Year Award", honoring the Sheriff's Dept. for their successful efforts at public awareness of Meth Labs and assisting local farmers in protecting their ammonia supplies by providing tank locks.

#### B. Public Comment

Chairman DiMezza asked if anyone wished to speak.

Ft. Plain Mayor Guy Barton asked the Board to consider subsidizing the increase in MOSA tipping fee, and to remove from the table "RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED GAT SUBSIDY AGREEMENT - MOSA - AND AMENDING 2007 OPERATING BUDGET". This Resolution was tabled during the General Services Committee meeting on 2/13/07.

Chairman DiMezza stated that the Board can change the rules to entertain the Resolution as an addon, but prefers it be entertained in Committee.

Chairman Di Mezza adjourned the Privilege of the Floor at 7:24 PM.

### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (Jan. 23, 2007 - Feb. 20, 2007) by Supervisor Schumann, seconded by Supervisor McMahon, passed with Aye(1868).

#### APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Jonker, seconded by Supervisor Dybas, passed with Aye(1802). Supervisor Cechnicki abstained.

#### **UNFINISHED BUSINESS**

TABLED RESOLUTION 8 OF 2007 - "RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW #4 OF 2006 - A LOCAL LAW ENTITLED "THE MONTGOMERY COUNTY ETHICS RENEWAL LAW"

TABLED RESOLUTION 9 OF 2007 - "RESOLUTION ADOPTING A FINANCIAL DISCLOSURE FORM FOR USE BY COUNTY OFFICIALS IN ACCORDANCE WITH ITS ETHICS RENEWAL LAW"

Regarding Resolution 8, County Attorney Doug Landon clarified the changes needed in the TITLE, the first and second WHEREAS, and the RESOLVED clauses.

Chairman DiMezza asked that his previously submitted amendments be voted on also.

(Clerk's note: Chairman DiMezza disseminated a 20 page document outlining his requested amendments during the Education/Government Committee meeting on 2/6/07. Those amendments were not available for viewing during the meeting. Supervisor Schumann had one copy and summarized a couple of points.)

Supervisor Schumann stated that she objects to the "revolving door" amendment.

Supervisor Strevy stated that he feels uncomfortable voting on a Resolution without the amendments in front of him.

Supervisor Cechnicki stated that he supports continued discussion on this issue, in a more appropriate Committee setting.

Several Supervisors stated that they will vote AYE in the light that the Local Law can be amended in the future.

Supervisor McMahon stated that he would like to the Attorney Landon's amendments passed, and Calls the Question on Chairman DiMezza's amendments.

#### RESOLUTION NO. 8 of 2007

DATED: January 23, 2007

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW #4 OF 2006 - A LOCAL LAW ENTITLED 'THE MONTGOMERY COUNTY ETHICS RENEWAL LAW'

Resolution by Supervisor: Jonker Seconded by Supervisor: Schumann

WHEREAS, on December 26, 2006 a proposed Local Law for the County of Montgomery County entitled "The Montgomery County Ethics Renewal Law" was presented to the Board of Supervisors for consideration, and

WHEREAS, on December 26, 2006, Resolution 405 of 2006 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 23rd day of January, 2007 at the time and place appointed, and

WHEREAS, said public hearing has been held,

RESOLVED, that Introductory Local Law No. 4 of 2006 entitled "The Montgomery County Ethics Renewal Law" hereby is adopted and is incorporated 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

(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. SUPERSESSION OF GENERAL MUNICIPAL LAW §808; 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.
- Code of Ethics for County Officers and Employees. 101.
- 102. Transactional Disclosure.
- Exclusions from the Code of Ethics and from Transactional Disclosure. 103.

104. Interests in Contracts with the County.

- § 104. § 105. Appearances by Outside Employers and Businesses of County Officers and Empl oyees.
- Annual Disclosure. 106.
- Applicant Disclosure. 107.
- 108. Void Contracts.
- 109. Penal ti es.
- 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.
- Ethics Board: Meetings. 204.
- 205. Ethics Board: Jurisdiction, Powers, and Duties.
- Maintenance of Disclosure Statements. § 206.
- Designation of Officers and Employees Required to File Annual Disclosure § 207. Statements
- Review of Lists and Disclosure Statements. 208.
- § 209. § 210. Investigations; Hearings.
- Recommended actions.
- 211. Wai vers.

- § 212. § 213. Advisory Opinions. Judicial Review.
- 214. Annual Reports; Review of Ethics Laws.
- § 215. Public Inspection of Records; Public Access to Meetings.
- 216. Mi scell aneous 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;

- (e) Discussions regarding regal 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. "Gi 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.
- 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.

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.

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.

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

- § 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 on business of a 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. Mi sdemeanor.

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 1of 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 wai vers 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 of 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. Wai vers.

- 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 through9 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.

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.

(2/27/2007)

MOTION TO TABLE by Supervisor Walters, seconded by Supervisor Quackenbush, passed with Aye(1868). (1/23/2007)

MOTION TO REMOVE FROM TABLE by Supervisor McMahon, seconded by Supervisor Dybas, passed with (2/27/2007)Aye(1868).

MOTION TO CALL THE QUESTION (on the DiMezza/Thomas amendments) by Supervisor McMahon, seconded by Supervisor Stagliano, passed with Aye(1663). Supervisors Schumann and Cechnicki voted Nay. (2/27/2007)

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Thomas as follows:

Section 2, paragraph 2 (Legislative Findings), to strike the following:

"This local ethics law seeks to fulfill those goals." and inserting "The residents and businesses of Montgomery County are entitled to have fair, ethical and accountable local government. Such a government requires that public officials:

· Comply with both the letter and the spirit of the laws and policies affecting operations of

the government.

Be independent, impartial and fair in heir judgment and actions. Use their public office for the public good, not for personal gain.

· Conduct public deliberations and processes openly, unless legally confidential, in an atmosphere of respect and civility.

This local ethics law seeks to fulfill these goals.", and

Section 3, paragraph 1 (Purpose), to rename Section "(e)" Section "(f)", and

Section 3, paragraph 1 (Purpose), to replace old Section (e) with the following:

"(e) Conduct of Members

Board of Supervisors members and municipal officers shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the Board of Supervisors, boards, commissions, committees, staff or the public.", and

Part A, section 100 (Definitions), item 8, to strike the following:

"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 deeded an advisory board for purposes of this paragraph.", and inserting in its place the following:

(1) All "local officers or employees," meaning the heads (other than local elected officials) of any agency, department, division, council, board, commission, or bureau of Montgomery County and their deputies and assistants, whether paid or not, and any other officers and employees of such agencies, departments, divisions, boards, bureaus, commissions, or councils who hold policy making positions, whether unpaid or not, as annually determined by the appointing authority and set forth in a written list which shall be promulgated by the Chairman of the Board each year, prior to January 31st after conferring with the relevant department heads. This list shall include the office, title or job classification of such officers and employees. The term "local officer or employee" shall not mean a Judge, Justice, officer or employee of the Unified Court System.

- (2) All "local elected officials," meaning the County Supervisors, the County Clerk, District Attorney, County Treasurer, County Sheriff and County Coroners.
- (3) All officers and employees whose duties are not of a majority ministerial in nature, or which include duties involving the negotiation, authorization, or approval of:
- (i) Contracts, leases, franchises, revocable consents, concessions, variances, special permits, licenses as defined in section seventy three of the public officers law; (ii) the purchase, sale, rental or lease of real property, goods or services, or a contract
- therefore;
- (iii) the obtaining of grants of money or loans, or (iv) the adoption or repeal of any rule or regulation having the force and effect of law.", and

Part A, Section 3 (Gifts), to strike the following:

"twenty-four" and insert "twelve", and

Part A, section 101, item 8 (Revolving Door), to strike the following:

"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.'

and insert the following:

"A County official who voted for a particular firm, project, and any County official who voted to create policy or guidelines for any firm, or project 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 six months after the termination of his or her County service or employment; however, there shall be a two year ban as to particular matters on which the County official personally worked on and then voted on while in County service.", and

Part A, Section 103, item 3 (Gifts), to strike the following:

"(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.",

and insert the following:

"Solicit, directly or indirectly, any gifts or receive or accept any gift having the value of seventy five (\$75.00) dollars, or more, whether in the form of money, services, loan, travel entertainment, hospitality, thing or promise, or in any other form, under circumstances in which it could be reasonably inferred that the gift was intended to influence him or her, or could reasonably be expected to influence him or her, in the performance of his or her official duties or was intended as a reward for any official action on his or her part.",

passed with Aye(1036). Supervisors Schumann, Dybas, Mancini, McMahon, Jonker, Cechnicki and Stagliano voted Nay. (2/27/2007)

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Strevy as follows:

to strike in the TITLE "#4 of 2006" and insert "#1 of 2007", and

to strike in the first WHEREAS "December 26, 2006", and insert "January 23, 2007", and

to strike in the second WHEREAS "December 26, 2006", and insert "January 23, 2007", and

to strike in the second WHEREAS "23rd day of January" and insert "27th day of February", and

to strike in the RESOLVED clause "#4 of 2006" and insert "#1 of 2007",

passed with Aye(1868). (2/27/2007)

RESOLUTION ADOPTED with Aye (1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

When queried by Supervisor Quackenbush, Attorney Landon stated that it is appropriate for a Supervisor to abstain from a vote when the vote could be perceived as an ethical issue.

Supervisor Quackenbush cautioned the Supervisors, stating that they need to be diligent when voting on Resolutions that could potentially be viewed as an ethical concern.

Regarding Resolution 9, Attorney Doug Landon stated that it would be wise to change the wording on the last question of the Financial Disclosure Statement to reflect the wording change in the Ethics law, based on a query by Supervisor Stagliano. There were no objections.

(Clerk's Note: The last question will read as follows: "Have you or any member of your immediate family receive a gift or gifts having a total fair market value in excess of \$75.00 from any organization that does business with Montgomery County, which could reasonably have been used to influence you in the performance of your official duties or was intended to reward an official action on your part?")

#### **RESOLUTION NO.** 9 of 2007

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

**DATED:** January 23, 2007

RESOLUTION ADOPTING A FINANCIAL DISCLOSURE STATEMENT FORM FOR USE BY COUNTY OFFICIALS IN ACCORDANCE WITH ITS ETHICS RENEWAL LAW

Resolution by Supervisor: Dybas Seconded by Supervisor: Schumann

WHEREAS, a financial disclosure statement form has been presented for use by County Officials in accordance with the County's Ethics Renewal Law,

RESOLVED, that the financial disclosure statement form, as attached hereto and made part of, is hereby adopted by the Montgomery County Board of Supervisors to be completed by County Officials in accordance with the County's Ethics Renewal Law.

MOTION TO TABLE by Supervisor Walters, seconded by Supervisor Johnson, passed with Aye(1868). (1/23/2007)

MOTION TO REMOVE FROM TABLE by Supervisor Jonker, seconded by Supervisor McMahon, passed with Aye(1868). (2/27/2007)

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Thomas as follows:

to strike (in the last question on the attached FINANCIAL DISCLOSURE FORM) "?" and to insert the following:

", which could reasonably have been used to influence you in the performance of your offical duties or was intended to reward an official action on your part?",

passed with Aye(1729). Supervisor Schumann abstained. (2/27/2007)

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### **NEW BUSINESS**

- A. Resolutions
- B. Other

### **RESOLUTION NO.** 35 of 2007

**DATED:** February 27, 2007

RESOLUTION AUTHORIZING CLOSEOUT OF CONTRACT WITH WEATHERGUARD INDUSTRIES FOR THE FMCC LIBRARY ROOF REPLACEMENT PROJECTS (FMCC 2006 CAPITAL PLAN)

Resolution by Supervisor: Paton Seconded by Supervisor: Johnson

WHEREAS, Resolution 270 of 2006 authorized a contract with Weatherguard Industries for the

Library Roof Replacement Project, and

WHEREAS, Clark Patterson Associates, the design engineer for said project, has determined that the work is substantially complete and recommends closeout of said contract,

RESOLVED, that upon the recommendation of Clark Patterson Associates, the Fulton County Treasurer is authorized to close out the contract with Weatherguard Industries, Inc., of Schenectady, NY for the FMCC Library Roof Replacement Project and release all retainage due, contingent upon receipt of written notification from the Fulton County Planning Director that all punchlist items have been completed:

Total Contract Amount \$119,359
Amount Paid to Date \$51,300
Bal ance Due \$68,095

, and

 $\hbox{FURTHER RESOLVED, that this resolution is contingent upon passage of a similar resolution by the Fulton County Board of Supervisors. } \\$ 

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas abstained. (2/27/2007)

Douglas Landon
County Attorney

Ki mberly Sanborn
Clerk, Board of Supervisors

**RESOLUTION NO.** 36 of 2007 **DATED:** February 27, 2007

RESOLUTION SUPPORTING 'DOWNSTATE' AFFILIATION WITHIN EMPIRE STATE DEVELOPMENT

Resolution by Supervisor: Di Mezza Seconded by Supervisor: McMahon

WHEREAS, Governor Spitzer has created the position of an "Upstate" Economic Development Official to oversee efforts to recruit new business and support existing businesses in the North Country, Central New York, Southern Tier and Western New York, and

WHEREAS, this new position will oversee the Upstate Headquarters as well as eight regional economic development offices, and will co-Chair the ESDC alongside the acting Downstate Chair.

WHEREAS, it has not been officially decided where the boundary lines will fall between Upstate and Downstate, but it has been speculated that Montgomery County will fall into the "Upstate" region, where the majority of the Capital District will fall into the "Downstate" region, and

WHEREAS, Montgomery County's economy and workforce is and always has been tied into the capital district region more so than central and western New York, and

WHEREAS, until recently, Montgomery County has been a part of the Albany- Schenectady-Troy Metropolitan Statistical Area, and

WHEREAS, over 84% of our population that commutes outside our County to work travels to counties in the downstate region. Additionally, over 85% of the workers that come to Montgomery County to work come from the counties in the proposed downstate region, and

WHEREAS, most of our populous also does a majority of their clothes and big purchase shopping to the east and in the capital district, and

WHEREAS, in our efforts regarding the Tech Valley initiative and being apart of said initiative, we have been able to build strong relationships with our partners to the east and Montgomery County will continue to work with them more so now that the AMD Chip Fab plant is becoming more of a reality,

RESOLVED, the Montgomery County Board of Supervisors calls upon Governor Spitzer and Economic Development Officials of New York State to consider Montgomery County's Downstate regional ties when deciding boundary lines between the Upstate and Downstate region and respectfully requests to be part of the Downstate Region for the above stated reasons.

RESOLUTION WITHDRAWN BY SPONSOR (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Supervisor Jonker clarified Resolution 37.

**RESOLUTION NO.** 37 of 2007 **DATED:** February 27, 2007

RESOLUTION ESTABLISHING CONTRACT POLICY - MONTGOMERY COUNTY SANITARY DISTRICT #1

Resolution by Supervisor: Jonker Seconded by Supervisor: McMahon

WHEREAS, the Montgomery County Sanitary District Board of Directors was created to provide administrative oversight of said district, and

WHEREAS, currently, contract approval is needed from both the Sanitary District Board of Directors and the Montgomery County Board of Supervisors, and

WHEREAS, seeking approval from both entities duplicates administration and produces procedural time constraints, and

WHEREAS, it has been recommended that a policy for contract approval be adopted that will streamline approach and completion of projects,

RESOLVED, that the Montgomery County Board of Supervisors does hereby adopt the following policy for contracts entered into by the Montgomery County Sanitary District:

- The Montgomery County Board of Supervisors shall adopt an Operating Budget for the Sanitary District
- 2. The Board of Directors of the Sanitary District shall adopt resolutions of approval for all contracted goods/services within said Operating Budget
- 3. Each contract for goods/services shall be reviewed and approved by the County Attorney as to form and content.
- 4. The Chairman of the Board of Directors of the Sanitary District shall be authorized and directed to sign such agreements.
- 5. Resolutions by the Montgomery County Board of Supervisors shall be obtained for any good/service not within the approved Operating Budget.

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 38, Supervisor Quackenbush stated that he supports a FURTHER RESOLVED amendment that would state that in the event that MOSA fails to honor this request, the County will provide subsidy. He stated that the amendment would show support for the local haulers.

Supervisor McMahon stated that the Board of Supervisors is throwing away all bargaining power.

Supervisors Schumann, Greco and Strevy stated that they support waiting to see what MOSA does first.

Supervisor Walters stated that because the Chairman of the MOSA Board is in the audience and is now aware that the County intends to subsidize the GAT, that MOSA has no incentive to help. He stated that the County should continue to look for an alternate solution to the MOSA issue.

Supervisor Stagliano stated his concern that the rural users (who pay per bag) won't be reimbursed.

**RESOLUTION NO.** 38 of 2007 **DATED:** February 27, 2007

RESOLUTION REQUESTING MONTGOMERY OTSEGO & SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY COMPENSATE MUNICIPALITIES FOR UNANTICIPATED TIPPING FEE INCREASE FOR CURRENT FISCAL YEARS

Resolution by Supervisor: Wal ters Seconded by Supervisor: Di Mezza

WHEREAS, the Montgomery Otsego & Schoharie Solid Waste Management Authority (MOSA) recently announced an increase in solid waste tipping fees of \$16 per ton effective January 1, 2007, and

WHEREAS, such increase was unexpected by municipalities which dispose of their solid waste through the MOSA system and, will result in unanticipated financial costs and budgetary shortfalls to the villages within Montgomery County and the City of Amsterdam for their current fiscal years, the budgets for which were established in early 2006,

RESOLVED, that the Montgomery County Board of Supervisors requests that MOSA discount its tipping fee or reimburse the villages within Montgomery County and the City of Amsterdam to the extent of the \$16 per ton increase for waste delivered by these municipalities to MOSA between January 1, 2007 and the end of said municipalities' current fiscal years, that being May 31, 2007 for the villages and June 30, 2007 for the City of Amsterdam, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors requests that Montgomery County representatives on the MOSA Board of Directors support adoption of such discount or reimbursement of the tipping see increase by the MOSA Board of Directors and encourage their fellow directors to do likewise.

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Dybas, by adding the following clause at the end of the Resolution:

"FURTHER RESOLVED, that in the event that MOSA fails to honor theis request, the Montgomery County Board of Supervisors agrees to subsidize the \$16 per ton increase for the remainder of the City and Villages respective fiscal years.",

was defeated with Aye(390). Supervisors Dybas, Quackenbush and Stagliano voted Aye. (2/27/2007)

RESOLUTION ADOPTED with Aye(1363). Supervisors Dybas, Quackenbush, Jonker and Stagliano voted Nay. (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 39 of 2007 **DATED:** February 27, 2007

RESOLUTION AUTHORIZING RFP - BUS SYSTEMS OPERATOR TO MANAGE AND MAINTAIN BUS ROUTES FOR MONTGOMERY COUNTY (OWNER OPERATED BUSES AND BUSES PURCHASED BY MONTGOMERY COUNTY) - (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: McMahon Seconded by Supervisor: Di Mezza

WHEREAS, the New York State Department of Transportation (NYSDOT) has available funding for a Jobs Access and Reverse Commute (JARC) grant program, which is intended to improve mobility and economic opportunity for New York State communities, and,

WHEREAS, the JARC program funding assists in improving mobility and economic opportunity for employees, low-income people, people with special needs and the elderly through the provision of new or expanded transportation services, and,

WHEREAS, the awarding of a JARC grant would allow the implementation of a "core" bus system that would serve the greatest number of residents at its onset, and offset transportation costs of Department of Social Services and other agencies, and

WHEREAS, Montgomery County is eligible to apply for a grant up the amount of \$140,000 with the local match for the grant being \$16,000; (\$9,000 from advertising and \$6,000 local cash commitment), and

WHEREAS, Montgomery County is interested in evaluating the feasibility of purchasing two (2) small 20 seat buses to operate the bus system with, and

WHEREAS, a Request for Proposals with 2 bids (one with operator owned buses and one with county owned buses) is sought to solicit a bus system operator to manage and maintain a bus system,

RESOLVED, that the Purchasing Agent, in cooperation with the Montgomery County Department of Economic Development and Planning, hereby is authorized and directed to solicit proposals as outlined above for operation and maintenance of bus routes in Montgomery County under a Jobs Access and Reverse Commute (JARC) program.

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors **RESOLUTION NO.** 40 of 2007 **DATED:** February 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - JOB ACCESS AND REVERSE COMMUTE (JARC) GRANT (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: McMahon Seconded by Supervisor: Di Mezza

WHEREAS, the New York State Department of Transportation (NYSDOT) has available funding for a Jobs Access Reverse Commute (JARC) grant program, which is intended to improve mobility and economic opportunity for New York State communities, and,

WHEREAS, the JARC program funding assists in improving mobility and economic opportunity for employees, low-income people, people with special needs and the elderly through the provision of new or expanded transportation services, and,

WHEREAS, Montgomery County is eligible to apply for a grant up the amount of \$140,000 with the local match for the JARC grant is \$16,000, of which \$6,000 is cash and \$9,000 will be from advertising, and

WHEREAS, Montgomery County is committed to providing an efficient transportation system to all its citizens, and

WHEREAS, Montgomery County is currently funding over \$ 214,000 per year in providing transportation services for work programs, low-income, elderly and Medicaid populations to the Department of Social Services, and

WHEREAS, the awarding of a JARC grant would allow the implementation of a "core" bus system that would serve the greatest number of employees and residents at its onset, and offset a portion of the Department of Social Services transportation costs,

RESOLVED, that upon review and approval by the County Attorney, the Chairman of the Board of Supervisors is hereby authorized and directed sign a agreement completed by the Montgomery County Department of Economic Development and Planning for a Job Access and Reverse Commute (JARC) Grant on behalf of the County.

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 41 of 2007 **DATED:** February 27, 2007

RESOLUTION APPROVING 2007 CAPITAL PROJECTS - ROAD RESURFACING (PUBLIC WORKS)

Resolution by Supervisor: Strevy Seconded by Supervisor: Di Mezza

WHEREAS, the Commissioner of Public Works has recommended resurfacing various County roads;

RESOLVED, that the Board of Supervisors hereby approves the resurfacing of various County roads as 2007 Capital Projects, at a cost not to exceed \$1,134,100.00, 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(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

RESOLUTION NO. 42 of 2007

**DATED:** February 27, 2007

RESOLUTION APPROVING 2007 CAPITAL PROJECTS - BRIDGE REPLACEMENT (PUBLIC WORKS)

Resolution by Supervisor: Paton Seconded by Supervisor: Greco

WHEREAS, the Commissioner of Public Works has recommended that three bridge replacement projects

be undertaken during 2007;

RESOLVED, that the Board of Supervisors hereby approves the replacement of Pawling Street, B.I.N. 3310230, in the Village of Hagaman; Triumpho Road, B.I.N. 3309670, in the Town of St. Johnsville; and Hessville Road, B.I.N. 3309520, in the Town of Minden; as Capital Projects at a cost not to exceed \$1,758,900.00, 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(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 43 of 2007 **DATED:** February 27, 2007

RESOLUTION AWARDING BRIDGE REPLACEMENT CONTRACT - CRANES HOLLOW ROAD - BIN NOS. 3310250 & 3310310 (PUBLIC WORKS)

Resolution by Supervisor: Johnson Seconded by Supervisor: Greco

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 of Mayfield for the bridge replacement project as follows:

Cranes Hollow Road, B.I.N. 3310250 Cranes Hollow Road, B.I.N. 3310310

, 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 of Mayfield, and

FURTHER RESOLVED, that said contract shall provide for payment in an amount not to exceed \$860, 470.62.

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 44 of 2007 **DATED:** February 27, 2007

RESOLUTION APPROVING 2007 CAPITAL PROJECTS - EQUIPMENT REPLACEMENT (PUBLIC WORKS)

Resolution by Supervisor: Johnson Seconded by Supervisor: Paton

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 2007 Capital Project, at a cost not to exceed \$359,000.00, and

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

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 45 of 2007 **DATED:** February 27, 2007

RESOLUTION REJECTING ALL BIDS - BID 05-07 - WAGNERS HOLLOW ROAD/SPRING STREET (PUBLIC WORKS)

Resolution by Supervisor: Greco Seconded by Supervisor: Cechni cki

WHEREAS, the Purchasing Agent, via Bid 05-07, solicited bids for the replacement of the Wagner's Hollow Road Bridge, BIN 3309780, and the replacement of Spring Street Bridge, BIN 3309680, and

WHEREAS, said bids were opened, but funding was inadequate, and

WHEREAS, the Commissioner of Public Works has recommended that all bids received in response to Bid 05-07 be rejected,

RESOLVED, that all proposals tendered to the Purchasing Agent, in response to Bid 05-07, hereby are rejected, and

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

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 46 of 2007 **DATED:** February 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENTS - EARLY INTERVENTION EVALUATORS - FOR THE PROVISION OF SCREENING SERVICES (PUBLIC HEALTH)

Resolution by Supervisor: Schumann Seconded by Supervisor: Manci ni

WHEREAS, the Montgomery County Public Health Department is mandated to provide for Early Intervention evaluation and screening services in accordance with Title II-A of Article 25 Public Health Law, Part 69 of Title 10 (Health), and

WHEREAS, the Montgomery County Public Health Department is currently approved, by the New York State Department of Health, as an approved provider of Early Intervention core and supplemental evaluation and screening services, and

WHEREAS, the Montgomery County Public Health Department has an established Early Intervention program evaluation team, and

WHEREAS, the Montgomery County Public Health Department would provide said Early Intervention screening through contractual agreements with various professionals approved as Early Intervention program providers by the New York State Department of Health, and

RESOLVED, that the Montgomery County Public Health Department may contract with appropriate professionals of the Montgomery County Public Health Early Intervention Program Evaluation Team to provide screening services at an all-inclusive rate of \$75.00, and

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

RESOLUTION ADOPTED with Aye(1802). Supervisor Cechnicki abstained. (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 47 of 2007 **DATED:** February 27, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - LEAD POISONING AND PREVENTION GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Strevy Seconded by Supervisor: Paton

WHEREAS, the Board of Supervisors authorized acceptance of the Lead Poisoning and Prevention Grant funds for the period commencing April 1, 2006 and ending March 31, 2007, and

WHEREAS, the New York State Department of Health has authorized an increase to the total grant funds allocated to the Montgomery County Public Health Department in the amount of \$350.00, and

WHEREAS, the New York State Department of Health requires that a contract amendment be executed for the additional funds for the period commencing April 1, 2006 and ending March 31, 2007,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the additional 2006-07 Lead Poisoning and Prevention Grant funds, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign the 2006-2007 grant contract amendment, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget, as follows:

INCREASE REVENUE:

A-16-3-3401-05 Public Health Grant \$ 350.00

INCREASE APPROPRIATIONS:

A-16-4-4010-05 Public Health Grant

. 4526 Education Programs \$ 350.00

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon Kimberly Sanborn

County Attorney Clerk, Board of Supervisors

**RESOLUTION NO.** 48 of 2007 **DATED:** February 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - ST MARY'S HOSPITAL - MENTAL HEALTH SERVICES AND AMENDING 2007 OPERATING BUDGET (MENTAL HEALTH)

Resolution by Supervisor: Schumann Seconded by Supervisor: Strevy

WHEREAS, Resolution 416 of 2006 authorized the signing of a contract with St. Mary's Hospital of Amsterdam, NY for the provision of Mental Health Services in an amount not to exceed \$65,000, and

WHEREAS, there will need to be in increase in that contract to cover the addition of a Case Manager, Mental Health Child and Clinic Plus start up costs and Disproportionate Share Hospital (DSH) transfer payment for 2006 through NYS DOH to be paid in 2007 through 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 amended agreement with St. Mary's Hospital of Amsterdam, NY for the provision of a Case Manager, Mental Health Child and Clinic Plus start up costs and Disproportionate Share Hospital (DSH) transfer payment for 2006 through NYS DOH to be paid in 2007 through the County, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

INCREASE REVENUE:

A-17-3-3490 State Aid - Mental Health \$507,000

INCREASE APPROPRIATIONS:

A-17-4-4320-00-4565 Mental Health Programs

Community Support System \$507,000

RESOLUTION ADOPTED with Aye(1729). Supervisor Greco abstained. (2/27/2007)

Douglas Landon Kimberly Sanborn

County Attorney Clerk, Board of Supervisors

**RESOLUTION NO.** 49 of 2007 **DATED:** February 27, 2007

RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY FIRE ADVISORY BOARD (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Strevy Seconded by Supervisor: Johnson

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,

FURTHER RESOLVED, that the following are hereby appointed as members of the Montgomery County Fire Advisory Board for a one-year term and these terms shall take effect immediately and continue through December 31, 2007.

#### REPRESENTI NG

100 Lafayette Street, Palatine Bridge 340 Mohawk Drive, Tribes Hill 132 Poplar Drive, Amsterdam 321 Locust Avenue, Amsterdam 2053 Burtonsville Road, Esperance Frank Nestle Canaj ohari e Daniel Carter Tribes Hill Mike Beyer Cranesville Ri chard DePasqual e Amsterdam Phil Bradt Burtonsville 742 Corbin Hill Road, Sprakers 11 Putnam Road, Fonda David Ramsey Charl eston Timothy Healey Richard Sager Fonda Fort Johnson Fort Plain 6 Horseshoe Drive, Johnstown 119 Reid Street, Fort Plain Ken Swain James Whipple 49 Prospect Street, Fultonville 405 Ingersoll Road, Fultonville Ful tonville Dale Furman GI en 32 Hagaman Avenue, Hagaman 1070 STHWY 163, Fort Plain 1249 STHWY 334, Fonda Nicholas M. Bartosik Hagaman Sherman Rockwell Charles Gray South Minden Town of Mohawk Keith Rackowski 292 Fort Hunter Road, Amsterdam FI ori da Raymond Tylutki Scott Bobar PO Box 187, Fort Hunter Fort Hunter 110 Lynk Street, Sprakers Rural Grove John Prime 1234 Latimer Hill, Canajoharie Ames 24 Kingsbury Avenue, St. Johnsville Jeffrey Swartz St. Johnsville James Šuidy 60 McNeir Avenue, Amsterdam Member at Large

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann voted Nay. (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 50, Emergency Management Director Gary Nestle stated that at the last EMS Advisory Board there wasn't a quorum.

The motion was made to table the Resolution, and to search for members who may be more active in the Board. There were no objections.

**RESOLUTION NO.** 50 of 2007 **DATED:** February 27, 2007

RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY EMS ADVISORY BOARD (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Schumann Seconded by Supervisor: Walters

WHEREAS, Resolution No. 79 of 2006 re-established the Montgomery County EMS Advisory board, with members being appointed for a one-year term,

RESOLVED, that the Montgomery County Board of Supervisors hereby makes the following appointments to said EMS Advisory Board for a one-year term effectuve January 1, 2007 through December 31, 2007:

APPOI NTEE	REPRESENTI NG	TERM EXPIRAT	ION
Kyle Haak Mayra Rodriguez G. Brian Harrington William Blanchard Tom Pasquarelli, Jr Kimberley Nikolaus Steve Kuck Mathew Wood Al Nadler Robert Furman	Ambulance Service - SAVAC Ambulance Service - SAVAC Ambulance Service - Mid-County Ambulance Service - Mid-County Ambulance Service - GAVAC Ambulance Service - GAVAC Ambulance Service - Rural Metro Ambulance Service - Rural Metro Fire Departments - 211/214/218/223 Fire Departments - 216/217	December 31, December 31, December 31, December 31, December 31, December 31, December 31, December 31, December 31, December 31,	2007 2007 2007 2007 2007 2007 2007 2007

2007 December 31, Julie Franchi Fire Departments - 206/209/219 Mark DeLafayette Fire Departments - 208/210 December 31, 2007 Patty Prime Fire Departments - 215/220/224 December 31, 2007 Don Wagner Fire Departments - 212/222 December 31, 2007 Fire Departments - 207/AFC Fire Departments - 213/221 December 31, December 31, Michael Whitty 2007 Pam VanAl styne 2007 St Mary's Hospital Robert Quist December 31, 2007 Medvac Airlift Services December 31, Mickey Swartz Public Health Educ. 2007 Public Health December 31, 2007 Twila Dopp December 31, Sheriff's Department - E911 Coord 2007 EMS Coordinator December 31, Carrie Newkirk 2007

MOTION TO TABLE by Supervisor Thomas, seconded by Supervisor Walters, passed with Aye(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 51 of 2007 **DATED:** February 27, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - NYS DOS LEGISLATIVE GRANT (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Strevy Seconded by Supervisor: Johnson

WHEREAS, the Board of Supervisors authorized acceptance of a legislative grant through the NYS Department of State in 2006, and

WHEREAS, said funds were appropriated in the 2006 Operating Budget and the unexpended balance should be carried forward in the 2007 Operating Budget

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget, as follows:

INCREASE REVENUES:

A-02-3-3960-00 Emerg Disaster Assistance \$11,885.40

INCREASE APPROPRIATIONS:

A-02-4-3640-00.4449 Special Supplies & Materials \$11,885.40

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon Kimberly Sanborn

County Attorney Clerk, Board of Supervisors

**RESOLUTION NO.** 52 of 2007 **DATED:** February 27, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - DEPARTMENT OF HOMELAND SECURITY FUNDING (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Schumann Seconded by Supervisor: Strevy

WHEREAS, the Board of Supervisors authorized acceptance of funds through the Department of Homel and Security in 2006, and

WHEREAS, said funds were appropriated in the 2006 Operating Budget and the unexpended balance should be carried forward in the 2007 Operating Budget

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget, as follows:

INCREASE REVENUES:

A-02-3-4389-00 Other Public Safety \$35, 186. 40

INCREASE APPROPRIATIONS:

A-02-4-3640-00. 2230 Motor Vehicle Equipment \$30, 186. 40 A-02-4-3640-00. 4455 Trai ni ng \$ 5,000.00

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon

Kimberly Sanborn Clerk, Board of Supervisors County Attorney

**RESOLUTION NO.** 53 of 2007 **DATED:** February 27, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - NYS EMERGENCY MANAGEMENT OFFICE - LOCAL DISASTER PLANNING AND PREPAREDNESS FUNDING (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Jonker Seconded by Supervisor: Strevy

WHEREAS, Emergency Management was awarded and received funds through the NYS Emergency Management Office for the purpose of Local disaster planning and preparedness, and

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget, as follows:

INCREASE REVENUES:

A-02-3-4305-00 Emergency Management Off. \$14, 912. 40

INCREASE APPROPRIATIONS:

A-02-4-3640-00. 2259 Computer Equipment \$ 7,456.20 A-02-4-3640-00. 4455 Trai ni ng \$ 7,456.20

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon Kimberly Sanborn

Clerk, Board of Supervisors County Attorney

RESOLUTION NO. 54 of 2007 **DATED:** February 27, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - FLOOD RELIEF FUNDING (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Schumann Seconded by Supervisor: Manci ni

WHEREAS, Costs and bills associated with the recovery effort from the June 28, 2006 flood continue to be incurred, and

WHEREAS, said funds were appropriated in the 2006 Operating Budget and the unexpended balances should be carried forward in the 2007 Operating Budget.

RESOLVED, that the Board of Supervisor hereby authorizes and directs the County Treasurer to amend the 2007 Operating Budget as follows:

INCREASE REVENUES:

A-02-3-3960-01 Emerg. Disaster Assist-State 318, 257. 48 A-02-3-4960-01 Emerg. Disaster Assist-Fed. 954, 772. 44

INCREASE APPROPRIATIONS:

A-02-4-3640-01-2259	Computer Equipment	\$	21, 087. 79
A-02-4-3640-01-2260	Other Equipment	\$	2, 508. 36
A-02-4-3640-01-4407	Office Equipment	\$	3, 762. 88
A-02-4-3640-01-4408	Office Supplies	\$	1, 910. 45
A-02-4-3640-01-4409	Office Furni ture		12, 574. 82
A-02-4-3640-01-4422	Equi p. Rental /Lease/Repai r	\$	129, 936. 74
A-02-4-3640-01-4438	Misc. Supporting Services	\$1,	006, 727. 10
A-02-4-3640-01-4449	Special Supplies & Materials	\$	93, 552. 04
A-02-4-3640-01-4471	Mileage Allocations	\$	969 74

RESOLUTION ADOPTED with Aye(1868). (2/27/2007) Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

RESOLUTION NO. 55 of 2007

**DATED:** February 27, 2007

RESOLUTION AWARDING BID NO. 02-07 - CAP UNIT (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Schumann Seconded by Supervisor: Johnson

WHEREAS, the Purchasing Agent was authorized to solicit bids for a slide in cap unit for an 8'

truck bed for the Emergency Management Department, and

WHEREAS, said bids were opened on January 31, 2007,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 02-07 to Cargobody Products USA LLC

of Rock Rapids, IA for a total price of \$8,535.00.

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 56 of 2007 **DATED:** February 27, 2007

RESOLUTION AWARDING BID NO. 03-07 - CARGO TRAILER (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Schumann Seconded by Supervisor: Manci ni

WHEREAS, the Purchasing Agent was authorized to solicit bids for a cargo trailer for the

Emergency Management Department, and

WHEREAS, said bids were opened on January 31, 2007,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 03-07 to The Trailer Connection of

Richmondville, NY for a total price of \$12,089.00.

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 57 of 2007 **DATED:** February 27, 2007

RESOLUTION AUTHORIZING REQUEST FOR PROPOSALS - PHARMACY SERVICES - CORRECTIONS

FACILITY (SHERIFF)

Resolution by Supervisor: Schumann Seconded by Supervisor: Cechni cki

RESOLVED, that the Purchasing Agent, in cooperation with the Sheriff, hereby is authorized and

directed to solicit proposals for Pharmacy Services at the Montgomery County Correctional

Facility.

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn

Clerk, Board of Supervisors

**RESOLUTION NO.** 58 of 2007 **DATED:** February 27, 2007

RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY TRAFFIC SAFETY BOARD

Resolution by Supervisor: Jonker Seconded by Supervisor: Greco

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
Constituent,	Town of Amsterdam	Richard Furman	12/31/09
Constituent,	City of Amsterdam	Evel yn Bi anchi	12/31/09
Constituent,	City of Amsterdam	John Bi anchi	12/31/09
Constituent,	Town of Palatine	Miles Frasier	12/31/09

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

**RESOLUTION NO.** 59 of 2007 **DATED:** February 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AN AGREEMENT - FBI ANTENNA SITE LICENSE RENEWAL - OAK RIDGE SITE (SHERIFF)

Resolution by Supervisor: Greco Seconded by Supervisor: Strevy

WHEREAS, by Resolution 225 of 2003 and Resolution 37 of 2004, Montgomery County has entered into a license agreement with the US Department of Justice, Federal Bureau of Investigation for a 10-year Basic Ordering Agreement through September 30, 2013, and

WHEREAS, said agreement authorized the federal agency to maintain certain communications equipment on a County-owned tower, and

WHEREAS, said agreement calls for a renewal on a yearly basis,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, herby is authorized and directed to sign a renewal license agreement with the US Department of Justice, Federal Bureau of Investigation, with said license to pay a \$200.00 monthly fee for a one-year period commencing on October 1, 2006 and ending on September 30, 2007.

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 60 of 2007 **DATED:** February 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - LOCAL EMERGENCY MANAGEMENT ASSISTANCE PARTICIPATION AGREEMENT (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Schumann Seconded by Supervisor: Manci ni

 $\hbox{WHEREAS, Montgomery County, by participating in the Federal Emergency Management Assistance Program, is eligible for reimbursement funding,}\\$ 

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 2007.

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn

Clerk, Board of Supervisors

**RESOLUTION NO.** 61 of 2007 **DATED:** February 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GLOBAL TEL LINK - INMATE PHONE SERVICES (SHERIFF)

Resolution by Supervisor: Manci ni Seconded by Supervisor: Greco

WHEREAS, it has been recommended by the Sheriff that the County enter into an agreement for the provision of inmate phone 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 Global Tel\*Link of Mobile, Alabama for the provision of inmate telephone services at the Montgomery County Correctional Facility for a period of five (5) years from the date of signing for the compensation of forty-four percent (44%) of the gross revenue billed or prepaid for all phones covered by the agreement.

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 62 of 2007 **DATED:** February 27, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - FORFEITURE OF CRIME PROCEEDS (SHERIFF)

Resolution by Supervisor: Greco Seconded by Supervisor: Johnson

WHEREAS, money has been confiscated from criminal cases and can be utilized to purchase equipment not previously budgeted for,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

INCREASE REVENUE:

A-15-3-2626 Forftr Cr Proc Rest

\$4,300

INCREASE APPROPRIATIONS:

A-15-4-3110-00-2250 Technical Equipment

\$4,300

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn

Clerk, Board of Supervisors

**RESOLUTION NO.** 63 of 2007 **DATED:** February 27, 2007

RESOLUTION UPGRADING WORK PROJECT SUPERVISOR POSITION TO COMMUNITY SERVICE PROGRAM COORDINATOR (PROBATION)

Resolution by Supervisor: Manci ni Seconded by Supervisor: Di Mezza

WHEREAS, the position of Work Project Supervisor will be vacated on February 26, 2007 with the retirement of the current employee holding that title,

WHEREAS, the position of Community Service Program Coordinator currently exists in the Youth Bureau of the County and provides for the management of the community service program for the adult population of the county,

WHEREAS, a similar position exists in the Probation Dept. and provides for the management of juveniles who must perform community service,

RESOLVED, that the position of Work Project Supervisor in the Probation Dept. be upgraded to Community Service Program Coordinator

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-3140-00-1110 (112) Work Project Supervisor \$24,783 A-3140-00-1110 (1254) Probation Officer \$1,277 A-3140-00-1110 (1258) Probation Officer \$1,500

TRANSFER TO:

A-3140-00-1110 (242) Community Service Program Coordinator \$27,560

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon
County Attorney

Ki mberly Sanborn
Clerk, Board of Supervisors

**RESOLUTION NO.** 64 of 2007 **DATED:** February 27, 2007

RESOLUTION APPROPRIATING RESERVE FUNDS FOR STOP-DWI ROAD SIGNS (STOP-DWI)

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, New York State is recognized nationally as a leader in traffic safety, in particular for continual progress in reducing alcohol-related motor vehicle crashes and fatalities, and

WHEREAS, impaired driving continues to be one of North America's greatest and most persistent threats to public safety, and

WHEREAS, in order to reach every driver with the STOP-DWI message on the dangers and consequences of impaired driving, we must use as many resources as possible, and

WHEREAS, the STOP-DWI Coordinator recommends an allocation of reserve funding for the purpose of purchasing road signs displaying the STOP-DWI message, and

WHEREAS, the recommendation includes the purchase of 120 STOP-DWI road signs with reserve funding to be equitably distributed to the towns and city within Montgomery County, and

WHEREAS, the funding appropriated from the reserve shall cover the cost of said amount of road signs and the dollar amount to be appropriated shall not exceed \$10,000, and

WHEREAS, if additional road signs are desired by the municipalities, it will be their financial responsibility to purchase any amount above and beyond what are distributed by the STOP-DWI program, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 operating budget, as follows:

I NCREASE:

A-511 Appropriated Reserve - STOP-DWI \$10,000.00

I NCREASE:

A-32-4-3315-00-4526 Education Programs \$10,000.00

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon Kimberly Sanborn
County Attorney Clerk, Board of Supervisors

**RESOLUTION NO.** 65 of 2007 **DATED:** February 27, 2007

RESOLUTION AUTHORIZING DISBURSEMENT OF SURPLUS DOG LICENSE FUNDS (TREASURER)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Dybas

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 is hereby authorized and directed to disburse, to the Towns and to the City of Amsterdam, \$4,641.96 in surplus dog license funds, in proportion to the contribution made by each, collected during 2006.

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon Kimberly Sanborn

County Attorney Clerk, Board of Supervisors

**RESOLUTION NO.** 66 of 2007 **DATED:** February 27, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - SUPPLEMENTAL ACADEMIC FUNDING - FULTON-

MONTGOMERY COMMUNITY COLLEGE

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Schumann

WHEREAS, it has been recommended that Montgomery County provide Fulton-Montgomery Community College with a one-time grant that would be utilized for specific academic equipment, said funding would not be added to Montgomery County's maintenance of effort responsibility,

RESOLVED, that the Montgomery County Board of Supervisors does hereby authorize the a one-time grant of \$50,000 to be utilized for Anatomy & Physiology equipment, microscopes, nursing lab training headwalls and engineering Science/Electrical & Computer Technology Equipment, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingency Account \$50,000

TRANSFER TO:

A-06-4-2495-00-4551 Grant to Community College \$50,000

RESOLUTION ADOPTED with Aye(1271). Supervisors Dybas, Strevy, Paton, Jonker and Stagliano voted Nay. (2/27/2007)

Douglas Landon Kimberly Sanborn
County Attorney Clerk, Board of Supervisors

Regarding Resolution 67, Supervisor Cechnicki stated that he is withdrawing his Sponsorship. Supervisor Quackenbush stated that he will pick up the Sponsorship.

Supervisors Jonker and Schumann stated that they support Treasurer Shawn Bowerman's objections to the Resolution, and will vote "NAY".

Supervisor McMahon stated that he supports the Resolution. He stated that certain commercial properties are bought in auction but remain dormant due to lack of funds to improve them. He stated that policy changes should be made to reflect the current economic status the County is in.

**RESOLUTION NO.** 67 of 2007 **DATED:** February 27, 2007

RESOLUTION MODIFYING MONTGOMERY COUNTY'S AUCTION POLICY

Resolution by Supervisor: McMahon Seconded by Supervisor: Quackenbush

WHEREAS, Montgomery County, on an annual basis, auctions real property for non-payment of real

property taxes, and

WHEREAS, after each action, all prior village, town and school taxes are forgiven, and

WHEREAS, the new owner is relieved of all such liens at closing, and

WHEREAS, it has been recommended that a similar policy be instituted regarding outstanding water and sewer bills,

RESOLVED, that the Montgomery County Board of Supervisors hereby amends its Auction Policy to provide that water and sewer bills for auctioned property shall be prorated to the day of the auction, and

FURTHER RESOLVED, that any aggrieved parties may petition the Board of Supervisors if they have indisputable evidence that they were overcharged.

RESOLUTION DEFEATED with Aye(534). Supervisors Johnson, McMahon, Quackenbush and Stagliano voted Aye. (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 68 of 2007 **DATED:** February 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NEW YORK STATE DEPARTMENT OF ECONOMIC DEVELOPMENT - INITIAL TRAINING FOR 2010 CENSUS LOCAL UPDATE OF CENSUS ADDRESS (LUCA) PROGRAM (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Walters

WHEREAS, the Montgomery County Department of Economic Development and Planning is designated as a census data affiliate through the New York State Department of Economic Development, and

WHEREAS, the 2010 census activities and outreach have begun, and

WHEREAS, it is proposed that the Montgomery County Department of Economic Development and Planning assist the New York State Department of Economic Development with an initial training for the 2010 census Local Update of Census Address (LUCA) Program,

RESOLVED, that upon review and approval by the County Attorney, the Chairman is hereby authorized to enter into an agreement with the New York State Department of Economic Development to allow the Montgomery County Department of Economic Development and Planning to assist with this initial training, and

FURTHER RESOLVED, that the duties and services to be performed for a period from February 1, 2007 to March 16, 2007, shall be reimbursed for an amount not to exceed \$1,800 from the New York State Department of Economic Development.

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### **RESOLUTION NO.** 69 of 2007

**DATED:** February 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MOU - LOCAL 829 OF CSEA, INC. - TUITION REIMBURSEMENT (PERSONNEL)

Resolution by Supervisor: McMahon Seconded by Supervisor: Johnson

WHEREAS, Resolution 265 of 2005 authorized the Chairman to sign a bargaining agreement with Local 829 of CSEA Inc, effective January 1, 2004 through December 31, 2008, and

WHEREAS, in said agreement, Article II, Section 8 - Tuition Reimbursement states that tuition reimbursement may not be for more than six (6) credit hours in any year, and

WHEREAS, since most colleges now offer courses that are four (4) credits per course it has been recommended that the total amount of credits for reimbursement be increased to eight (8) credit hours in any year,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign a Memorandum of Agreement with CSEA which outlines changes in Article II, Section 8 - Tuition Reimbursement that provide for an increase in tuition reimbursement for a total of eight (8) credit hours in any given year, and

FURTHER RESOLVED, that said MOU shall be effective January 1, 2007.

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 70 of 2007 **DATED:** February 27, 2007

RESOLUTION AMENDING NON-BARGAINING POLICY - TUITION REIMBURSEMENT (PERSONNEL)

Resolution by Supervisor: Dybas Seconded by Supervisor: Cechni cki

WHEREAS, Resolution 443 of 2006 adopted a non-bargaining personnel policy which outlined in Article 27 and Education Tuition Reimbursement Program that offers non-bargaining personnel reimbursement for tuition for not more than six (6) credit hours in any year, and

WHEREAS, since most colleges now offer courses that are four (4) credits per course it has been recommended that the Non-Bargaining Personnel Policy be amended to provide for reimbursement of up to eight (8) credit hours in any year,

RESOLVED, that the Article 27 of the Non-Bargaining Personnel Policy, adopted by Resolution 443 of 2006, is hereby amended to provide for tuition reimbursement for non-bargaining employees up to eight (8) credit hours in any year, and

FURTHER RESOLVED, that said change shall be effective January 1, 2007.

RESOLUTION ADOPTED with Aye(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 71, Supervisor Quackenbush stated that the supports this critical position as being full-time. He stated that it is his understanding that the Risk Coordinator and Safety Officer will be one and the same person. He stated that the salary should be \$35,000 per year, with the remainder coming from the Contingency Fund.

Supervisor Strevy stated that he doesn't support voting on the Resolution, but supports sending it back to Committee for more consideration.

Supervisor Stagliano stated that the job description, as he understood it, was more for a building inspector per se, which is not appropriate.

(Clerk's note: The Resolution was tabled, and will be returned to Committee for further consideration, per the Chairman of the Board.)

#### **RESOLUTION NO.** 71 of 2007

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

**DATED:** February 27, 2007

RESOLUTION ESTABLISHING POSITION - SAFETY OFFICER AND AMENDING 2007 OPERATING BUDGET (PURCHASING)

Resolution by Supervisor: Jonker Seconded by Supervisor: Thomas

WHEREAS, by Resolution 397 of 2006 the County adopted a Risk Management Plan that was outlined by NYMIR, the County's general liability insurance carrier, and

WHEREAS, said plan outlined the hiring of a Risk Coordinator, and

WHEREAS, the County has met with NYMIR and discussed establishing the position of Safety Officer in place of a Risk Coordinator,

RESOLVED, that the part-time position of Safety Officer is hereby established at an annual base salary of 6,500, and

FURTHER RESOLVED, that the Personnel Officer be directed to advertise for resumes and set up interviews for March 2007, 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(228) Risk Coordinator \$6,500

TRANSFER TO:

A-31-4-1345-00-1120(235) Safety Officer \$6,500

MOTION TO TABLE by Supervisor Stagliano, seconded by Supervisor Strevy, passed with Aye(1731). Supervisor Johnson voted Nay. (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Resolution 72 was tabled because the pay rate information was not forthcoming in a timely manner.

#### **RESOLUTION NO.** 72 of 2007

**DATED:** February 27, 2007

RESOLUTION ESTABLISHING POSITION - PART TIME CLERK TYPIST AND AMENDING 2007 OPERATING BUDGET (DISTRICT ATTORNEY)

Resolution by Supervisor: Thomas Seconded by Supervisor: Greco

WHEREAS, it has been recommended that a part time Clerk Typist position be established in the District Attorney's office to provide assistance with clerical work due to significant increases in caseload,

RESOLVED, that the position of part time Clerk Typist is hereby established in the District Attorneys Office at an hourly pay rate of \_\_\_\_\_ and a total amount not to exceed \$9,000, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-25-4-1165-00-4431 Professi onal Servi ces \$4,500 A-25-4-1165-00-4438 Mi sc Support Servi ces \$4,500

TRANSFER TO:

A-25-4-1165-00-1120(362) Part-time Clerk Typist \$9,000

MOTION TO TABLE by Supervisor Schumann, seconded by Supervisor Dybas, passed with Aye(1868). (2/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### ADJOURNMENT

MOTION TO ADJOURN by Supervisor Thomas, seconded by Supervisor Greco, 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 MEETING - AGRICULTURE, PLANNING & DEVELOPMENT 7:00 PM, March 6, 2007

#### COMMITTEE MEETING DISCUSSION

Chairperson Johnson presided over the meeting commencing at 7:00 PM.

Roll call indicated Committee members present are Supervisors Schumann, Dybas, Strevy, and Thomas. Absent were Supervisors Walters and Jonker.

Additional Supervisors present were Quackenbush, DiMezza, Thomas, McMahon and Cechnicki. Absent were Supervisors Greco, Stagliano and Mancini.

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

- Resolution Appointing Member of Montgomery County Occupancy Tax Advisory Board (Economic Development)
- 2. Resolution Authorizing Chairman to Sign Agreement 2006-2007 Snowmobile Trails Grant-In-Aid Program - Mohawk Valley Snowmobile Clubs, Inc. (Economic Development)
- 3. Resolution Authorizing Chairman to Sign Grant Agreement Hazard Mitigation Planning Grant, Authorizing RFP for Consultants to Perform the planning process and Selecting Members for a Local Planning Committee to Assist in the Planning Process (Economic Development)
- 4. Discussion Regarding Montgomery County Economic Development Fund
- 5. Other

Item #1: Supervisors Schumann 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 #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: Supervisors Quackenbush and Dybas 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: EOD Director Ken Rose disseminated a multi-page document to the Supervisors, outlining the PILOTs.

He spoke in support of preparing for the future of Economic Development within the County due to the shortage of land. He gave an update on the current status and projected future of the Florida and Glen business parks. He stated that there are a couple of projects in the works that will require public investment, issuance of a bond, etc.

Supervisor Greco entered Chamber at 7:05 PM.

Director Rose explained how PILOTS go in and out of the IDA. He stated that with any new negotiations, 20% will be put into a newly created EOD Fund. He stated that the County will administer the fund, which will support extra "green field" projects within the City, Townships and Villages. He stated that other Counties are also participating in this kind of program.

Chairman DiMezza stated his support of the program, which would result in reinvesting into the County.

Director Rose, answering a query by Supervisor Strevy, outlined the way the Fund would be used within the County. He also stated taxing jurisdictions would need to be addressed, which is a concern with the IDA Board. He also stated that all the school districts must opt-in.

Supervisor Dybas expressed his concern that all the school districts may not opt-in, and that thought the whole idea is a good one, it has some rough edges that need to be worked out.

Chairman Di Mezza Left Chamber at 7:11 PM.

Chairman Di Mezza entered Chamber at 7:20 PM.

Supervisor Quackenbush asked that certain monies be dedicated to certain sections of the County. Director Rose said that that kind of decision must be made by the Board as a whole. He also stated

that the entire County benefits, no matter where the project is.

Based on a query by Supervisors Strevy and Dybas, County Treasurer Shawn Bowerman stated that currently 100% of the PILOT goes into the General Fund on a revenue line, and that based on this new idea, 20% will go into reserve.

Supervisor Dybas asked how this project would effect the Empire Zone.

Director Rose stated that it shouldn't be effected. He stated that he will bring an agreement to enter into at next month's Committee meeting, if he has the Board's support.

Supervisor Strevy stated that a formalized Resolution may be helpful to take to the School Districts. Supervisor Dybas concurred.

Supervisors Dybas and Strevy made a motion and seconded, respectively, to sponsor a draft Resolution endorsing the EOD Fund and encouraging the School Districts to support it, also. There were no objections.

(Clerk's note: County Attorney Doug Landon will be writing the Resolution.)

Item #5, Other: There was no additional discussion.

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

Chairperson Johnson adjourned the Agriculture, Planning & Development 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 - EDUCATION/GOVERNMENT 7:15 PM, March 6, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman McMahon presided over the meeting commencing at 7:35 PM.

Roll call indicated Committee members present included Supervisors Paton, Johnson, Schumann and Cechnicki. Absent were Supervisors Stagliano and Jonker.

Additional Supervisors present were Supervisors Quackenbush, DiMezza, Greco, Strevy, Dybas and Thomas. Absent were Supervisors Mancini and Walters.

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

- Discussion regarding Fulton-Montgomery Community College's Strategic Plan - A Path for Renewal
- 2. Discussion Regarding Municipal Chargebacks Board of Elections
- 3. Other

Item #1: FMCC President Dusty Swanger disseminated a multi-page document to all present Supervisors which outlined a 5-year strategic plan for the college. He outlined several overall goals, which include an assessment plan, Hispanic enrollment strategies, marketing, improving graduation rates at School Districts, developing a internal climate that welcomes diversity, supporting economic/workforce development in the region, emphasizing technology, cultural/athletic development and resource development.

He stated that the Board of Trustees expect to adopt this plan on March 16, 2007, at the next Trustees meeting.

Chairman Di Mezza stated that graduation rates have decreased due to the need for a "Regents Di pl oma". He believes that it is forcing kids out of schools.

He also suggested that the College print a "Did you know..." brochure for prospective students, which outlines information about curriculum options, credit needs, etc.

On a query from Supervisor Quackenbush, President Swanger stated that 4% of the students at FMCC are Hispanic. He stated that 8% of the County is Hispanic.

On a query from Supervisor Johnson, President Swanger stated that the majority of students come from Fulton County, then Montgomery County, then the Capital District.

Chairman McMahon spoke in support of the Radiology program at the College. He stated that 2-year colleges really give a student a head start at a job.

Item #2: County Treasurer Bowerman stated his opposition for forgiving the chargebacks, and doesn't believe it should be given back as a County expense. Taxpayers would experience an 8 - 11% tax increase if chargebacks are forgiven.

Supervisor Schumann stated that an answer to the following question is needed before further discussion should occur: "Can the municipalities seek and chargeback the County their municipal costs associated with election expenses? What is Legally permissible?"

The County Attorney stated that he will research this issue and get back to the Board in a timely manner.

Supervisor Greco stated that, according to Election Commissioner Lyn May, there are no provisions in the election law for chargebacks to the towns/villages & city.

Supervisor Strevy suggested that the County pay for the yearly cost of the software, which is approximately \$10,000.

Item #3: Pursuant to Section 105 (e) of NYS Open Meeting Law, the motion was made and seconded by Supervisor DiMezza and Dybas, respectively, to enter into Executive Session to discuss the collective negotiations. Executive Session commenced at 8:00 PM.

Supervisor Schumann exited Chamber at 8:00 PM.

Motion to adjourn the Executive Session at 8:08 PM was made and seconded by Supervisors Quackenbush and Cechnicki, respectively.

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

Motion was made and seconded by Chairman Quackenbush and Dybas, respectively, to adjourn the Committee meeting.

Chairman McMahon adjourned the Education/Government 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 COMMITTEE MEETING - PUBLIC SAFETY 7:00 PM, March 13, 2007

#### COMMITTEE MEETING DISCUSSION

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

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

Additional Supervisors present were Quackenbush, Paton, Walters, McMahon, Mancini and DiMezza. Absent were Supervisors Johnson and Stagliano.

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

- Resolution Adopting Montgomery County EMS Mutual Aid Plan (Emergency Management)
- Resolution Authorizing Chairman to Sign Grant Agreement Governor's Traffic Safety Committee Grant - TraCS - Electronic Ticket and Accident Report Project (Sheriff)
- 3. Resolution Authorizing Chairman to Sign Grant Agreement NYS Homel and Security Grant (Sheriff)
- 4. Resolution Authorizing Chairman to Sign Grant Agreement NYS Wireless 911 Reimbursement (Sheriff)
- 5. Discussion regarding support of the Computer Sex Crimes Act #A3202
- 6. Other

Item #1: 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 #2: 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 #3: Supervisors Greco 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: Sheriff Michael Amato clarified the Resolution.

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 #5: Chairman DiMezza stated that legislation will be enacted on regarding sex crimes. He supports a sister Resolution from Erie County for consideration before the full Board.

Supervisors DiMezza and Quackenbush made a motion and seconded, respectively, to sponsor a sister Resolution.

(Clerk's note: Supervisor Schumann requested that an actual copy of the bill be included in the packet of the full Board. There were no objections.)

The Resolution was moved to the full Board with no recommendation. Supervisor Schumann abstained, due to lack of actual bill text.

Item #6, Other: Add-on RESOLUTION DESIGNATING RESPONSIBILITY FOR AUTOMATED EXTERNAL DEFIBRILLATOR (AED) LOCATED IN THE COUNTY ANNEX BUILDING. Chairman DiMezza clarified the Resolution.

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 #7, Other: Sheriff Amato stated a need to shift a person who is acting as "Principal Account Clerk Typist" down to a lower position of "Account Clerk Typist". He'd like to transfer the money in the budget to the lower position. Later in the year, he'd like the hire a new PACT, with duties to include payroll.

When queried by Supervisor Greco, Sheriff Amato stated that the position of Account Clerk Typist will need to be funded in 2008.

Supervisor Schumann stated her support of funding any clerical positions in the Sheriff's Dept.

Supervisors Schumann and DiMezza agreed to sponsor and second the draft Resolution if needed, moving it to the full Board with a positive recommendation. There were no objections.

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

Chairman Thomas adjourned the Public Safety 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, March 13, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:22 PM.

Roll call indicated Committee members present included Supervisors Quackenbush, Cechnicki, Paton, Greco and Strevy. Absent was Supervisor Stagliano.

Additional Supervisors present were McMahon, Thomas, Mancini, Schumann, Dybas, Jonker and Di Mezza. Absent was Supervisor Johnson.

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

- 1. Resolution Establishing Protocol for Announcements Related to Emergency Situations within the County of Montgomery
- 2. Resolution Authorizing the Implementation and Funding of River Road Relocation Project (Public Works)
- 3. Resolution Awarding Bid No. 01-07 Various Materials (Public Works)
- 4. Discussion regarding Capital Project (Public Works)
- 5. Other

Item #1: Chairman DiMezza stated that lack of contracts with specific media really hindered getting the message out that the County was closed in the last snow storm.

Chairman DiMezza will contact WGY, WVTL and WBUG radio stations to see if they will be county-designated radio stations, and supports adding them to the Resolution. There were no objections.

He also clarified the "Hyper Reach" system, which would notify specified Supervisors/Dept. Heads/County employees at the same time.

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.

(Clerk's note: Additional changes [i.e., "Hyper Reach", if info can be obtained from Sheriff Amato's office] to be made to the Resolution before the Full Board meeting.)

Item #2: Supervisors Quackenbush 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.

Supervisor Dybas Left Chamber at 7:30 PM.

Item #3: Supervisors Paton and Strevy made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation, as a Capital Project. There were no objections.

Item #4: DPW Commissioner Paul Clayburn disseminated a multi-page document titled "WB Roofing & Sheet metal Inc. Budget Proposal", which highlights ice and snow damage to the roof of the new County Court house and proposed repair.

Chairman Di Mezza recommends that bids be pursued immediately.

Supervisors DiMezza and Jonker made a motion and seconded, respectively, to sponsor a draft Resolution authorizing the capital project to repair the New Court House roof and move it to the full Board with a positive recommendation as a Capital Project. There were no objections.

Commissioner Clayburn disseminated a three page document outlining 3 projects and their estimates: resurfacing specific parking areas, new parking area lighting buildings and new parking lot.

Supervisors DiMezza and Mancini made a motion and seconded, respectively, to sponsor a draft Resolution including all three projects and move it to the full Board with a positive recommendation, as a Capital Project. There were no objections.

Commissioner Clayburn stated that asbestos/lead-based paint/hazardous materials abatement specs have been received for the jail, totaling \$235,000.00.

Supervisors DiMezza and Quackenbush made a motion and seconded, respectively, to sponsor a draft Resolution for a pre-demolition asbestos abatement project and move it to the full Board with a positive recommendation as a Capital Project. There were no objections.

Commissioner Clayburn disseminated a document titled "Estimate for Emergency Management Storage Facility". He stated that the Emergency Management Storage Facility's roof (old garage at the jail) is in need of repair. Based on his research, he recommends replacing the entire facility with a pre-engineered steel building 75'x 200'x 14' for \$194,400.

Supervisors Quackenbush and Jonker recommend putting up an even longer building, as extra space may be needed.

Commissioner Clayburn stated that there is plenty of room for future expansion, as needed, at the location where the building will be erected.

Supervisors DiMezza and Quackenbush made a motion and seconded, respectively, to sponsor a draft Resolution for a new storage facility for the Emergency Management Department and Sheriff's equipment and move it to the full Board with a positive recommendation as a Capital Project. There were no objections.

Chairman Di Mezza stated that there is an upcoming Needs Assessment meeting, and highlighted some of the options being presented to the architects. He stated that hopefully, a presentation can be made to the Board next month and at that time, more feedback will be needed.

Supervisor Schumann left Chamber at 7:50 PM.

Item #5, Other: Add-on RESOLUTION AMENDING 2007 OPERATING BUDGET - NYS DOT STOA 2006-07 CLEAN UP (BOARD OF SUPERVISORS).

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 #6, Other: Chairman Walters stated that MOSA is proposing giving the County refund money to pass onto the five villages and City. \$1 per ton payback for total tonnage, which works out to approximately \$49,000 total. All three counties (Montgomery, Fulton and Schoharie) will be getting some money back. This will occur if their full Board agrees.

(Clerk's note: Chairman Walters will be asking Administrative Aide Jacki Meola to write a letter to all Mayors so that they will be sure to attend MOSA's full Board meeting.)

Supervisor Strevy stated that MOSA wants the Board to be clear that all waste from the County flows through the MOSA system.

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. Executive Session commenced at 8:10 PM.

Motion to adjourn the Executive Session at 8:23 PM was made and seconded by Supervisors Quackenbush and Greco, respectively.

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

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

Chairman Walters adjourned the Public Safety Committee meeting at 8:24 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, March 20, 2007

#### COMMITTEE MEETING DISCUSSION

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

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

Additional Supervisors present were DiMezza, Paton, Strevy, Dybas, Jonker. Absent were Supervisors Stagliano, Cechnicki and Schumann.

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

- 1. Discussion regarding Safety Officer/Risk Coordinator
- 2. Discussion regarding ADA/Public Defender in relation to Full Time City Court Judge in the City of Amsterdam
- 3. Discussion regarding Requests for Proposals for Health Insurance Montgomery County/FMCC/City of Amsterdam
- 4. Resolution Establishing Non-Bargaining Position Business Manager and Amending 2007 Operating Budget (Public Health)
- 5. Resolution Increasing Salary Grade Community Health Worker and Amending 2007 Operating Budget (Public Health)
- 6. Resolution Increasing Salary Grade Nurses and Amending 2007 Operating Budget (Public Health)
- 7. Other

(Chairman Quackenbush stated that Agenda Item #1 would be entertained at a later time because the representatives from Mang Insurance and NYMER were not present)

Item #1(Formerly Item #2): Discussion regarding ADA/Public Defender in relation to Full Time City.

Supervisor DiMezza stated that because the City Court Judge is going to be a full-time position there will be a lack of support in both the District Attorney and Public Defender's Office. He stated that the County should take care of this issue.

District Attorney Jed Conboy disseminated a document titled, "Request for Additional Part Time Assistant DA" justifying his reasons for this position. The suggested starting salary is 38,624.00. He stated that between transferring funds and securing grant monies that he can contribute \$14,000.

Supervisor Thomas would support a part-time position but would feel better about a full-time Assistant District Attorney.

Supervisor Walters stated that he doesn't see an increase in the caseloads which would support a full-time position.

 $\hbox{Supervisor McMahon feels having two part-time positions would be better for scheduling purposes.}\\$ 

Supervisor DiMezza stated that Judge Wollman is going to stay on. Even though hours show in the courtroom not an increase, the office workload has increased. He supports a part-time position. He reiterated the counties responsibilities.

Supervisor Cechnicki entered the chambers at 7:11 pm.

In response to a query by Supervisor Dybas, District Attorney Conboy stated that should a part-timer be hired that would bring the total number of ADA's to four.

Personnel Officer Richard Baia stated FICA is not included in the DA's recommended salary and would be an increase of approximately 7%.

Public Defender William Martuscello spoke regarding the need for an additional part-time Public Defender. He feels that there will be a significant increase in the City of Amsterdam. He would be asking for help to assist for Amsterdam City Court at any salary. He pointed out that he can get reimbursement from the state (via the annual Indigent Legal Service Fund) that is returned to

the counties general fund balance.

Supervisor DiMezza stated that City Court is packed on a regular basis with public defender clients. He supports adding both positions.

Item #2 (Formerly Item#1, Discussion regarding Safety Officer/Risk Coordinator): Personnel Officer Richard Baia disseminated a document titled, "Safety Officer". This is a standard job description. Supervisor Thomas disseminated a document outlining possible phases of the position.

Chairman Quackenbush stated that Resolution #71 of 2007 was amended to full-time and was tabled at the February full board meeting and is to be returned to committee for further discussion. He stated that Personnel Officer Baia researched job descriptions for safety officer and risk coordinator and has merged them to come up with one job description.

Bill VanGorder, Mang Insurance spoke in support of a risk manager position. He stated that person would be the liaison between the County and the insurance company and would also be involved in onsite training programs. Bob Blaisdell, Risk Manager with NYMIR spoke regarding duties of the position of risk manager that would include: controlling loss and risk, keeping down accidents, adopt training programs, OSHA compliances, Working with the county employees on county premises.

Bob Blaisdell concurred with Bill VanGorder on the importance of the implementation of a Risk Coordinator who would coordinate safety training on-site, claims management and a contact person for NYMIR.

Personnel Officer Baia stated that in 1997 the county had a part-time safety officer. That Safety Officer was Emergency Management Director, Gary Nestle, who wears many hats and is unable to devote the time and energy needed as suggested by Mang/NYMIR. He stated that he used job specs from 49 counties to draw a job description from. The document he disseminated includes risk coordinator duties highlighted in bold.

Bill VanGorder stated that a risk coordinator coordinates risk services and resources.

Responding to a query by Supervisor Dybas, Bill VanGorder stated the differences between a risk coordinator and safety officer. A Safety Officer is a field officer who is familiar with OSHA compliancy and can recognize violations. A Risk Coordinator implements the changes recommended by the Safety Officer.

Chairman Quackenbush queried if NYMER or Mang be interested in sitting in on the interview process?

Supervisor McMahon stated that the board does not have the qualifications to interview alone.

County Attorney Doug Landon stated that it is legally acceptable for a representative from NYMIR and or Mang to be present during the interview process.

Bill VanGorder said he would have to check with his agency.

Supervisor Dybas asked if there was a proposed salary range. Supervisor Quackenbush recalled a proposed salary of \$35,000.00.

Chairman DiMezza said the resolution was tabled and would be back on for full-board.

Based on a query by Chairman Quackenbush, Bill VanGorder stated that the model will be amended to reflect any changes made by the Board of Supervisors.

Item #3 (Continuation of Item #2, Discussion regarding ADA/Public Defender in relation to Full Time City Court Judge in the City of Amsterdam):

Chairman DiMezza stated he would like to propose a resolution to hire a part-time Assistant District Attorney and a part-time Public Defender at a rate of \$38,624.00 each.

Chairman DiMezza and Supervisor Thomas made a motion and seconded it respectively to sponsor a draft resolution and move it to the full board with a positive recommendation.

Supervisor Dybas stated that he would like two resolutions.

Chairman DiMezza stated that he believes that both positions should be on one resolution.

Item #4(Formerly Item#3, Discussion regarding Requests for Proposals for Health Insurance - Montgomery County/FMCC/City of Amsterdam):

Barry McNamara, from Benetech, summarized the County's current health and prescription drug benefits for employees. He stated that if the County and City of Amsterdam merged there would be savings in buying shared services. They put together a joint RFP and sent it to 11 companies including insurance companies and third party companies, such as APA for consideration for medical benefits, prescription drug benefits and stop-loss insurance. The proposals were opened and 4 didn't bid as 3 ignored the request and CDPHP declined the call, because they are the parent

company of APA. The remaining 7 companies that responded were Blue Shield, Empire, GHI, MVP, REMSCO, PREMCO, and APA.

Mr. McNamara stated that when considering the RFP responses, consideration is made for the following: service availability, reimbursement arrangements, how big the network is, how far it reaches, administrative fees, support services. He stated that they are still in the process of reviewing the RFP's and should have them complete soon.

He stated that there will be additional medicare subsidies to HMO's which could be a solution for retirees in lieu of benefits that are already in place. The County would no longer be at risk for self-insuring the retirees.

Chairman Quackenbush queried Barry McNamara regarding the change in administrative fees should the County merge with the City and FMCC. Barry replied that we are not co-mingling risk and the bid process would be more involved.

Chairman Quackenbush suggested that a special meeting be set to dedicate a night to explain self-insurance by APA to the Board of Supervisors.

(Clerk's note: No meeting date was set.)

Supervisor Dybas queried Barry McNamara regarding FMCC, who stated that FMCC's premium rates are determined by their own claims. FMCC would have to make the change in order to join the program. He stated that Fulton County is not interested in being self insured as they are premium based..

In response to a query by Supervisor Strevy, Personnel Officer Baia stated that currently the County pays an administrative fee of approximately \$23.00 per person per month. He also stated that there are 3,500 participants in the plan and in 5 years the rates have not increased. His intent for the last 10 years has been to decrease the admin fees and by doing this it would be a great savings. He would like to implement an umbrella plan before he leaves. He stated that FMCC may be interested in joining in as it would be less costly for them.

Chairman DiMezza stated that the Town of Amsterdam is self-insured thru the County.

When queried by Supervisor Strevy, Barry McNamara stated that 250 is the minimum number of employees needed to logically pursue this avenue, because of claim risks.

Item #5(Formerly Item#4, Resolution Establishing Non-Bargaining Position - Business Manager - and Amending 2007 Operating Budget (Public Health)):

Supervisors Dybas and Jonker made a motion and seconded, respectively, to sponsor the Resolution. The committee chose to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #6(Formerly Item #5, Resolution Increasing Salary Grade - Community Health Worker - and Amending 2007 Operating Budget (Public Health)): Supervisors Dybas and Jonker made a motion and seconded, respectively, to sponsor the Resolution. The committee chose to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #7(Formerly Item#6, Resolution Increasing Salary Grade - Nurses - and Amending 2007 Operating Budget (Public Health)):

Public Health Director Kim Conboy clarified the resolution and the reimbursable when queried by Supervisor Strevy.

Supervisor Dybas supports the resolution because the state reimburses.

Supervisors Dybas and Jonker made a motion and seconded, respectively, to sponsor the Resolution. The committee chose to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item#8(Formerly Item #7, Other): There were no other discussion

Supervisors Thomas and Johnson made a motion and seconded respectively to adjourn the committee meeting.

Chairman Quackenbush adjourned the Personnel Committee meeting at 8:11 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 20, 2007

#### COMMITTEE MEETING DISCUSSION

In Chairman Greco's absence, Chairman DiMezza presided over the meeting commencing at 8:14 PM.

Roll call indicated Committee members present are Supervisors Quackenbush, Mancini, McMahon, Johnson, Johker and Walters.

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

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

- Resolution Authorizing Chairman to Sign Agreements Youth Outreach Program (Youth Bureau/ACSD)
- 2. Resolution Amending 2007 Operating Budget Insurance Recoveries (Purchasing)
- 3. Resolution Authorizing Chairman to Sign Amended Agreement Liberty and Amending 2007 Operating Budget (Mental Health)
- Resolution Awarding Bridge Replacement Contract Wagners Hollow Road -B.I.N. #3309780 (Public Works)
- 5. Resolution Authorizing Chairman to Sign Grant Agreement Immunization Action Plan Grant (Public Health)
- 6. Resolution Authorizing Chairman to Sign Agreement and Amending 2007 Operating Budget - Youth Engagement Services Program - FMS PIC (Social Services)
- 7. Resolution Amending 2007 Operating Budget 2006 Small Cities State Disaster Relief, Temporary Housing Assistance Grant Program (Economic Development)
- 8. Discussion Regarding Montgomery County Revolving Loan Fund Applications (Economic Development)
- 9. Bond Resolution of Montgomery County, NY dated 3/27/07 Authorizing the Replacement of Various Bridges within the County, Estimating the Aggregate Cost Thereof to be \$1,758,900; Appropriating said amount and authorizing the issuance of bonds of the County to finance
- 10. Bond Resolution of Montgomery County, NY dated 3/27/07 Authorizing the Replacement of Various Vehicles and Equipment, Estimating the Aggregate Cost Thereof to be \$359,000; Appropriating said amount and authorizing the issuance of bonds of the County to finance
- 11. Bond Resolution of Montgomery County, NY dated 3/27/07 Authorizing the Resurfacing of Various County Roads, Estimating the Aggregate Cost Thereof to be \$1,134,100; Appropriating said amount and authorizing the issuance of bonds of the County to finance
- 12. Other

Item #1: Supervisors McMahon 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 #2: 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 #3: Supervisors Quackenbush 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: DPW Commissioner Paul Clayburn disseminated a letter from EarthTech, which supports a bid from Tioga Construction Company of Herkimer for \$561, 239.54.

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.

Item #5: Public Health Director Kim Conboy clarified the Resolution.

Supervisors Mancini 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: Supervisors Mancini 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 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 #9, "Bond Resolution of Montgomery County, NY dated 3/27/07 Authorizing the Replacement of Various Bridges within the County, Estimating the Aggregate Cost Thereof to be \$1,758,900; Appropriating said amount and authorizing the issuance of bonds of the County to finance"): Supervisors Quackenbush 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 #9 (formerly item #10, "Bond Resolution of Montgomery County, NY dated 3/27/07 Authorizing the Replacement of Various Vehicles and Equipment, Estimating the Aggregate Cost Thereof to be \$359,000; Appropriating said amount and authorizing the issuance of bonds of the County to finance"): Supervisors Strevy and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution.

Responding to a query by Supervisor Strevy, County Treasurer stated that the sedan listed in the draft Resolution could probably be paid for instead of bonding, which he supports, based on the automobile's expected life expectancy.

On the Committee's recommendation, the Clerk will remove the Sedan from the draft Resolution.

The Committee's decision was to move the amended draft Resolution to the full Board with a positive recommendation. There were no objections.

Supervisors Walters and Thomas made a motion and seconded, respectively, to sponsor a draft Resolution to purchase the \$22,000 sedan with money from Fund Balance, and move it to the full Board with a positive recommendation. There were no objections.

Item #10 (formerly item #11, "Bond Resolution of Montgomery County, NY dated 3/27/07 Authorizing the Resurfacing of Various County Roads, Estimating the Aggregate Cost Thereof to be \$1,134,100; Appropriating said amount and authorizing the issuance of bonds of the County to finance"): 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.

DPW Commissioner stated that this bond puts the County on track for 2007.

Item #11 (formerly item #12, "Other"): There was no other discussion.

Item #12 (formerly item #8, "Discussion Regarding Montgomery County Revolving Loan Fund Applications (Economic Development)): Pursuant to Section 105 (f) of NYS Open Meeting Law, the motion was made and seconded by Supervisors Jonker and Walters, respectively, to enter into Executive Session to discuss the financial history of a particular corporation.

At the request of Chairman DiMezza, members of the Montgomery County IDA as well as Economic Development Director Ken Rose should be present during the Executive Session. There were no objections.

Executive Session commenced at 8:21 PM.

Motion to adjourn the Executive Session at 9:15 PM was made and seconded by Supervisors Thomas and Johnson, respectively.

Executive Session was adjourned at 9:15 PM.

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

Supervisors McMahon and Walters made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Di Mezza adjourned the Finance Committee meeting at 9:15 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, March 27, 2007

#### CALL TO ORDER

Chairman Di Mezza called the Regular Meeting of the Montgomery County Board of Supervisors for March 27, 2007 to order at 7:00 PM.

#### SALUTE TO THE FLAG

Supervisor McMahon led the Salute to the Flag.

#### ROLL CALL

Roll Call indicated Supervisors Quackenbush, Greco, Paton, McMahon, Strevy, Stagliano, Dybas, Schumann, Walters, Thomas, Jonker, Mancini and DiMezza were present. Absent were Supervisors Johnson and Cechnicki.

#### PRIVILEGE OF THE FLOOR

#### A. Public Comment

Chairman Di Mezza asked if there were any speakers. There were none.

Chairman Di Mezza adjourned Public Comment at 7:01 PM.

#### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (Feb. 27, 2007 - March 20, 2007) by Supervisor Dybas, seconded by Supervisor Quackenbush, passed with Aye(1665). Supervisors Johnson and Cechnicki were absent.

#### APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Jonker, seconded by Supervisor Mancini, passed with Aye(1665). Supervisors Johnson and Cechnicki were absent.

#### UNFINISHED BUSINESS

TABLED RESOLUTION 50 OF 2007 - "RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY EMS ADVISORY BOARD (EMERGENCY MANAGEMENT)"

TABLED RESOLUTION 71 OF 2007 - "RESOLUTION ESTABLISHING POSITION - SAFETY OFFICER AND AMENDING 2007 OPERATING BUDGET (PURCHASING)"

TABLED RESOLUTION 72 OF 2007 - "RESOLUTION ESTABLISHING POSITION - PART TIME CLERK TYPIST AND AMENDING 2007 OPERATING BUDGET (DISTRICT ATTORNEY)"

Regarding Resolution 50, Supervisor Thomas stated that a letter was sent to all listed parties inquiring about their continued interest in serving on the Board. Listed parties did not respond back within the designated time frame. There was also one resignation. Therefore, he is making a motion to table the Resolution.

#### **RESOLUTION NO.** 50 of 2007

**DATED:** February 27, 2007

RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY EMS ADVISORY BOARD (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Schumann Seconded by Supervisor: Wal ters

WHEREAS, Resolution No. 79 of 2006 re-established the Montgomery County EMS Advisory board, with members being appointed for a one-year term,

RESOLVED, that the Montgomery County Board of Supervisors hereby makes the following appointments to said EMS Advisory Board for a one-year term effective January 1, 2007 through December 31,

2007:

APPOI NTEE TERM EXPIRATION REPRESENTI NG Ambul ance Servi ce — SAVAC Ambul ance Servi ce — SAVAC Ambul ance Servi ce — Mi d-County December 31, December 31, 2007 Kyle Haak Mayra Rodri guez 2007 G. Brian Harrington December 31, 2007 Ambul ance Servi ce — Mi d-County Ambul ance Servi ce — GAVAC Ambul ance Servi ce — GAVAC December 31, William Blanchard 2007 Tom Pasquarelli, Jr December 31, 2007 December 31, Kimberley Nikolaus 2007 Ambulance Service - Rural Metro December 31, Steve Kuck 2007 December 31, December 31, Mathew Wood Ambulance Service - Rural Metro 2007 Fire Departments - 211/214/218/223 Al Nadler 2007 Fire Departments - 216/217 Robert Furman December 31, 2007 December Julie Franchi Fire Departments - 206/209/219 31, 2007 Fire Departments - 208/210 December Mark DeLafayette 31, 2007 Patty Prime Don Wagner Fire Departments - 215/220/224 December 31, 2007 Fire Departments - 212/222 Fire Departments - 207/AFC Fire Departments - 213/221 December 31, 2007 Michael Whitty Pam VanAlstyne December 31, December 31, 2007 2007 St Mary's Hospital Robert Quist December 31, 2007 Mickey Swartz Public Health Educ. Medvac Airlift Services December 31, 2007 Public Health December 31, 2007 Sheriff's Department - E911 Coord December 31, Twila Dopp 2007 Carrie Newkirk EMS Coordinator December 31, 2007

MOTION TO TABLE by Supervisor Thomas, seconded by Supervisor Walters, passed with Aye(1868). (2/27/2007)

MOTION TO REMOVE FROM TABLE by Supervisor Dybas, seconded by Supervisor Jonker, passed with Aye(1665). Supervisors Johnson and Cechnicki were absent. (3/27/2007)

MOTION TO TABLE by Supervisor Thomas, seconded by Supervisor Mancini, passed with Aye(1665). Supervisors Johnson and Cechnicki were absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Supervisor Quackenbush clarified the amendments he is sponsoring for Resolution 71.

### **RESOLUTION NO.** 71 of 2007 **DATED:** February 27, 2007

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

RESOLUTION ESTABLISHING POSITION - SAFETY OFFICER AND AMENDING 2007 OPERATING BUDGET (PURCHASING)

Resolution by Supervisor: Jonker Seconded by Supervisor: Thomas

WHEREAS, by Resolution 397 of 2006 the County adopted a Risk Management Plan that was outlined by NYMIR, the County's general liability insurance carrier, and

WHEREAS, said plan outlined the hiring of a Risk Coordinator, and

WHEREAS, the County has met with NYMIR and discussed establishing the position of Safety Officer in place of a Risk Coordinator,

RESOLVED, that the part-time position of Safety Officer is hereby established at an annual base salary of \$6,500, and

FURTHER RESOLVED, that the Personnel Officer be directed to advertise for resumes and set up interviews for March 2007, 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(228) Risk Coordinator \$6,500

TRANSFER TO:

A-31-4-1345-00-1120(235) Safety Officer \$6,500

MOTION TO TABLE by Supervisor Stagliano, seconded by Supervisor Strevy, passed with Aye(1731). Supervisor Johnson voted Nay. (2/27/2007)

MOTION TO REMOVE FROM TABLE by Supervisor Quackenbush, seconded by Supervisor Dybas, passed with Aye(1665). Supervisors Johnson and Cechnicki were absent. (3/27/2007)

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Dybas by striking all RESOLVED clauses and inserting the following:

"RESOLVED, that the Montgomery County Board of Supervisors hereby adopts an amended Risk Management Plan as attached hereto and made part of, and

FURTHER RESOLVED, that the position of full-time Safety Officer is hereby established at annual base salary of \$35,000, said position will be non-bargaining and in the managerial class and shall be appointed by the Board of Supervisors, and

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

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

#### TRANSFER FROM:

A-01-4-1990-00-4400 Contingency Account \$16,025 A-01-4-1010-00-1120(756) Risk Management Coordinator P/T \$10,125

TRANSFER TO:

A-01-4-1010-00-1110(235) Safety Officer \$26, 150

TRANSFER FROM:

A-31-4-1910-00-4480 Insurances \$400,000

TRANSFER TO:

A-01-4-1910-00-4480 Insurances \$400,000"

, passed with Aye(1438). Supervisors McMahon and Thomas voted Nay. Supervisors Johnson and Cechnicki were absent. (3/27/2007)

RESOLUTION ADOPTED with Aye(1434). Supervisors Thomas and Paton voted Nay. Supervisors Johnson and Cechnicki were absent.

(Clerk's Note: 5/22/07 - This Resolution was amended by Resolution 162 of 2007 by Supervisor Quackenbush, seconded by Supervisor Cechnicki, passed with Aye(1326). Supervisors DiMezza, McMahon and Thomas voted Nay. Supervisor Stagliano was absent.) (3/27/2007)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

**RESOLUTION NO.** 72 of 2007 **DATED:** February 27, 2007

RESOLUTION ESTABLISHING POSITION - PART TIME CLERK TYPIST AND AMENDING 2007 OPERATING BUDGET (DISTRICT ATTORNEY)

Resolution by Supervisor: Thomas Seconded by Supervisor: Greco

WHEREAS, it has been recommended that a part time Clerk Typist position be established in the District Attorney's office to provide assistance with clerical work due to significant increases in caseload,

RESOLVED, that the position of part time Clerk Typist is hereby established in the District Attorneys Office at an hourly pay rate of \_\_\_\_\_ and a total amount not to exceed \$9,000, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007

Operating Budget as follows:

TRANSFER FROM:

A-25-4-1165-00-4431 Professi onal Servi ces \$4,500 A-25-4-1165-00-4438 Mi sc Support Servi ces \$4,500

TRANSFER TO:

A-25-4-1165-00-1120(362) Part-time Clerk Typist \$9,000

MOTION TO TABLE by Supervisor Schumann, seconded by Supervisor Dybas, passed with Aye(1868). (2/27/2007)

MOTION TO REMOVE FROM TABLE by Supervisor McMahon, seconded by Supervisor Thomas, passed with Aye(1665). Supervisors Johnson and Cechnicki were absent. (3/27/2007)

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor McMahon, by inserting "\$10.06" in the RESOLVED clause, passed with Aye(1665). Supervisor Cechnicki abstained. Supervisor Johnson was absent. (3/27/2007)

RESOLUTION ADOPTED with Aye(1550). Supervisor Jonker voted Nay. Supervisors Johnson and Cechnicki were absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Supervisor Jonker stated that he is voting NAY to Resolution 72 because he feels this position should have been considered during the original budget process.

Supervisor Cechnicki entered Chamber at 7:08 PM.

#### **NEW BUSINESS**

A. Resolutions

B. Other

## **RESOLUTION NO.** 73 of 2007 **DATED:** March 27, 2007

RESOLUTION APPOINTING MEMBER - MONTGOMERY COUNTY OCCUPANCY TAX ADVISORY BOARD

Resolution by Supervisor: Schumann Seconded by Supervisor: Dybas

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 vacancy that expired December 31, 2006, and

WHEREAS, the Chairman of the Board of Supervisors has recommended that Susan Phemister, of Amsterdam, NY be appointed to fill a three-year term ending on December 31, 2009, and

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

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 74 of 2007 **DATED:** March 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT- 2006-2007 SNOWMOBILE TRAILS GRANT-IN-AID PROGRAM- MOHAWK VALLEY SNOWMOBILE CLUBS, INC (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Strevy Seconded by Supervisor: McMahon

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation has awarded Montgomery County \$41,125.00 from the 2006-2007 Snowmobile Trails Grant-In-Aid Program, based upon an application submitted in cooperation with the Mohawk Valley Snowmobile Clubs, Inc. ,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to execute documents accepting the 2006-2007 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.

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 75 of 2007 **DATED:** March 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT-HAZARD MITIGATION PLANNING GRANT, AUTHORIZING RFP FOR CONSULTANTS TO PERFORM PLANNING PROCESS & SELECTING MEMBERS - LOCAL PLANNING COMMITTEE TO ASSIST IN THE PLANNING PROCESS (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Dybas

WHEREAS, the Disaster Mitigation Act of 2000 requires that local governments have either a single-jurisdiction or 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 FEMA has awarded Montgomery County a grant in the amount of \$100,000 of which \$75,000 (75%) will be cash from the State Emergency Management Office (SEMO) and \$25,000 (25%) will be in-kind services considered a local match, and

WHEREAS, the State Emergency Management Office (SEMO) Planning Section will oversee and administer the grant including a contract agreement with Montgomery County,

RESOLVED, that that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney is hereby authorized to sign a contract agreement with SEMO to accept the grant and to proceed with the planning process, and

FURTHER RESOLVED, that, subject to the review and approval from the Department of Purchasing, the Montgomery County Department of Economic Development and Planning is authorized to advertise Requests for Proposals (RFP) seeking the professional services to perform the all-hazard mitigation plan, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors is authorized to select members for a Planning Committee to represent local municipalities and assist in the plan preparation, and

FURTHER RESOLVED, the Montgomery County Department of Economic Development and Planning is authorized to be the lead agency.

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 76 of 2007 **DATED:** March 27, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - 2006 SMALL CITIES STATE DISASTER RELIEF, TEMPORARY HOUSING ASSISTANCE GRANT PROGRAM (EOD/PLANNING)

Resolution by Supervisor: Dybas Seconded by Supervisor: McMahon

WHEREAS, by Resolution No. 316 of 2006 Montgomery County accepted \$250,000 from the Governor's Office for Small Cities 2006 State Disaster Relief, Temporary Housing Assistance Grant Program, and

WHEREAS, said funding, which will be used to provide disaster relief to Montgomery County residents affected by the June 2006 flooding, will need to be included in the 2007 Operating Budget,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget to provide for the Governor's Office for Small Cities 2006 State Disaster Relief, Temporary Housing Assistance Grant Program as follows:

INCREASE REVENUE:

INCREASE APPROPRIATION:

CD-24-4-8686-00-4511 SMALL CITIES PROGRAMS \$240,000

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon Kimberly Sanborn
County Attorney Clerk, Board of Supervisors

**RESOLUTION NO.** 77 of 2007 **DATED:** March 27, 2007

RESOLUTION ESTABLISHING PROTOCOL FOR ANNOUNCEMENTS RELATED TO EMERGENCY SITUATIONS WITHIN THE COUNTY OF MONTGOMERY

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, it has been recommended by the Needs Assessment Committee that the County develop protocol for announcements related to emergency situations that effect County Business as to provide better direction to County employees and residents in an emergency situation,

RESOLVED, that the Montgomery County Board of Supervisors hereby designates WVTL Radio 1570 AM, WBUG Radio 99.7 FM/101.1 FM and WGY Radio 810 AM as the official radio stations where all announcements related to emergency situations that effect County Business will be placed, and

FURTHER RESOLVED, that the County Website - www.co.montgomery.ny.us - will be utilized to post any information as it occurs if there is a State of Emergency declared.

MOTION TO AMEND by Supervisor Schumann, seconded by Supervisor Cechnicki by inserting a third FURTHER RESOLVED clause as follows:

"FURTHER RESOLVED, that all County Supervisors and Department Heads will also receive notification by the County's HyperLink notification system."

, passed with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### **RESOLUTION NO.** 78 of 2007

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

**DATED:** March 27, 2007

RESOLUTION ADOPTING MONTGOMERY COUNTY EMS MUTUAL AID PLAN (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Dybas Seconded by Supervisor: Jonker

WHEREAS, the EMS Advisory Board has advised the Board of Supervisors that the County is required by the State of New York to submit an EMS Mutual Aid Plan that has been accepted by the Board of Supervisors,

RESOLVED, that the EMS Mutual Aid Plan here by submitted by the EMS Advisory Board and attached hereto is accepted by the Board of Supervisors.

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 79 of 2007 **DATED:** March 27, 2007

RESOLUTION DESIGNATING RESPONSIBILITY FOR AUTOMATED EXTERNAL DEFIBRILLATOR (AED) LOCATED IN THE COUNTY ANNEX BUILDING

Resolution by Supervisor: Jonker Seconded by Supervisor: Quackenbush

WHEREAS, Fulmont Community Action donated an automated external defibrillator (AED) to be utilized in the Montgomery County Annex Building, and

WHEREAS, the Board wishes to designate a County Official to be responsible for the maintenance and upkeep of said AED,

RESOLVED, that the Director of Emergency Management shall be responsible for the maintenance and upkeep of the automated external defibrillator that was donated by Fulmont Community Action and is located on the second floor of the Montgomery County Annex Building, and

FURTHER RESOLVED, the Emergency Management Director is hereby authorized to submit payment for replacement pads and other necessary upkeep through the Emergency Management Departmental Budget.

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 80 of 2007 **DATED:** March 27, 2007

RESOLUTION AUTHORIZING THE IMPLEMENTATION AND FUNDING OF RIVER ROAD RELOCATION PROJECT (PUBLIC WORKS)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Dybas

WHEREAS, as stated in Resolution 166 of 2003, a project for the highway reconstruction of CR 65 River Road Relocation, Town of Minden, Montgomery County, PIN 2753.82 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, with apportionment of costs to be borne at the ratio of 80 percent federal funds and 20 percent non-federal funds, and

WHEREAS, the total project costs are estimated at \$1,586,000, and

WHEREAS, the County of Montgomery desires to advance the above project, by making a commitment of 100 percent of the non-federal share of the total project cost,

RESOLVED, that the Board of Supervisors hereby approves the CR 65 River Road Relocation, and 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 \$317,200 shall be appropriated to cover the cost of participation in said project, and

FURTHER RESOLVED, that should the full federal and non-federal share costs of said project exceed the amount appropriated, the Board shall convene, as soon as possible, to appropriate said excess amount, immediately upon notification by the New York State Department of Transportation, and

FURTHER RESOLVED, that the Commissioner of Public Works hereby is authorized to execute all necessary Agreements, certifications and/or reimbursement requests for Federal Aid and/or Marchiselli Aid, on behalf of the County, within the New York State Department of Transportation, in connection with advancement, approval and administration of said project, and

FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary agreement in connection with said Project, and

FURTHER RESOLVED, that this Resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 81 of 2007 **DATED:** March 27, 2007

RESOLUTION AWARDING BID NO. 01-07 - VARIOUS MATERIALS (PUBLIC WORKS)

Resolution by Supervisor: Paton Seconded by Supervisor: Strevy

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, 2007, 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. 01-07, 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

Hi-Way Safety Systems, Inc. 285 Circuit St. Hanover, MA 02339

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

A-31 FINE GRAVEL and A-32 FOUNDATION COURSE GRAVEL (cont'd)

Santos Construction 39 Gilliland Ave. Amsterdam, NY 12010

Maple Ave. Sand & Gravel P.O. Box 43 Johnstown, NY 12095

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

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

A-40 CORRUGATED BEAM GUIDE RAIL

Cardona & Sons, Inc. 397 Anthony St. Schenectady, NY 12308

A-64 IN-PLACE RECYCLE BASE COURSE

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

A-65 LIQUID CALCIUM CHLORIDE

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

A-67 PNEUMATICALLY PROJECTED CONCRETE

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

A-70 COLD IN-PLACE RECYCLING TYPE I

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

A-71 LATEX MODIFIED ASPHALT PAVEMENT COURSE

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

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

Gorman Brothers, Inc. Church St., Port of Albany Al bany, 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-88 ABRASIVES FOR SNOW & ICE CONTROL (All Bidders - Price/Ton + Haul to Determine Vendor)

Cranesville Aggregate Co., Inc. Maple Ave. Johnstown, NY 12095

Maple Ave. Sand & Gravel P.O. Box 43 Johnstown, NY 12095

Rifenburg Construction, Inc. 159 Brick Church Rd. Troy, NY 12180

A-90-1 HEAVY DUTY TIRE CHANGER

Myers Tire Supply 201 E. Hampton Place Syracuse, NY 13206

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 82 of 2007 **DATED:** March 27, 2007

RESOLUTION APPROVING 2007 CAPITAL PROJECTS - PARKING LOT RESURFACING AND LIGHTING (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Manci ni

WHEREAS, the Commissioner of Public Works has recommended Resurfacing Various Parking Lots and Adding Lighting;

RESOLVED, that the Board of Supervisors hereby approves the Resurfacing of Various Parking Lots and Adding Lighting as a 2007 Capital Project, at a cost not to exceed \$155,000.00;

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

RESOLUTION ADOPTED with Aye(1595). Supervisor Dybas voted Nay. Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 83 of 2007 **DATED:** March 27, 2007

RESOLUTION APPROVING 2007 CAPITAL PROJECTS - ROOF REPLACEMENT - NEW COUNTY COURTHOUSE (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Johnson

WHEREAS, the Commissioner of Public Works has recommended a Roof Replacement Project for the New County Courthouse;

RESOLVED, that the Board of Supervisors hereby approves the New County Courthouse Roof Replacement as a 2007 Capital Project, at a cost not to exceed \$240,000.00;

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

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 84 of 2007 **DATED:** March 27, 2007

RESOLUTION APPROVING 2007 CAPITAL PROJECTS - OLD JAIL PRE-DEMOLITION ABATEMENT (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Quackenbush

WHEREAS, the Commissioner of Public Works has recommended a Pre-Demolition Abatement Project for the  $Old\ Jail$ ;

RESOLVED, that the Board of Supervisors hereby approves the Pre-Demolition Abatement Project for the Old Jail as a 2007 Capital Project, at a cost not to exceed \$235,000.00;

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

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 85, Sheriff Mike Amato suggested a committee be formed to plan/oversee this project.

Supervisor Strevy stated that the Resolution is for bonding purposes only.

Responding to confusion on the size of the building, Supervisor Walters stated that a 75'  $\times$  200' (15,000 sq. feet total) building was considered during the Committee meeting.

Supervisor Quackenbush questioned on whether the size is appropriate for the needs of Emergency Management.

When queried by Supervisor Strevy, DPW Commissioner Paul Clayburn stated that the bonding figure of \$200,000 is in the right ballpark.

Supervisors Stagliano and Walters made a motion and seconded, respectively, to table the

Resolution until more research can be done on the project.

**RESOLUTION NO.** 85 of 2007 **DATED:** March 27, 2007

RESOLUTION APPROVING 2007 CAPITAL PROJECTS - EMERGENCY MANAGEMENT AND SHERIFF'S METAL STORAGE FACILITY (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Quackenbush

WHEREAS, the Commissioner of Public Works has recommended a Metal Storage Facility for Emergency Management and the Sheriff's Department;

RESOLVED, that the Board of Supervisors hereby approves a Metal Storage Facility for Emergency Management and the Sheriff's Department as a 2007 Capital Project, at a cost not to exceed \$200,000.00;

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

MOTION TO TABLE by Supervisor Stagliano, seconded by Supervisor Walters, passed with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 86 of 2007 **DATED:** March 27, 2007

RESOLUTION AWARDING BRIDGE REPLACEMENT CONTRACT - WAGNERS HOLLOW ROAD - BIN NO. 3309780 (PUBLIC WORKS)

Resolution by Supervisor: Jonker Seconded by Supervisor: Wal ters

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

RESOLVED, that the Board of Supervisors hereby awards a contract to Tioga Construction of Herkimer, NY for the bridge replacement project as follows:

Wagners Hollow Road, B.I.N. 3309780

, 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 Tioga Construction of Herkimer, NY, and

FURTHER RESOLVED, that said contract shall provide for payment in an amount not to exceed \$561, 240.00.

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 87 of 2007 **DATED:** March 27, 2007

RESOLUTION AUTHORIZING PURCHASE - VEHICLE FOR DPW AND AMENDING 2007 OPERATING BUDGET (PUBLIC WORKS)

Resolution by Supervisor: Wal ters Seconded by Supervisor: Thomas

WHEREAS, the Board of Supervisors has heretofore approved the replacement of a vehicle and the acquisition of a new vehicle, as more particularly described in Resolution 44 of 2007 dated February 27, 2007 (the "Prior Resolution"); and

WHEREAS, the Board of Supervisors desires not to finance the cost of the vehicle described in the

Prior Resolution through bonding,

RESOLVED, that the Board of Supervisors hereby approves the funding of one (1) sedan, the maximum aggregate cost thereof not exceeding \$22,000, through budgetary provisions, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingent Account \$22,000

TRANSFER TO:

A-06-4-9900-00-9950 Trans. To Cap. Proj. \$22,000

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon
County Attorney

Ki mberly Sanborn
Clerk, Board of Supervisors

**RESOLUTION NO.** 88 of 2007 **DATED:** March 27, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - NYS DOT STOA 2006-07 CLEAN UP (BOARD OF SUPERVISORS)

Resolution by Supervisor: Greco Seconded by Supervisor: Strevy

WHEREAS, the County has been notified by New York State Department of Transportation that it will receive \$13,457.10, which is Montgomery County's share of the balances that were distributed from the 2006-07 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 2007 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 2007 Operating Budget as follows:

INCREASE REVENUES:

A-01-3-3594 Mass Transportation \$13, 457. 10

INCREASE APPROPRIATIONS:

A-01-4-5630-00-4401 Bus Operations - Sec 18B - Mass Transport \$13,457.10

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

**RESOLUTION NO.** 89 of 2007 **DATED:** March 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - GOVERNOR'S TRAFFIC SAFETY COMMITTEE GRANT - TRACS - ELECTRONIC TICKET AND ACCIDENT REPORT PROJECT (SHERIFF)

Resolution by Supervisor: Strevy Seconded by Supervisor: Greco

WHEREAS, the Sheriff has been notified of a grant award from the Governor's Traffic Safety Committee in the amount of \$37,790 for TraCS - and electronic ticket and accident report project, which will be utilized for the purchase of computers, printers and scanners to be place within six patrol cars to be utilized throughout Montgomery County, and

WHEREAS, said grant award requires no matching funds,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County

Attorney, is hereby authorized and directed to sign a grant agreement with the Governor's Traffic Safety Committee in the amount of \$37,790 for TraCS - and electronic ticket and accident report project as described above.

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 90 of 2007 **DATED:** March 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS HOMELAND SECURITY GRANT (SHERIFF)

Resolution by Supervisor: Greco Seconded by Supervisor: Schumann

WHEREAS, the Sheriff has been notified of a grant award from the NYS Homeland Security in the amount of \$29,500 to be utilized for training and to purchase equipment for the department,

RESOLVED, the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign a grant agreement with NYS Home Security in the amount of \$29,500 to be utilized for training and to purchase equipment.

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 91 of 2007 **DATED:** March 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS WIRELESS 911 REIMBURSEMENT (SHERIFF)

Resolution by Supervisor: Dybas Seconded by Supervisor: Greco

WHEREAS, the Sheriff has been notified by the NYS Department of State that the County is eligible for reimbursement of certain costs associated with the provision of Wireless 911 Services in the amount of \$29,106,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign a grant agreement with the NYS Department of State in the amount of \$29,106 for reimbursement for certain costs associated with the provision of Wireless 911 services.

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Chairman DiMezza clarified Resolution 92.

Supervisor Strevy stated that he will be voting NAY and doesn't support any more positions for the rest of the year, as consideration for additional positions should be made during the budgetary process.

**RESOLUTION NO.** 92 of 2007 **DATED:** March 27, 2007

RESOLUTION ESTABLISHING POSITION - ACCOUNT CLERK TYPIST - AND AMENDING 2007 OPERATING BUDGET (SHERIFF)

Resolution by Supervisor: Schumann Seconded by Supervisor: Di Mezza

WHEREAS, it has been recommended by the Sheriff that the position of Account Clerk Typist be established in the Sheriff's Office,

RESOLVED, the Board of Supervisors does hereby establish the position of Account Clerk Typist in

the Sheriff's Office, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-15-4-3110-00-1110(335) Principle Account Clerk Typist \$18,325

TRANSFER TO:

A-15-4-3110-00-1110(1416) Account Clerk Typist

\$18,325

RESOLUTION ADOPTED with Aye(1230). Supervisors Dybas, Strevy, Paton and Jonker voted Nay. Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 93 of 2007 **DATED:** March 27, 2007

RESOLUTION SUPPORTING PROPOSED NEW YORK STATE LEGISLATION STRENGTHENING THE LAW AND INCREASING PENALTIES TO THOSE WHO PERPETRATE A COMPUTER SEX CRIME AGAINST A CHILD

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Quackenbush

WHEREAS, since the mid-1990's, The United States of America has led international efforts to bring attention to sex offenses committed against children, which included the passage of the Sex Crimes Against Children Prevention Act of 1995; and

WHEREAS, throughout the years, New York State and municipalities contained within have enacted policies and laws that assist in preventing and deterring crimes against children under the age of 18; and

WHEREAS, New York State has passed laws to penalize sex offenders, enhance the ability of law enforcement to monitor convicted sex offenders, and further educate the public on protecting their children; and

WHEREAS, even under the most stringent of environments, child predators are driven to commit crimes against minors, by any means available to them, often with little or no regard for the consequences their actions create both for them and their victims; and

WHEREAS, the means by which these child predators often perpetrate these crimes against minors involves computers, computer devices, the internet and other networks, which grant a distinct anonymity to the offender toward the victim; and

WHEREAS, it is necessary for government to continue its role in protecting children, the most vulnerable population, through the passage of strong legislation that will enhance law enforcement's ability to investigate and prosecute crimes against such population as well as increase the penalties against the convicted offenders; and

WHEREAS, New York State is currently considering legislation as proposed in 2006 in the Assembly (A 12114) by Mark Schroeder, D-Buffalo, with similar legislation proposed in the Senate (S 4124) by Michael Balboni, R-East Williston, that creates a new offense of "a computer sex crime against a child", and increases penalties for such offenses; and

WHEREAS, a Program Bill sponsored by then-Attorney General Eliot Spitzer establishes the criteria set forth in the aforementioned legislation currently being considered by the New York State Legislature.

RESOLVED, that the Montgomery County Board of Supervisors supports all levels of government continuing diligent efforts toward preventing child sexual predators from carrying out their crimes against children under the age of 18, and be it further

RESOLVED, that the Montgomery County Board of Supervisors does hereby go on record in full support of the proposed New York State Legislation strengthening the Law and increasing penalties to those who perpetrate a computer sex crime against a child.

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors **RESOLUTION NO.** 94 of 2007 **DATED:** March 27, 2007

RESOLUTION ESTABLISHING NON-BARGAINING POSITION - BUSINESS MANAGER - AND AMENDING 2007 OPERATING BUDGET (PUBLIC HEALTH)

Resolution by Supervisor: Dybas Seconded by Supervisor: Jonker

WHEREAS, the responsibilities of managing the fiscal operations of the Montgomery County Public Health Department have continued to expand, due to the continued increase of state and federally mandated programs, regulations and reporting requirements necessitating the continued establishment of accounting policies and procedures in order to maintain compliance, and

WHEREAS, the Montgomery County Public Health Department Director has recommended that a non-bargaining, managerial position of Business Manager be established as a result of, and in recognition of, the increasing fiscal demands on the department,

RESOLVED, that the Montgomery County Board of Supervisors does hereby approve the following title and salary change in the Montgomery County Public Health Department:

Current

Accounting Supervisor Bargaining Unit - Grade J \$33,750 base salary

New

Busi ness Manager Non-Bargai ni ng (Manageri al ) \$38,965 base sal ary

, and

FURTHER RESOLVED, that the Personnel Officer is hereby authorized and directed to establish the above title changes, and

FURTHER RESOLVED, that the county Treasurer is hereby authorized and directed to amend the 2007 Operating Budget effective April 2, 2007 as follows:

I NCREASE:

Revenue

A-16-3-3401-00 Public Health State Aid \$ 3992.00

Appropri ati ons

A-16-4-4010-00.1110(270) F/T Employees-Business Manager \$ 3992.00

And,

TRANSFER FROM:

A-16-4-4010-00.1110(268) F/T Employees-Acctg. Supervisor \$ 24971.00

TRANSFER TO:

A-16-4-4010-00. 1110(270) F/T Empl oyees-Busi ness Manager \$ 24971. 00

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon

County Attorney

Kimberly Sanborn

Clerk, Board of Supervisors

**RESOLUTION NO.** 95 of 2007 **DATED:** March 27, 2007

RESOLUTION INCREASING SALARY GRADE - COMMUNITY HEALTH WORKER - AND AMENDING 2007 OPERATING BUDGET (PUBLIC HEALTH)

Resolution by Supervisor: Dybas Seconded by Supervisor: Jonker

WHEREAS, the Montgomery County Public Health Department continues to have a tremendous turn over rate of personnel, and

WHEREAS, the recruitment and retention of personnel is critical to the operation of the department and the numerous state mandatory public health programs, and

WHEREAS, in an effort to try to recruit and retain personnel, the Montgomery County Public Health

Department Director has recommended increasing the salary grade for the Community Health Worker within the Public Health Department, and

RESOLVED, the Montgomery County Board of Supervisors does hereby approve the following upgrade and changes to the Community Health Worker job description for the Montgomery County Public Health Department:

Current Community Health Worker
Upgrade to Community Health Worker

Grade E - \$26,011 base salary Grade F - \$27,560 base salary

, and

FURTHER RESOLVED, that the Personnel Officer is hereby authorized and directed to establish the above title changes.

FURTHER RESOLVED, that the county Treasurer is hereby authorized and directed to amend the 2007 Operating Budget effective April 2, 2007 as follows:

I NCREASE:

Revenue

A-16-3-3401-00

Public Health State Aid

\$ 1164.00

Appropri ati ons

A-16-4-4010-00. 1110(1366)

F/T Employees-Comm. HI th. Worker \$ 1164.00

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent.

(3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn

Clerk, Board of Supervisors

**RESOLUTION NO.** 96 of 2007 **DATED:** March 27, 2007

RESOLUTION INCREASING SALARY GRADE - NURSES - AND AMENDING 2007 OPERATING BUDGET (PUBLIC HEALTH)

Resolution by Supervisor: Dybas Seconded by Supervisor: Jonker

WHEREAS, the Montgomery County Public Health Department continues to have a tremendous turn over rate for Registered Professional Nurses, and

WHEREAS, the recruitment and retention of nurses is critical to the operation of the department and the numerous state mandatory public health programs, and

WHEREAS, in an effort to try to recruit and retain nurses, the Montgomery County Public Health Department Director has recommended increasing the salary grades for nursing positions within the Public Health Department, and

RESOLVED, the Montgomery County Board of Supervisors does hereby approve the following upgrades and changes in title for the Montgomery County Public Health Department:

Current -

Nurse Coordinator(1) Grade L - \$35,920 base salary

Upgrade to -

Community Health Nurse Grade M - \$38,397 base salary

Current -

Registered Professional Nurse(2) Grade J - \$33,750 base salary

Upgrade to -

Community Health Nurse Grade M - \$38,397 base salary

Current -

Public Health Education Coordinator(1) Grade J - \$33,750 base salary

Upgrade to -

Community Health Educator Grade M - \$38,397 base salary

, and

FURTHER RESOLVED, that the Personnel Officer is hereby authorized and directed to establish the above title changes, and

FURTHER RESOLVED, that the county Treasurer is hereby authorized and directed to amend the 2007 Operating Budget effective April 2, 2007 as follows:

#### I NCREASE:

Revenue A-16-3-3401-00	Public Health State Aid	\$	12331. 00
Appropri ati ons A-16-4-4010-00.1110(334) A-16-4-4010-00.1110(275) A-16-4-4010-00.1110(356) A-16-4-4010-00.1110(369)	F/T Employees-Comm. HI th. Nurse F/T Employees-Comm. HI th. Nurse F/T Employees-Comm. HI th. Nurse F/T Employees-Comm. HI th. Educator		1861. 00 3490. 00 3490. 00 3490. 00
AND			
TRANSFER FROM:			
A-16-4-4010-00. 1110(1365) A-16-4-4010-00. 1110(256) A-16-4-4010-00. 1110(255) A-16-4-4010-00. 1110(1337)	F/T Employees-Nurse Coordinator F/T Employees-RPN F/T Employees-RPN F/T Employees-Public HIth.Educator	\$ \$ \$ \$ \$	7371.00 15207.00 25345.00 25345.00
A-16-4-4010-03.1110(1363) A-16-4-4010-05.1110(1364) A-16-4-4010-01.1110(1288)	Grant-F/T Empl oyees-Nurse Coordi na Grant-F/T Empl oyees-Nurse Coordi na Grant-F/T Empl oyees-RPN		8295. 00 11984. 00 10138. 00
TRANSFER TO:			
A-16-4-4010-00. 1110(334) A-16-4-4010-00. 1110(275) A-16-4-4010-00. 1110(356) A-16-4-4010-00. 1110(369)	F/T Employees-Comm. HI th. Nurse F/T Employees-Comm. HI th. Nurse F/T Employees-Comm. HI th. Nurse F/T Employees-Comm. HI th. Educator	\$ \$ \$	7371.00 15207.00 25345.00 25345.00
A-16-4-4010-03.1110(352) A-16-4-4010-05.1110(353) A-16-4-4010-01.1110(317)	Grant-F/T Empl oyees-Comm. HI th. Nurs Grant-F/T Empl oyees-Comm. HI th. Nurs Grant-F/T Empl oyees-Comm. HI th. Nurs	e \$	8295. 00 11984. 00 10138. 00
RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)			
Douglas Landon County Attorney		nberly Sa erk, Boa	anborn rd of Supervisors

**RESOLUTION NO.** 97 of 2007 **DATED:** March 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - IMMUNIZATION ACTION PLAN GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Manci ni Seconded by Supervisor: Strevy

WHEREAS, Montgomery County has been awarded an Immunization Action Plan Grant of \$24,255.00 for the period of April 1, 2007 and ending on March 31, 2008,

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 2007-2008 grant contract.

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent.

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

RESOLUTION NO. 98 of 2007 **DATED:** March 27, 2007 RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - YOUTH OUTREACH PROGRAM (YOUTH BUREAU/ACSD)

Resolution by Supervisor: McMahon Seconded by Supervisor: Strevy

WHEREAS, the Montgomery County Youth Bureau/ACSD 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, the Montgomery County Youth Advisory Board does hereby recommend to the Board of Supervisors the funding of 2007 Outreach Programs as state below:

PROGRAM	RECOMMENDED FUNDING		
American Association of University Women (Sister-to-Sister Summit)	\$	700. 00	
American Youth Soccer Organization (Canajoharie)	\$	400.00	
Amsterdam Cal Ripken Baseball (Amsterdam Little League)	\$	400.00	
Amsterdam High School (After Ball Party)	\$	500.00	
Àmsterdam Sea Rams	\$	500.00	
(Community Group Swim Team) Canajoharie Central School (After Prom Party)	\$	500.00	
Canaj ohari e Little League	\$	400.00	
(Little League) Canajoharie Youth Football	\$	400.00	
(Youth Football) Fulton-Montgomery Comm. College (U-MADD)	\$	750. 00	
Fonda-Ful tonville Central School	\$	500.00	
(After Prom Party) Fort Hunter Free Library (Summer Reading Program)	\$	750. 00	
Fort Plain Biddy Basketball	\$	400.00	
(Biddy Basketball Program) Fort Plain Central School	\$	500.00	
(After Prom Party) Fort Plain Junior-Senior High School (Character Education Services Learning Project)	\$	600.00	
(Character Education Service Learning Project) Fort Plain Free Library	\$	600.00	
(Summer Reading Program) Fort Plain AYSO	\$	400.00	
(Youth Soccer) Friends of the Visual & Performing Arts	\$	750. 00	
(Summer Concert Band & Ensemble) Girl Scouts, Mohawk Pathways Council, Inc. (In School Scouts)	\$	400.00	
HFM Prevention Council (Eckerd Drug Quiz Show)	\$	500.00	
HFM Prevention Council (MADD Presentation)	\$	675. 00	
Margaret Reaney Memorial Library	\$	600.00	
(Ready, Set, Read and Discover) Schoharie River Center (Archaeology Field School)	\$	500.00	
YMCA of Amsterdam (Before & After School Program)	\$	275. 00	
	\$12	, 000. 00	

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 agreements with the above funding reci pi ents.

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney

Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 99 of 2007 **DATED:** March 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - LIBERTY AND AMENDING 2007 OPERATING BUDGET (MENTAL HEALTH)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Manci ni

WHEREAS, Resolution 416 of 2006 authorized the signing of certain service provider agreements for the Mental Health Department, and

WHEREAS, there has since been some changes to the funding related to the contract with NYSARC, Montgomery County Chapter (Liberty) that requires an amended agreement to be signed and also an amendment to the 2007 Operating Budget,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign an amended agreement with NYSARC, Montgomery County Chapter (Liberty) for services from January 1, 2007 through December 31, 2007 in an amount not to exceed \$430,000, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

I NCREASE:

Revenue

A-17-3-3490 Mental Health State Aid \$45,000

Appropri ati on

A-17-4-4320-00-4565 Community Support System \$45,000

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon

Kimberly Sanborn County Attorney Clerk, Board of Supervisors

RESOLUTION NO. 100 of 2007 **DATED:** March 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2007 OPERATING BUDGET -YOUTH ENGAGEMENT SERVICES PROGRAM - FMS PIC (SOCIAL SERVICES)

Resolution by Supervisor: Manci ni Seconded by Supervisor: Jonker

WHEREAS, the NYS Office of Temporary and Disability Assistance allocated \$100,000 funding to Montgomery County Department of Social Services in 2006 to support the development of partnership with a community-based organization for the provision of services to at-risk in-school and out-ofschool youth, and

WHEREAS, NYS has extended the deadline to expend the balance of funds until June 30, 2007, 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 \$44, 401. 71, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

I NCREASE:

REVENUE

A-18-3-4610-00 Federal Aid DSS Admin. \$44,402

APPROPRI ATI ONS

A-18-4-6010-00. 4462 DSS Administration - TANF Services \$44,402

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon Kimberly Sanborn

County Attorney Clerk, Board of Supervisors

# **RESOLUTION NO.** 101 of 2007 **DATED:** March 27, 2007

RESOLUTION ESTABLISHING POSITIONS - PART-TIME ASSISTANT DISTRICT ATTORNEY AND PART TIME ASSISTANT PUBLIC DEFENDER - AND AMENDING 2007 OPERATING BUDGET (DISTRICT ATTORNEY & PUBLIC DEFENDER )

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Thomas

WHEREAS, it has been recommended that an additional part time assistant district attorney position be established in the District Attorney's Office and an additional part time assistant public defender position be established in the Public Defender's Office to accommodate the demands of the full-time Amsterdam City Court Judge to become effective April 1, 2007,

RESOLVED, that the positions of part time Assistant District Attorney and part time Assistant Public Defender are hereby established in the respective offices at an entry level salary of \$38,624.00, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 CONTI NGENT ACCOUNT \$63, 248. 00 A-25-4-1165-00-4422 EQUI P RENTAL/LEASE/REPAI R \$4,000. 00 A-25-4-1165-00-4522 DA/LAW ENFORCEMENT PROGRAM \$10,000. 00

TRANSFER TO:

A-25-4-1165-00-1120 (404) Assistant District Attorney - PT \$38,624.00 A-28-4-1170-00-1120 (412) Assistant Public Defender - PT \$38,624.00

RESOLUTION ADOPTED with Aye(1230). Supervisors Dybas, Strevy, Paton and Jonker voted Nay. Supervisor Johnson was absent. (3/27/2007)

Douglas Landon Kimberly Sanborn
County Attorney Clerk, Board of Supervisors

**RESOLUTION NO.** 102 of 2007 **DATED:** March 27, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - INSURANCE RECOVERIES (PURCHASING)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Jonker

WHEREAS, Montgomery County has received a large claim check from our insurance company, NYMIR, related to repairs for certain equipment damage, and

WHEREAS, the check is in excess of the amount budgeted and requires a budget amendment in order to be distributed for equipment repairs,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

I NCREASE:

A-31-3-2680 Insurance Recoveries \$20,000.00 A-31-1345-4422 Equipment Repairs \$20,000.00 RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

# **RESOLUTION NO.** 103 of 2007 **DATED:** March 27, 2007

BOND RESOLUTION OF MONTGOMERY COUNTY NY - 3/27/07 AUTHORIZING THE REPLACEMENT OF VARIOUS BRIDGES WITHIN THE COUNTY, ESTIMATING THE AGGREGATE COST THEREOF TO BE \$1,758,900; APPROPRIATING SAID AMOUNT AND AUTHORIZING THE ISSUANCE OF BONDS TO FINANCE

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Johnson

WHEREAS, the Board of Supervisors has heretofore approved funding the replacement of various bridges within the County, all as more particularly described in Resolution No. 42 of 2007, dated February 27, 2007 (collectively, the "Prior Resolution"); and

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

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

#### SECTION 1

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

(a) The replacement of three (3) bridges (Pawling Street B.I.N. 3310230 in the Town of Amsterdam, Triumpho Road B.I.N. 3309670 in the Town of St. Johnsville and Hessville Road B.I.N. 3309520 in the Town of Minden (the "BIN Bridges")), the maximum aggregate cost thereof being hereby estimated to be \$1,758,900.00, appropriating said amount therefor and authorizing the issuance of \$1,758,900.00 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.

## SECTION 3

The plan of financing includes the issuance of \$1,758,900.00 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 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 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 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 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 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 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 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 bonds and bond anticipation notes and prescribing the terms, form and content as to sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Treasurer of the County, the chief fiscal officer of the County. Pursuant to the provisions of paragraph a of Section 56.00 of the Local Finance Law, the power to determine whether to issue bonds and bond anticipation notes having substantially level or declining annual debt service, as provided in paragraph d of Section 21.00 of the Local Finance Law, is hereby delegated to the Treasurer of the County, the chief fiscal officer of said County. In addition to the delegation of powers described above, the powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such bonds for sale, conduct the sale and award the bonds in such manner as she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any other order or rule of the State Comptroller applicable to the sale of municipal bonds.

#### SECTION 11

All costs and expenses in connection with the acquisition and development of the objects and purposes set forth in Section 1 above, and the financing thereof by the sale of bonds, including but not limited to, the fees and expenses of bond counsel, financial advisors, underwriters feasibility consultants, counsel for the County and other professionals, shall be paid to the extent permitted by law from the proceeds of the sale of such bonds.

#### SECTION 12

The validity of the bonds authorized by this bond resolution and of any notes issued in anticipation of said bonds may be contested only if:

- (a) Such obligations are authorized for any object or purpose for which the County is not authorized to expend money; or
- (b) The provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) Such obligations are authorized in violation of the provisions of the constitution.

#### SECTION 13

This resolution shall be published in full in the designated official newspapers of the County for such purpose, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Law.

#### SECTION 14

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

#### SECTION 15

This resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

# **RESOLUTION NO.** 104 of 2007 **DATED:** March 27, 2007

BOND RESOLUTION OF MONTGOMERY COUNTY, NY - 3/27/07 AUTHORIZING THE REPLACEMENT OF VARIOUS VEHICLES & EQUIPMENT, ESTIMATING THE AGGREGATE COST THEREOF TO BE \$337,000; APPROPRIATING SAID AMOUNT & AUTHORIZING THE ISSUANCE OF BONDS OF THE COUNTY TO FINANCE

Resolution by Supervisor: Strevy

Seconded by Supervisor: Quackenbush

WHEREAS, the Board of Supervisors has heretofore approved funding the replacement of various vehicles and equipment and the acquisition of new vehicles and equipment, all as more particularly described in Resolution No. 44 of 2007 dated February 27, 2007 (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) six-wheel dump trucks (the "6-Wheel Trucks"), the maximum aggregate cost thereof being hereby estimated to be \$162,000, appropriating said amount therefor and authorizing the issuance of \$162,000 bonds to finance such costs;
- (b) The cost of acquisition of one (1) bulldozer (the "Bulldozer"), the maximum aggregate cost thereof being hereby estimated to be \$175,000, appropriating said amount therefor and authorizing the issuance of \$175,000 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) 6-Wheel Trucks 15 years pursuant to Section 11.00(a)(28) of the Law.
- (b) Bulldozer 15 years pursuant to Section 11.00(a)(28) of the Law.

#### SECTION 3

The plan of financing includes the issuance of \$337,000.00 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 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 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 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 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 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 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 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 bonds and bond anticipation notes and prescribing the terms, form and content as to sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Treasurer of the County, the chief fiscal officer of the County. Pursuant to the provisions of paragraph a of Section 56.00 of the Local Finance Law, the power to determine whether to issue bonds and bond anticipation notes having substantially level or declining annual debt service, as provided in paragraph d of Section 21.00 of the Local Finance Law, is hereby delegated to the Treasurer of the County, the chief fiscal officer of said County. In addition to the delegation of powers described above, the powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such bonds for sale, conduct the sale and award the bonds in such manner as she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any other order or rule of the State Comptroller applicable to the sale of municipal bonds.

#### SECTION 11

All costs and expenses in connection with the acquisition and development of the objects and purposes set forth in Section 1 above, and the financing thereof by the sale of bonds, including but not limited to, the fees and expenses of bond counsel, financial advisors, underwriters feasibility consultants, counsel for the County and other professionals, shall be paid to the extent permitted by law from the proceeds of the sale of such bonds.

#### SECTION 12

The validity of the bonds authorized by this bond resolution and of any notes issued in anticipation of said bonds may be contested only if:

(a) Such obligations are authorized for any object or purpose for which the County is not

authorized to expend money; or

- (b) The provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) Such obligations are authorized in violation of the provisions of the constitution.

SECTION 13

This resolution shall be published in full in the designated official newspapers of the County for such purpose, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Law.

SECTION 14

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

SECTION 15

This resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Supervisor Quackenbush asked if the amount listed in Resolution 105 is the correct amount to bond, based on certain roads needing to be removed from the list.

County Treasurer Shawn Bowerman stated that the County can bond up to that amount.

RESOLUTION NO. 105 of 2007

**DATED:** March 27, 2007

BOND RESOLUTION OF MONTGOMERY COUNTY, NY DATED 3/27/07 AUTHORIZING THE RESURFACING OF VARIOUS COUNTY ROADS, ESTIMATING THE AGGREGATE COST THEREOF TO BE \$1,134,100; APPROPRIATING SAID AMOUNT AND AUTHORIZING THE ISSUANCE OF BONDS OF THE COUNTY TO FINANCE

Resolution by Supervisor: Strevy
Seconded by Supervisor: Quackenbush

WHEREAS, the Board of Supervisors has heretofore approved funding the resurfacing of various County roads, all as more particularly described in Resolution No. 41 of 2007, dated February 27, 2007(collectively, the "Prior Resolution"); and

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

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

SECTION 1

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

(a) The cost of the resurfacing of various County roads (the "Road Resurfacing"), the maximum aggregate cost thereof being hereby estimated to be \$1,134,100, appropriating said amount therefor and authorizing the issuance of \$1,134,100 bonds to finance such costs; and

SECTION 2

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

(a) Road Resurfacing - 15 years pursuant to Section 11.00(a)(20) of the Law.

SECTION 3

The plan of financing includes the issuance of \$1,134,100 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 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 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 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 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 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 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 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 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.

All costs and expenses in connection with the acquisition and development of the objects and purposes set forth in Section 1 above, and the financing thereof by the sale of bonds, including but not limited to, the fees and expenses of bond counsel, financial advisors, underwriters feasibility consultants, counsel for the County and other professionals, shall be paid to the extent permitted by law from the proceeds of the sale of such bonds.

SECTION 12

The validity of the bonds authorized by this bond resolution and of any notes issued in anticipation of said bonds may be contested only if:

(a) Such obligations are authorized for any object or purpose for which the County is not

- authorized to expend money; or
- (b) The provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) Such obligations are authorized in violation of the provisions of the constitution.

SECTION 13

This resolution shall be published in full in the designated official newspapers of the County for such purpose, together with a notice of the Clerk of the Board of Supervisors in substantially the form provided in Section 81.00 of the Law.

SECTION 14

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

SECTION 15

This resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1595). Supervisor Dybas voted Nay. Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Supervisor Greco stated that regarding Resolution 106, there will be an future amendment because of a possible merger.

Supervisor Greco withdrew his sponsorship of Resolution 106. No one picked it up.

**RESOLUTION NO.** 106 of 2007 **DATED:** March 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT - CANAJO MANUFACTURING CORP. (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Greco 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 Canajo Manufacturing Corp., and

WHEREAS, said applicant has requested a loan from the Economic Development Program for the purposes of purchasing Machinery and Equipment for their Village of Canajoharie 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, and any other legal documents necessary to process an economic development loan, in a principal amount not to exceed \$300,000 to Canajo Manufacturing Corp., 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 84 monthly installments, with interest of prime minus two (at the time of closing), and

FURTHER RESOLVED, that, at the time of closing, a sum of \$1,500 shall be deducted, to allow for

closing fees.

RESOLUTION WITHDRAWN BY SPONSOR (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

# **RESOLUTION NO.** 107 of 2007 **DATED:** March 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT - SOUTHERN TIER GROCERY, INC. (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Greco

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 Southern Tier Grocery, Inc., and

WHEREAS, said applicant has requested a loan from the Economic Development Program for the purposes of renovation and working capital to open a Save-A-Lot store in the Village of Fort Plain.

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, and any other legal documents necessary to process an economic development loan, in a principal amount not to exceed \$250,000 to Southern Tier Grocery, Inc., and

FURTHER RESOLVED, that the proceeds shall come from Montgomery County's Program Income Account, and

FURTHER RESOLVED, that said loan shall be payable in not more than 60 monthly installments, with interest of prime minus three (at the time of closing), 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(1595). Supervisor Dybas voted Nay. Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

# **RESOLUTION NO.** 108 of 2007 **DATED:** March 27, 2007

RESOLUTION ENDORSING CONCEPT OF THE MONTGOMERY COUNTY ECONOMIC DEVELOPMENT FUND

Resolution by Supervisor: Dybas Seconded by Supervisor: Strevy

WHEREAS, Montgomery County has limited financial resources for developing shovel ready sites and re-developing Brownfield sites for industrial development, and

WHEREAS, it is imperative that Montgomery County be prepared to meet the infrastructure and land demands that will be needed by future companies seeking to locate and/or expand their presence here to further grow the County tax base and create jobs, and

WHEREAS, the Montgomery County Industrial Development Agency has the authority pursuant to Title One of Article 18-A of the General Municipal Law to enter into Payment-In-Lieu-of -Tax (PILOT) Agreements in relation to qualified projects;

RESOLVED, that the Montgomery County Board of Supervisors endorses the creation of the Montgomery County Economic Development Fund to help foster the growth of jobs and the tax base, and

FURTHER RESOLVED, that monies from said fund will be used for eligible project costs associated with developing shovel ready sites and re-developing Brownfield sites throughout all of Montgomery County, and

FURTHER RESOLVED, that eligible project costs may include, but are not limited to, land acquisition, engineering and construction of public infrastructure, site/soil investigations, site planning/design, and environmental review and permitting, and

FURTHER RESOLVED, that said Fund would be a form of Tax Increment Financing (TIF) which would establish an agreement to share property tax revenues generated from new development in Montgomery County between the County, affected taxing jurisdictions and the Fund, and

FURTHER RESOLVED, that said Fund would receive twenty (20) percent of the tax revenues generated through all new PILOT Agreements entered into with the Montgomery County Industrial Development Agency in each year that the PILOT is in force, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors encourages the affected taxing jurisdictions to participate in the Fund and authorizes the Montgomery County Industrial Development Agency to develop the Economic Development Fund Agreement for review and approval by the taxing jurisdictions.

RESOLUTION ADOPTED with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### **ADJOURNMENT**

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor Jonker at 7:37 PM, passed with Aye(1731). Supervisor Johnson 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 SPECIAL MEETING 7:00 PM, April 10, 2007

#### CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for April 10, 2007 was called to order at 7:00 PM by Chairman DiMezza.

#### SALUTE TO THE FLAG

Chairman Greco led the Salute to the Flag.

#### **ROLL CALL**

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

#### PUBLIC COMMENT

Chairman DiMezza stated that even though Public Comment is not on the agenda, he would like to open the floor for Public Comment. Public Comment was opened at 7:06 PM.

No one spoke.

Chairman Di Mezza adjourned Public Comment at 7:06 PM.

#### STATEMENT OF PURPOSE OF MEETING

- A. RESOLUTION REQUESTING THE NYS LEGISLATURE TO REAUTHORIZE LEGISLATION WHICH INCREASES SALES TAX IN THE COUNTY OF MONTGOMERY
- B. OTHER

Supervisor Schumann stated that she would like to see the Supervisors wait for the A.O.D. report to be presented prior to voting on Resolution 109. She stated that she doesn't think timing is an issue

Supervisor Schumann made a motion to table the Resolution, so that the Resolution can be presented at a Full Board meeting.

County Attorney Doug Landon stated that the Resolution must be received in Albany by April 25th, and that the Full Board meeting is on the 24th.

(Clerk's Note: There was no second to her motion to table. The motion failed.)

# **RESOLUTION NO.** 109 of 2007 **DATED:** April 10, 2007

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

Resolution by Supervisor: Dybas Seconded by Supervisor: Strevy

WHEREAS, in 2003 the NYS Legislature empowered the County of Montgomery to raise an additional 1% sales tax, and

WHEREAS, such authorization is due to expire November 30, 2007, and

WHEREAS, this additional sales tax revenue has been critical to the fiscal well-being of Montgomery County,

RESOLVED, the Montgomery County Board of Supervisors hereby asks the NYS Legislature to reauthorize Legislation which amended Section 1210 of NYS Tax Law to increase the sale tax in Montgomery County from seven and one-quarter percent to eight and one-quarter percent, with the additional one percent to be retained by the County of Montgomery.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Greco as follows:

In the RESOLVED clause, to strike "and one quarter", "and one quarter", and "retained by the County of Montgomery.",

and insert at the end of the RESOLVED clause the following:

"distributed as follows: 90% to be retained by the County of Montgomery and 10% to be retained by the City of Amsterdam, as passed per Resolution 61 of 2006."

, passed with Aye(1706). Supervisors Cechnicki and Stagliano were absent. (4/10/2007)

RESOLUTION ADOPTED with Aye(1567). Supervisor Schumann voted Nay. Supervisors Cechnicki and Stagliano were absent. (4/10/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### **ADJOURNMENT**

MOTION TO ADJOURN by Supervisor Thomas, seconded by Supervisor Dybas, passed with Aye(1706). Supervisors Cechnicki and Stagliano were absent.

Respectfully submitted,

Kimberly Sanborn Clerk of the Board

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - PUBLIC SAFETY 7:05 PM, April 10, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 7:08 PM.

Roll call indicated Committee members present included Supervisors Greco, Strevy, Jonker, Dybas and Schumann. Absent was Supervisor Cechnicki.

Additional Supervisors present were Quackenbush, Johnson, Paton, Walters, McMahon, Mancini and DiMezza. Absent was Supervisor Stagliano.

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

- 1. Photo ID Card Presentation Renee Carmen, Lindstar
- 2. Discussion Regarding Second Boiler Public Safety Facility (Sheriff)
- 3. Discussion Regarding Purchase of Computer Software/Hardware Civil Office (Sheriff)
- 4. Resolution Authorizing Chairman to Sign Agreement 109th Airlift Wing Mutual Aid Agreement (Emergency Management)
- 5. Resolution Amending 2007 Operating Budget Non-Restricted Forfeiture Proceeds (District Attorney)
- 6. Other

Chairman Thomas stated that agenda item #3 will not be entertained at the request of County Sheriff Amato.

Chairman Di Mezza exited Chamber at 7:10 PM.

Item #1: Chairman Thomas stated the need for tracking EMS personnel at a disaster scene. He introduced Richard Sager (from the Montgomery County Fire Advisory Board) and Renee Carmen (from LINDSTAR, an ID system to be purchased May 1st for the Sheriff's Dept. and Jail).

Mr. Sager stated that, in the future, anyone entering a disaster scene would need two bar-coded ID tags for admittance, so their presence can be monitored. He also stated that a cross-county uniform ID system for all emergency personnel is being looked into at this time. ID cards can be color coded as needed, including photo and/or credentials as needed, and could have an expiration date to coincide with terms of employment.

Ms. Carmen stated that Homeland Security is making it mandatory for Fire Fighters to have ID cards. Bar-coded cards would make it possible to track fire personnel via an on-scene portable computer and camera. She stated that this system is already in place in other counties in New York. She also stated that access privileges (comings and goings) can be better controlled at Fire Houses, too, as needed.

Supervisor Cechnicki entered Chamber at 7:16 PM.

Ms. Carmen stated that she met with Personnel Officer Rich Baia. She stated that the County's current access control cards will be bid out when the new County building is built, and LINDSTAR will be making a bid.

Supervisor Quackenbush stated his support of the ID cards, but is concerned that non-emergency personnel could be inadvertently allowed access to a disaster scene. Ms. Carmen stated that a color coded ID card would be helpful in that case to visually identify emergency personnel.

When queried by Supervisor Strevy, Ms. Carmen stated that the system would cost just over \$13,000 for the 19 Fire Depts. in the County. She stated that Fulton County Sheriff's Dept. has the system at this time, and the FC Sheriff is urging the FC Fire Depts. to follow suit.

When queried by Supervisor Quackenbush, Mr. Sager stated that Fulton and Montgomery County systems can be similar enough to help authorize and ensure County cross-over support, if needed.

Chairman Di Mezza entered Chamber at 7:22 PM.

Supervisor McMahon stated his concern over the complications and confusions that could occur during the set-up and implementation of the system.

Chairman Thomas stated his support of the system.

Ms. Carmen and Mr. Sager, in conclusion, stated that they would be available for discussion if there are any additional questions or concerns.

Item #2: DPW Commissioner Paul Clayburn stated the need to replace the second boiler at the jail. He stated that the last boiler purchased cost approximately \$58,000 (which was a high bid, chosen for the immediate availability of the unit during an emergency situation), and it will take a couple of months to replace it.

Chairman Thomas recommended purchasing the same brand boiler, which would cost approximately \$65,000, according to figures from Commissioner Clayburn. This would be convenient should parts need to be interchangeable.

When queried by Supervisor Schumann, County Attorney Doug Landon stated that "competitive purchasing problems" may occur if the County solely seeks an identical boiler.

Supervisors Schumann and Walters made a motion and seconded, respectively, to sponsor the draft Resolution to pursue RFPs and move it to the full Board with a positive recommendation. There were no objections.

Item #3 (formerly item #4, "Resolution Authorizing Chairman to Sign Agreement - 109th Airlift Wing Mutual Aid Agreement (Emergency Management)"): 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.

(Clerk's Note: There is a typographical error in the title of the agreement.)

Item #4 (formerly item #5, "Resolution Amending 2007 Operating Budget - Non-Restricted Forfeiture Proceeds (District Attorney)"): Supervisors Jonker 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.

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

Chairman Thomas adjourned the Public Safety Committee meeting at 7:45 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 10, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:46 PM.

Roll call indicated Committee members present included Supervisors Quackenbush, Cechnicki, Paton, Greco and Strevy. Absent was Supervisor Stagliano.

Additional Supervisors present were McMahon, Thomas, Mancini, Johnson, Dybas, Jonker and Di Mezza. Absent was Supervisor Schumann.

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

- Resolution Amending 2007 Operating Budget Temporary Employee (Data Processing)
- Discussion regarding Capital Project Storage Structure (Public Works)
- 3. Resolution Amending 2007 Operating Budget FEMA/SEMO Reimbursement (Sanitary District)
- 4. Resolution Establishing Non-Bargaining Position Business Manager And Amending 2007 Budget (Public Works)
- 5. Resolution Authorizing Chairman to Sign Engineering Services Agreement - 2007 Bridge Program (Public Works)
- 6. Other

Item #1: Supervisors McMahon and Strevy made a motion and seconded, respectively, to sponsor the Resolution.

From a query by Supervisor Greco, Data Processing Director Deb Bain stated that employees voluntarily donated their sick time to this person, and this Resolution preserves this person's position. The person has enough time to be paid through end of July.

County Treasurer Shawn Bowerman further clarified the Resolution.

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

Item #2 (formerly item #3, "Resolution Amending 2007 Operating Budget - FEMA/SEMO Reimbursement (Sanitary District)"): 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 #3 (formerly item #2, "Discussion regarding Capital Project - Storage Structure (Public Works)"): Chairman Walters stated that this agenda item will not be entertained as the Sheriff and Emergency Management Director are not present.

Supervisors Dybas and Mancini exited Chamber at 7:53 PM.

Item #4: Supervisors McMahon and Strevy made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Greco stated that he no longer supports new positions or increases because said positions or increases should have been considered during the budget process.

Supervisor McMahon spoke in support of the Resolution.

Supervisor Quackenbush spoke in support of moving the Resolution with no recommendation.

The Committee chose to move the Resolution to the full Board with no recommendation. There were no objections.

Item #5: 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 #6, Other: Supervisor Quackenbush stated that he was approached by Ft. Plain Mayor Guy Barton, who had a MOSA question: Was the arrangement just for the current budget year, and after that would be on their own?

Chairman Walters stated that the Resolution was passed by the MOSA Board to pay. However, the MOSA Treasurer chose not to sign the requested check. He stated that their part-time Counsel also advised MOSA not to sign the check. There will be a MOSA meeting Thursday morning, which all Supervisors are encouraged to attend. He stated that on the back side of the Resolution to give back the overage, they put on to rescind that one. He stated that Olga Podmajerksi, a MOSA Board Representative, advised him (Chairman Walters) that the rescind is not legal according to Public Authority Law, and the check should be signed.

He stated that the way it was planned was that the Villages gave the amount they were short up until their budget year ended (May 31st 2007 for Villages, June 30, 2007 for the City of Amsterdam). That was what the Resolution covered. He stated that Supervisor Strevy brought up the Resolution to reduce the tipping fee. At first, MOSA stated that they would be more comfortable reducing the tipping fee. Now MOSA wants to wait until the GBB survey comes up.

He said that if it all goes through, the money will come to the County to be dispersed back to the municipalities.

Supervisor Strevy stated that the County could give back what they want to give back. He stated that the Resolution that's on for Thursday was the voted down motion to return the subsidy. The only difference between the Resolution on Thursday and the last one was that it includes the rescind. He stated that he feels the municipalities are in the same fiscal bind now as they were. If the County were to look at the subsidy situation for the balance of the 2007 year, could we use the numbers that have been kicked around as opposed to the \$799,000.

Chairman Walters stated that the savings were only around \$50,000, which is not much of a hit.

He stated that what could happen Thursday is basically if the Otsego members stick together and the Montgomery board members stick together and don't vote to rescind, they're stuck. Because if they don't vote for the Resolution that has the rescind part on it, they have the Resolution that says they'll pay us. So we only need the Otsego County member to stick to their guns.

Regarding the MOSA Treasurer's actions, he stated that at the moment, MOSA is under a binding agreement with their own Board to pay us. And if those members don't vote to rescind it, they still have to pay us.

Supervisor Quackenbush stated that in worst case scenario where it's rescinded, we're looking at \$50,000 (the overage).

Supervisor Strevy inquired, from the municipalities standpoint, where do they stand going into the new year?

Chairman Walters stated that MOSA is waiting until the study comes out.

Attorney Landon stated that it appears to be insubordination on the part of the MOSA Treasurer, regarding the actions.

Item #7, Other: Supervisor Quackenbush stated that the Safety Officer applications are due by April 17th, and interviews need to occur either Friday the 20th or Saturday the 21st, during a "Committee of the Whole" meeting. He would like the meeting on the 21st in the morning. He recommended that a NYMIR representative or Mr. Van Gorder be present during the interviews. He stated that more discussion on this topic should occur during next Tuesday's Committee meeting.

(Clerk's note: The meeting has been scheduled by Chairman DiMezza for Saturday, April 21st at 8:00 AM in Chamber.)

Regarding the MOSA issue, Supervisor Strevy asked how the MOSA Board would like the Board of Supervisors to vote on this issue. He stated that the way the Resolution stands, without striking the WHEREAS clause, it would mean that the Board would have to vote NAY for MOSA to return the subsidy to the County. To the County, it would mean \$64,000 or \$67,000.

He stated there's another clause in the Resolution that states that all monies that MOSA generates in the future will go toward rate stabilization, capital projects, etc., which hasn't been the case before.

Chairman Walters advised Supervisor Strevy to vote NAY, and bring the Resolution back in next month.

Attorney Landon advised the Board that there are two separate issues under consideration, and should be voted on separately.

Supervisor Strevy stated that he cannot see the difference between reimbursing the County for the dollar per ton and MOSA returning the GAT subsidy overage. He feels the intent is identical: money being returned to the County. He asked how one can be legal and the other illegal.

Chairman Walters stated that their statement was that they (MOSA) can reduce the GAT at any time during the year, it didn't say from that point on. No where in that did it say to give back to the Villages. They're giving the money back to the County as a reduction in rate. There are two separate items. We'll see what happens on Thursday.

Supervisor Strevy stated that the money comes from MOSA to the County. How the County gives it to the Municipalities is the County's business.

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

Chairman Walters adjourned the General Services Committee meeting at 8:11 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, April 17, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Greco presided over the meeting commencing at 7:03 PM.

Roll call indicated Committee members present are Supervisors Quackenbush, Mancini, McMahon, Johnson, Jonker and Walters.

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

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

- 1. Resolution Authorizing Chairman to Sign Agreement Teitsch-Kent-Fay Architects, P.C. Schematic Plans New County Office Building Project
- 2. Resolution Authorizing Chairman to Sign Agreements NYS Real Property Tax Administration Improvement Program & Consulting Services for Grant Implementation and Amending 2007 Operating Budget
- 3. Resolution Awarding RFP #01-07 Pharmaceutical Services Montgomery County Correctional Facility (Sheriff)
- 4. Resolution Awarding Bid #07-07 Office Supplies Montgomery County Departments and All Political Subdivisions (Purchasing)
- 5. Resolution Authorizing Chairman to Sign Agreement Tourism Strategic Plan Performance Matters, Inc. and Appropriating Occupancy Tax Reserve Funds
- 6. Resolution Authorizing Chairman to Sign Grant Agreement Childhood Lead Poisoning Prevention Program (Public Health)
- 7. Resolution Authorizing Chairman to Sign Revolving Loan Fund Agreement Richardson Brands Company (Economic Development)
- 8. Resolution Authorizing Chairman to Sign Amended Agreement#2 Concrete Core Samples Installation of Vinyl Liner Project Steven E. Smith, PE Revised 2007 Capital Project (FMCC)
- 9. Resolution Authorizing FMCC to Purchase Certain Computer Equipment as Part of Technology Upgrade Servers/Smart Classrooms Project Revised 2007 Capital Project (FMCC)
- Resolution Approving Revision to Sources of Funding 2007 Capital Projects (FMCC)
- 11. Resolution Authorizing Solicitation of Bids Student Services Roof Replacement Project (FMCC)
- 12. Discussion regarding Flood Assessment Relief Act of 2007
- 13. Other

Chairman Greco asked for a moment of silence to recognize the victims and their families of the shooting tragedy at Virginia Tech.

He also stated that three add-on Resolutions will be entertained toward the end of the meeting.

Item #1: Supervisors Dybas and Johnson made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor McMahon stated that he feels that the timing is off for now. He stated that there are other priorities coming up, including tax increases and the need for upgraded County vehicles. He would like it to go to the Full Board with no recommendation, with two-thirds vote needed for passage.

Supervisor Dybas stated that this Resolution is for site location and design, which is the next logical step in the process.

Supervisor Walters stated that the purpose of the Resolution is to get the Board back on the right track of moving forward.

Chairman DiMezza spoke in support of moving forward with the Resolution, as the buildings are outdated and parking is an issue at the Rte. 30A building. He stated that bonding for 25 or 30 years is expected, and it's time to "just do it", as NIKE would say.

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

Item #2: 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 #3: 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.

Supervisor Mancini entered Chamber at 7:15 PM.

Item #4: Purchasing Officer Scott Surento clarified the Resolution.

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

Item #5: Supervisors Dybas and Johnson 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 #6: Supervisors Strevy 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: Supervisors Strevy 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: 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 #9: Supervisors McMahon 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 #10: Supervisors DiMezza 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 #11: Supervisors McMahon 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 #12 (formerly item #13, Other): Add-on RESOLUTION AWARDING ROAD RELOCATION CONTRACT (PUBLIC WORKS). DPW Commissioner Paul Clayburn stated the low bidder was Kepco, Inc. of Albany NY for \$1,065,000.00. He stated that the Consultants still need to verify the bids and references, and an award packet will be ready in a week.

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, tentatively awarding the bid to Kepco, Inc, per the Consultant's decision. There were no objections.

Item #13, Other: Add-on RESOLUTION AMENDING 2007 OPERATING BUDGET - STATE AID APPROPRIATIONS (DA). Supervisors Mancini 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 #14 (Formerly item #12, "Discussion regarding Flood Assessment Relief Act of 2007"): Chairman Di Mezza stated that there is an opportunity for an assessment reduction in real property taxes for anyone who had flood damage in 2006 to their home. He stated that the assessment is for this coming year, and will be enacted until the homes are back to their original property values.

He stated that the Board of Supervisor's office has sent a letter to all municipalities and school districts, making officials aware of this program.

He confirmed that each municipality who wants to participate must send a letter of support to the Chairman's office by 4/24/07. That letter will be forwarded to the appropriate parties to be acted upon. Each municipality must have a minimum of 10 affected properties in order to participate.

Supervisor Walters stated that the Towns of Root and Charlestown share the same assessor. He said that the Town of Root had flood damage, but Charlestown did not. He stated that the towns are in a CAP agreement where assessor rates affect both equally, so there was an issue when the state got

involved. He urged assessors to use caution.

Supervisor McMahon stated that there is a movement to change the state Constitution so that all assessment will be done by Albany. He said that this is a good time to fight that, as we don't need any more help from Albany.

Item #15, Other: Chairman Greco stated that he attended the 4/12/07 MOSA meeting and commends Supervisor Bill Strevy, Olga Podmajerski and Dave Parker (from Otsego County) for their support. He'd recognized Ed Wesnofske, Chairman of the MOSA Board of Directors.

Mr. Wesnofske stated that MOSA is in support of providing financial relief to the County's municipalities. He said that a financial assistance program could be implemented this year.

He said this would assist municipalities with the cost of the recycling component of their solid waste and recycling collection in their communities, amounting to approximately \$117,000. He said the original objections raised to the proposal to make payments was because they weren't associated with a solid waste purpose. And that the Solid Waste Authority was created to actually spend funds for solid waste purposes rather than general revenue reimbursements. With that in mind, he's been drafting a proposal to share with the Board, which he disseminated to all Supervisors present, titled "Resolution Authorizing MOSA to Provide Financial Assistance to Local Governments in Support of Recyclables Collection, Transportation and Disposal".

When queried by Supervisor Dybas, Mr. Wesnofske stated that the original motion to reimburse municipalities still stands.

Chairman Greco recommended that all the Supervisors make careful consideration of the proposal, which is to go before the MOSA Board.

Supervisor Quackenbush stated that the original proposal was in regards to solid waste, because the fees were raised regarding garbage.

Mr. Wesnofske stated that the original motion did not have "solid waste" purpose attached to it; it was a simple motion to give monies to Counties, not municipalities. He stated that the context was a memo provided by Council of the Authority, saying that if any Resolution is voted, it should describe the purposes for which it is being offered.

Responding to a query by Supervisor Johnson, Ed stated that Schoharie is funding the whole \$16 increase to rebate money to the users of the system. He stated that Otsego County did not raise the subsidy, but waste is controlled by a hauler who gets it at the landfill. So, it's in their interest not to abandon the system.

Item #16, Other: Supervisor Walters stated his displeasure with the MOSA meetings and the entire situation. He summarized the dire situation the municipality budgets are in, due to the rate increase. He stated that the municipalities can't afford to go somewhere else.

Supervisor Walters disseminated three documents to all Supervisors present: "(Resolution 395 of 1987) Resolution Authorizing Participation in Montgomery, Otsego, Schoharie Solid Waste Management Authority and Appointing Montgomery County Representatives", "Table of Contents (service agreement between MOSA and the three counties from 1989)".

He asked for the Board's attention to page one of the service agreement, in the fifth WHEREAS clause, specifically quoting "sound and cost-effective manner". He stated that at the moment, MOSA is not cost-effective at \$99/ton, which is a burden. He stated that businesses in Schoharie and Otsego County are not happy at all.

He stated that the County has the agreement with MOSA, not municipalities. He stated that the Resolution (regarding reimbursement at \$1/ton) was passed in full faith. He stated that Bill had also asked for a Resolution returning the GAT overage (which we get historically) and a Resolution reducing the tip fee. Neither of those Resolutions passed, but the \$1/ton Resolution passed. In their meeting on the 12th, the Resolution was up to pay the GAT overage back but rescind the prior Resolution. Our Representative had two Resolutions; one for the overage and one for the reimbursement. These are two very separate issues.

He stated his support of legally pursuing the issue, because the second Resolution to rescind was turned down, so the first one still stands. He stated that MOSA isn't being cost effective. He feels the Chairman is ineffective, and their Treasurer is insubordinate.

Supervisor Walters disseminated a self-sponsored RESOLUTION REQUESTING MONTGOMERY COUNTY REPRESENTATIVES ON MONTGOMERY OTSEGO & SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA) BOARD TO SUPPORT REMOVAL OF CERTAIN INDIVIDUALS FROM OFFICE FOR INSUBORDINATION.

He stated that the purpose of the Resolution is to support the three County representatives in going to the MOSA Board to demand the removal of the Executive Director, Chairman of the Board and Treasurer.

He also feels the Director should also be removed for not doing his job.

The Resolution was seconded by Supervisor McMahon.

Supervisor Johnson expressed her mixed feelings, and feels that the full picture must be looked at. She feels the Resolution will be ineffective, and is too emotional. She would like to see another avenue pursued via the County Attorney Doug Landon.

Chairman DiMezza stated that this item should have been discussed in Executive Session, as it involves personnel issues. He also stated that if there is an individual who won't follow orders, that individual must be dealt with, individually.

Supervisor Walters stated that since this occurred at a public MOSA meeting (with reporters present), this Resolution doesn't need to be handled in Executive Session. He stated that in 18 years, the problems have been escalating with MOSA, and it's time to deal with the situation publicly. He also spoke in support of the three County Representatives who are constantly getting pounded on.

Supervisor Quackenbush stated that he feels we cannot go into Executive Session over someone else's employees and has mixed feelings about supporting the Resolution.

Supervisor Dybas asked Attorney Landon if MOSA, a public authority created by statute by State of NY, has been functioning properly as such. He wondered why Cuomo hasn't been called in to look at the specific act to refuse to recognized a duly authorized Resolution. The legal issue is that we have two officials that defied the board and continue to fail. He feels the Resolution shouldn't be pursued, and that the State Attorney General should be involved.

Chairman Greco made a motion to table Supervisor Walters' Resolution because the MOSA Chairman graciously came to this meeting with a alternate Resolution. He stated that the Board of Supervisors should wait to see what the MOSA board does and wait on the recommendations of our three Board reps on deciding what next step to take.

Supervisor Jonker seconded the motion to table. Based on roll call, the motion failed.

Chairman DiMezza, in addressing the three Board reps present, asked for their opinion of Supervisor Walters' Resolution. Their common reply was that Chamber isn't the forum for this kind of discussion.

Chairman DiMezza stated that he would like the Resolution moved with no recommendation.

Attorney Doug Landon stated that either the Board of Supervisors or the County can pursue the Attorney General's office for action.

Supervisor Jonker stated that he supports Attorney Landon contacting the Attorney General.

Supervisor Dybas stated that we can ask where our check is, we can ask Cuomo to come look at the situation, let the Attorney General start nosing around MOSA. Are they cost effective? Are they meeting what their charter says? MOSA has opened the door to ultimate scrutiny.

Supervisor Johnson stated that she would like to add to Supervisor Walters' Resolution an FURTHER RESOLVED clause to pursue the Attorney General.

Supervisor Quackenbush stated his support of the Resolution and amendment.

Chairman Greco stated that because some Supervisors expressed displeasure at amending the Resolution, roll call will be taken on passing the Resolution as written to the full Board with a positive recommendation.

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

Chairman Greco directed Attorney Landon to contact the Attorney General.

Item #17, other: Supervisor Walters stated that rescinding Resolution 395 of 1987 is useless. He would like someone to write a Resolution that we no longer agree to participate in any action other then them hauling solid waste. He stated he'd like the Resolution either before the full Board meeting or for the Committee meeting next month.

(Clerk's note: Supervisor Walters is referring to the RESOLVED clause in Resolution 395 of 1987, to whit "that the MC Board of Supervisors does hereby express its approval of said Authority and does hereby authorize and direct MC's participation in the MOSA".)

Chairman Greco authorized Attorney Landon to pursue "getting the check in the mail".

Supervisors DiMezza, Jonker made a motion and seconded, respectively, to adjourn the Committee meeting. Chairman DiMezza adjourned the Finance 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 BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - PERSONNEL 7:20 PM, April 17, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 8:19 PM.

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

Additional Supervisors present were Jonker, Thomas, Paton, Strevy, and Dybas. Absent were Supervisors Stagliano, Cechnicki and Schumann.

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

- Presentation Jennifer Petteys, Youth Bureau Director Job Shadowing Initiative
- 2. Resolution Appointing Montgomery County Safety Officer
- 3. Resolution Appointing Member Fulton-Montgomery-Schoharie Workforce Development Board
- 4. Resolution Establishing Position Full-time Motor Vehicle Operator (Veterans Services)
- 5. Resolution Appointing Member Montgomery County Occupancy Tax Advisory Board
- 6. Other

Chairman Quackenbush stated that an add-on Resolution will be entertained after the Presentation.

Item #1: Chairman Quackenbush recognized Youth Bureau Director Jennifer Petteys, Principal Dave Ziskin from the Fonda-Fultonville School District, and Connie Glover from Workforce Solutions.

Ms. Glover disseminated two documents to all present Supervisors: "Suggestions for Work-site Coordinators or Mentors" and "Evaluation Form for Work-site Mentors".

Ms. Glover asked the Board for their support of the job shadowing initiative as explained in the Resolution. She stated that funds are not needed, just time, and that this national project is currently focusing on Fonda, locally.

Item #2 (formerly item #6, "Other"): Add on RESOLUTION AUTHORIZING JOB SHADOWING DAY 2007 (BOARD OF SUPERVISORS). 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 #3 (formerly item #2, "Resolution Appointing Montgomery County Safety Officer"): Chairman Quackenbush stated that there were sixteen applicants of which fourteen are qualified. He stated that he and Chairman DiMezza met with Bill Van Gorder and Personnel Officer Rich Baia to go over the applicants, of which there were six "stand outs".

He stated that the Supervisors can choose who they want to interview, whether it be six or fourteen. He stated that all fourteen resumes have been disseminated to all the Supervisors. He also stated that interviews start at 8:00 AM on Saturday morning.

He also stated that NYMIR has provided a list of potential questions to ask during the interview process.

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, with an expectation of an amendment at the full board meeting. There were no objections.

Item #4 (formerly item #3, "Resolution Appointing Member - Fulton-Montgomery-Schoharie Workforce Development Board"): Supervisors Johnson 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 (formerly item #4, "Resolution Establishing Position - Full-time Motor Vehicle Operator (Veterans Services)"): Supervisors Dybas and Johnson made a motion and seconded, respectively, to sponsor the Resolution.

Chairman Quackenbush and Veterans Services Director Bill Mullarkey spoke in support of the Resolution.

Supervisor Jonker supports hiring part-time drivers.

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

Item #6, formerly item #5, "Resolution Appointing Member - Montgomery County Occupancy Tax Advisory Board"): Supervisors Greco 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 Walters and Thomas made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Di Mezza adjourned the Finance Committee meeting at 8:36 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 OF THE WHOLE 8:00 AM, April 21, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Di Mezza presided over the meeting commencing at 8:06 AM.

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

Absent were Supervisors Walters, Cechnicki and Stagliano.

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

- 1. Interviews - Safety Officer

Personnel Officer Rich Baia disseminated a packet to all present Supervisors containing resumes, interview questions, topics for discussion, scoring spreadsheet and an interview schedule as follows:

8:10 AM: Terry Bieniek 8:30 AM: William Edes

8:50 AM: Gregory Smith 9:10 AM: Michael Kirk

Ri chard Przestrzel ski 9: 30 AM:

9:50 AM: David Guiliano

He stated that Bob Blaisdell (NYMIR) and Bill Van Gorder (Mang Insurance) have looked at the candidates and that all candidates know that a Civil Service Exam will need to be passed in the near future.

(Clerk's note: The packet received from Officer Baia will be returned to him because of the confidentiality of the information contained within. Officer Baia will be present during the Executive Session.)

Item #1: Chairman DiMezza requested a Motion to go into Executive Session Pursuant to Section 105 (f) of NYS Open Meeting Law to discuss matters leading to the appointment of a certain person.

A motion to enter Executive Session was made by Supervisor Thomas and seconded by Supervisor Mancini. Executive Session began at 8:08 AM.

Supervisor Jonker exited Chamber at approximately 9:00 AM.

Supervisors Thomas and Greco made a motion and seconded, respectively, to adjourn Executive Session. The Executive Session was adjourned at 10:28 AM.

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

Item #2: There was no additional discussion.

Supervisors Thomas and Mancini made a motion and seconded, respectively, to adjourn the meeting. The Committee of the Whole was adjourned at 10:28 AM by 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 REGULAR MEETING 7:00 PM, April 24, 2007

## CALL TO ORDER

Chairman Di Mezza called the Regular Meeting of the Montgomery County Board of Supervisors for April 24, 2007 to order at 7:00 PM.

#### SALUTE TO THE FLAG

Supervisor Mancini led the Salute to the Flag.

## MOMENT OF SILENCE

Chairman DiMezza asked for a moment of silence to reflect upon the recent student shooting tragedy at Virginia Tech School.

#### **ROLL CALL**

Roll Call indicated Supervisors Quackenbush, Johnson, Greco, Paton, McMahon, Strevy, Stagliano, Dybas, Schumann, Walters, Thomas, Jonker, Mancini and DiMezza were present. Absent was Supervisor Cechnicki.

#### PRIVILEGE OF THE FLOOR

A. Presentation - Tobacco Advertising in the Retail Setting

Maureen Rhodes Project ACTION Tobacco Free Coalition

Megan Paro Montgomery County Reality Check

Maureen Rhodes and a student assistant disseminated a packet of information to all present Supervisors and spoke in support of removing tobacco advertising which targets teens and youths from all retail settings. She stated that even though tobacco companies are not legally allowed to target youth, efforts are being made to attract youth, especially in the Camel market, which custom designs cigarettes for youth appeal.

Supervisor Cechnicki entered Chamber at 7:04 PM.

Ms. Rhodes stated that the packet contains a Resolution asking the Board of Supervisors to support Reality Check in their efforts of removing tobacco advertising.

Supervisor Cechnicki stated that in Canada, cigarette companies use graphic images to warn of the health dangers of smoking and chewing tobacco.

#### B. Public Comment

Chairman DiMezza asked if there were any speakers. There were none.

Chairman Di Mezza adjourned Public Comment at 7:11 PM.

### MOTION TO AMEND THE AGENDA

MOTION TO AMEND AGENDA by Supervisor Dybas, seconded by Supervisor Schumann, as follows:

by inserting add-on Resolutions #136 (RESOLUTION REQUESTING ASSEMBLYMAN PAUL D. TONKO TO COSPONSOR S. 4164/A. 2989. WHICH WOULD AMEND NYS CIVIL PRACTICE LAW AND RULES, IN RELATION TO EQUALIZING THE TREATMENT OF COLLATERAL SOURCES IN TORT ACTIONS),

and #137 (RESOLUTION IN SUPPORT OF PROJECT ACTION AND REALITY CHECK'S RETAIL TOBACCO ADVERTISING CAMPAIGN) to be heard under NEW BUSINESS towards the end of the Full Board meeting,

and to entertain Resolution #131 (RESOLUTION APPOINTING MONTGOMERY COUNTY SAFETY OFFICER) lastly due to the need of Executive Session, passed with Aye(1868).

### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (March 27, 2007 - April 17, 2007) by Supervisor Johnson, seconded by Supervisor Quackenbush, passed with Aye(1868).

#### APPROVAL OF BUDGETARY TRANSFER

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

#### **UNFINISHED BUSINESS**

TABLED RESOLUTION 50 OF 2007 - "RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY EMS ADVISORY BOARD (EMERGENCY MANAGEMENT)"

TABLED RESOLUTION 85 OF 2007 - "RESOLUTION APPROVING 2007 CAPITAL PROJECTS - EMERGENCY MANAGEMENT AND SHERIFF'S METAL STORAGE FACILITY (PUBLIC WORKS)"

Resolution 50 was removed from the table for discussion purposes.

Supervisor Thomas stated that the Fire Advisory Board would like EMS Advisory Board to be integrated into the Emergency Management mitigation program, to avoid redundency. He stated if the Resolution goes back on the table, the appointments will die, but the EMS Advisory Board itself doesn't.

Chairman DiMezza recommended that the Resolution be tabled and moved back to the Public Safety Committee for additional discussion and consideration. There were no objections.

County Attorney Doug Landon stated that he will research the issue to determine if indeed the EMS Advisory Board, which was created by the Board of Supervisors, must remain in existance if there are no active members.

(Clerk's note: The Resolution was tabled and is to be entertained at the next Public Safety Committee meeting.)

# **RESOLUTION NO.** 50 of 2007 **DATED:** February 27, 2007

RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY EMS ADVISORY BOARD (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Schumann Seconded by Supervisor: Wal ters

WHEREAS, Resolution No. 79 of 2006 re-established the Montgomery County EMS Advisory board, with members being appointed for a one-year term,

RESOLVED, that the Montgomery County Board of Supervisors hereby makes the following appointments to said EMS Advisory Board for a one-year term effectuve January 1, 2007 through December 31, 2007:

APPOI NTEE	REPRESENTI NG	TERM EXPIRAT	ION
Kyle Haak Mayra Rodriguez G. Brian Harrington William Blanchard Tom Pasquarelli, Jr Kimberley Nikolaus Steve Kuck Mathew Wood Al Nadler Robert Furman Julie Franchi Mark DeLafayette Patty Prime Don Wagner Michael Whitty Pam VanAlstyne Robert Quist Mickey Swartz Public Health Educ. Twila Dopp	Ambul ance Servi ce - SAVAC Ambul ance Servi ce - SAVAC Ambul ance Servi ce - Mi d-County Ambul ance Servi ce - Mi d-County Ambul ance Servi ce - GAVAC Ambul ance Servi ce - GAVAC Ambul ance Servi ce - Rural Metro Ambul ance Servi ce - Rural Metro Fire Departments - 211/214/218/223 Fire Departments - 216/217 Fire Departments - 206/209/219 Fire Departments - 208/210 Fire Departments - 208/210 Fire Departments - 215/220/224 Fire Departments - 212/222 Fire Departments - 207/AFC Fire Departments - 213/221 St Mary's Hospital Medvac Airlift Servi ces Public Health Sheriff's Department - E911 Coord	December 31,	2007 2007 2007 2007 2007 2007 2007 2007

Carrie Newkirk

EMS Coordinator

December 31, 2007

MOTION TO TABLE by Supervisor Thomas, seconded by Supervisor Walters, passed with Aye(1868). (2/27/2007)

MOTION TO REMOVE FROM TABLE by Supervisor Dybas, seconded by Supervisor Jonker, passed with Aye(1665). Supervisors Johnson and Cechnicki were absent. (3/27/2007)

MOTION TO TABLE by Supervisor Thomas, seconded by Supervisor Mancini, passed with Aye(1665). Supervisors Johnson and Cechnicki were absent. (3/27/2007)

MOTION TO REMOVE FROM TABLE seconded by Supervisor Thomas, passed with Aye(1868). (4/24/2007)

MOTION TO TABLE by Supervisor Jonker, seconded by Supervisor Johnson, passed with Aye(1868). (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

# **RESOLUTION NO.** 85 of 2007 **DATED:** March 27, 2007

RESOLUTION APPROVING 2007 CAPITAL PROJECTS - EMERGENCY MANAGEMENT AND SHERIFF'S METAL STORAGE FACILITY (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Quackenbush

WHEREAS, the Commissioner of Public Works has recommended a Metal Storage Facility for Emergency Management and the Sheriff's Department;

RESOLVED, that the Board of Supervisors hereby approves a Metal Storage Facility for Emergency Management and the Sheriff's Department as a 2007 Capital Project, at a cost not to exceed \$200,000.00;

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

MOTION TO TABLE by Supervisor Stagliano, seconded by Supervisor Walters, passed with Aye(1731). Supervisor Johnson was absent. (3/27/2007)

MOTION TO REMOVE FROM TABLE by Supervisor Johnson, seconded by Supervisor Strevy, was defeated with Aye(860). Supervisors Greco, Johnson, Di Mezza, Walters, Strevy, Paton and Cechnicki voted Aye. (4/24/2007)

RESOLUTION DIED ON THE TABLE (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **NEW BUSINESS**

- A. Resolutions
- B. Other

## **RESOLUTION NO.** 110 of 2007

**DATED:** April 24, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT #2 - CONCRETE CORE SAMPLES - INSTALLATION OF VINYL LINER PROJECT - STEVEN E. SMITH, PE - REVISED CAPITAL PROJECT (FMCC)

Resolution by Supervisor: McMahon Seconded by Supervisor: Johnson

WHEREAS, Resolution 447 of 2006 authorized the signing of an amended agreement with Steven E. Smith for Revised 2007 Capital Projects at Fulton-Montgomery Community College (FMCC) which included design plans and bid specifications for the installation of a vinyl liner in the FMCC

Pool, and

WHEREAS, Steven Smith, in consultation with FMCC and Fulton County Planning determined it was best to take core samples of the pool's liner system to determine how the design plans and bid specifications should be written for the project, and

WHEREAS, the engineering contract did not include taking concrete core samples, but the cost for these samples will be taken out of monies already appropriated 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 amended agreement #2 with Steven E. Smith, PE for the additional core sample work as outlined above at a cost not to exceed \$2,000, and

FURTHER RESOLVED, that the original contract amount (\$10, 350), amended by Resolution 447 of 2006 to \$28, 450 is hereby amended to include payment for the core samples at a cost not exceed \$30, 450, 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). (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

# **RESOLUTION NO.** 111 of 2007 **DATED:** April 24, 2007

RESOLUTION AUTHORIZING FMCC TO PURCHASE CERTAIN COMPUTER EQUIPMENT AS PART OF TECHNOLOGY UPGRADE SERVERS/SMART CLASSROOMS PROJECT - REVISED 2007 CAPITAL PROJECT (FMCC)

Resolution by Supervisor: McMahon Seconded by Supervisor: Di Mezza

WHEREAS, the approved 2007 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:

Equi pment	Total Cost
I. Backup System Phase II -	
Network Data Storage Phase II FAS270HA Upgrade Pricing	\$38, 497. 98
Server Backup Software CommVault Pricing	\$15, 654. 18
II. Replacement Servers	
HP Blade Servers HP Blade Pricing	\$52, 443. 04
VMWare Software VMWare Pricing	\$24, 256. 55
Total Capital Project Funding Balance (FMCC to fund)	\$130, 851. 75 110, 000. 00 \$ 20, 851. 75

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(1732). Supervisor Dybas voted Nay. (4/24/2007)

Douglas Landon County Attorney

Kimberly Sanborn Clerk, Board of Supervisors

## RESOLUTION NO. 112 of 2007 **DATED:** April 24, 2007

RESOLUTION APPROVING REVISION TO SOURCES OF FUNDING - 2007 CAPITAL PROJECTS (FMCC)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Quackenbush

WHEREAS, by Resolution 446 of 2006, the Board of Supervisors adopted a list of 8 Capital Projects to be undertaken at Fulton Montgomery Community College (FMCC) in 2007, and

WHEREAS, it was the original intention that the FMCC Foundation would provide \$140,527.06 towards the cost of the M-E-P Projects, with the remaining portion to be split between the sponsoring Counties and the State, and

WHEREAS, the FMCC Foundation has requested that this be modified by changing the project that the FMCC Foundation funds would be applied towards and have asked that their funding be applied toward the Classroom Building Renovation Project,

WHEREAS, said change in sources of funding for these Capital Projects shall have no effect on Montgomery Counties appropriation for Capital Projects at FMCC for 2007 already funded in the Operating Budget,

RESOLVED, that Montgomery County does hereby approve and accept the changes in the sources of funding for the 2007 Capital Projects at FMCC as follows:

Proj ect	Est. Cost	2005	Capital Budg 2006	gets 2007	Grant I	FMCC Foundation
Classroom Bld Renovations			\$ 46, 072. 00	\$ 6, 114. 94		\$140, 537. 06
Renovate Wast Wtr Treatment Plant	e \$ 422,000			\$422, 000. 00		
Upgrade Servers	\$ 110,000			\$110,000.00		
Connect to BOCES	\$ 60,500		\$ 60, 500. 00			
Elect Vault Water Infilt	\$ 171, 900	\$74, 426. 39	\$ 97, 473. 61			
Replace Roof Stud Svcs Bldg	\$ 102, 276		\$102, 276. 00			
M-E-P Proj ects	\$ 411, 316		\$170, 778. 94	\$240, 537. 06		
Pool Repairs	\$ 113, 400		\$ 13, 400		\$100,000	
	\$1, 584, 116	5 \$74, 426. 39	\$490, 500. 55	\$778, 652. 00	\$100,000	\$140, 537. 06

and

FURTHER RESOLVED, that said resolution is contingent upon passage of a similar resolution by the Ful ton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1636). Supervisors Dybas and Stagliano voted Nay. (4/24/2007) Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 113 of 2007 **DATED:** April 24, 2007

RESOLUTION AUTHORIZING SOLICITATION OF BIDS - STUDENT SERVICES ROOF REPLACEMENT PROJECT (FMCC)

Resolution by Supervisor: McMahon Seconded by Supervisor: Di Mezza

WHEREAS, Resolution 446 of 2006 approved the 2007 Capital Plan at FMCC which identified the Student Services Roof Replacement project at Fulton-Montgomery Community College, and

WHEREAS, Resolution 164 of 2006 authorized distribution of a Request for Proposal from engineering firms for design services for said projects, and

WHEREAS, Resolution 447 of 2006 authorized the signing of a contract with Steven E. Smith, PE, of Gloversville, NY, for said design services, and

WHEREAS, Steven Smith is almost complete with the final design plans and bid specifications for said project, 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 Student Services Roof Replacement Project at Fulton-Montgomery Community Colleges, and

 $\hbox{FURTHER RESOLVED, that the Montgomery County Board of Supervisors, in conjunction with the Fulton County Board of Supervisors hereby reserves the right to reject any and all bids, and \\$ 

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). (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Responding to a query by Supervisor Dybas, Supervisor Schumann stated that Alex Chaucer, as listed in Resolution 114, is a Professor at FMCC and lives in Ballston Spa. She strongly supports his appointment.

**RESOLUTION NO.** 114 of 2007 **DATED:** April 24, 2007

RESOLUTION APPOINTING MEMBER - MONTGOMERY COUNTY OCCUPANCY TAX ADVISORY BOARD

Resolution by Supervisor: Greco Seconded by Supervisor: Johnson

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 vacancy due to the recent resignation of Richard Brown, and

WHEREAS, the Chairman of the Board of Supervisors has recommended that Alex Chaucer of Fulton Montgomery Community College, be appointed to fill a three-year unexpired term ending on December 31, 2008, and

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

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas abstained. (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 115 of 2007 **DATED:** April 24, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TOURISM STRATEGIC PLAN - PERFORMANCE MATTERS, INC. AND APPROPRIATING OCCUPANCY TAX RESERVE FUNDS

Resolution by Supervisor: Johnson Seconded by Supervisor: Manci ni

WHEREAS, the Occupancy Tax Advisory Board has done some extensive research in ways to improve tourism throughout Montgomery County, and

WHEREAS, the Occupancy Tax Advisory Board recommends the hiring of a consultant to facilitate a tourism strategic plan for Montgomery County to be paid out of Occupancy Tax Reserves, with no effect on Property Tax,

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 with Jon Allen of Performance Matters, Inc., and

FURTHER RESOLVED, that said agreement shall provide for a total payment not to exceed \$6,750.00, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget, as follow:

I NCREASE:

A 511 Appropriated Reserve – Occupancy Tax \$6,750.00

I NCREASE:

A-06-4-1325-00-4579 County Contribution: Tourism \$6,750.00

RESOLUTION ADOPTED with Aye(1868). (4/24/2007)

Douglas Landon Kimberly Sanborn

County Attorney Clerk, Board of Supervisors

## **RESOLUTION NO.** 116 of 2007 **DATED:** April 24, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT - RICHARDSON BRANDS COMPANY (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Strevy Seconded by Supervisor: McMahon

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 Richardson Brands Company, and

WHEREAS, said applicant has requested a loan from the Economic Development Program for the purposes of purchasing Machinery and Equipment for their Village of Canajoharie facility, and

WHEREAS, said applicant has agreed to retain 116 employees and create an additional 20 employees over the next three years in conjunction with receiving said loan,

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, and any other legal documents necessary to process an economic development loan, in a principal amount not to exceed \$300,000 to Richardson Brands Company, 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 84 monthly installments, with interest of prime minus two (at the time of closing), 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(1868). (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 117, Supervisor Thomas asked if preference will be given to a candidate who is a veteran.

Director of Veteran's Services William Mullarkey stated that no preference will be given.

Supervisors Thomas and Mancini made a motion and seconded, respectively, to amend the Resolution to include wording that would lean toward hiring a veteran.

Chairman Di Mezza stated that the amendment might not be legal.

Supervisor Quackenbush stated that, according to Personnel Officer Rich Baia, Director Mullarkey will decide who will be hired.

Supervisors Thomas and Mancini withdrew their sponsorships of the amendment.

Supervisor Jonker spoke in support of hiring additional part-time drivers instead of a full-time driver, and doesn't support the Resolution as written.

## **RESOLUTION NO.** 117 of 2007 **DATED:** April 24, 2007

RESOLUTION ESTABLISHING POSITION - FULL TIME MOTOR VEHICLE OPERATOR - VETERANS SERVICES AND AMENDING 2007 OPERATING BUDGET

Resolution by Supervisor: Dybas Seconded by Supervisor: Johnson

WHEREAS, the Veterans Director has recommended that the position of full time Motor Vehicle Operator be established in the 2007 Operating Budget, as the hours worked by a full time operator will enhance the communication between the operator and the veterans using the van service,

RESOLVED, that the position of full time Motor Vehicle Operator is hereby established in the Veterans Service Department, said position being in the bargaining unit at a Grade C and an annual base salary of \$23,533, and

FURTHER RESOLVED, that said position shall be effective 6/11/07, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-19-4-6510-00-1120(57) Part time Motor Vehicle Operator \$14,641

TRANSFER TO:

A-19-4-6510-00-1110(442) Motor Vehicle Operator \$13,600 A-10-4-9001-00-8810 FICA \$1,041 RESOLUTION ADOPTED with Aye (1454). Supervisors Walters, Strevy, Paton and Jonker voted Nay. (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 118 of 2007 **DATED:** April 24, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CHILDHOOD LEAD POISONING PREVENTION PROGRAM (PUBLIC HEALTH)

Resolution by Supervisor: Strevy Seconded by Supervisor: Dybas

WHEREAS, Montgomery County has been awarded the Childhood Lead Poisoning Prevention Program Grant for the period of April 1, 2007 and ending on March 31, 2008, and

WHEREAS, the Childhood Lead Poisoning and Prevention grant funds are currently appropriated in the in the 2007 operating budget,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the 2007-08 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 2007-2008 grant contract.

RESOLUTION ADOPTED with Aye(1868). (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 119 of 2007 **DATED:** April 24, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 109TH AIRLIFT WING MUTUAL AID (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Schumann Seconded by Supervisor: Dybas

WHEREAS, the Secretary of the Air Force, acting Pursuant to the authority of 42 U.S.C 1958(a), is requesting that the County of Montgomery enter into an agreement for mutual aid in Hazardous Materials response and Confined Space Rescue, and

WHEREAS, on request, a representative of the 109th Airlift Wing Fire Department will respond with equipment and personnel to any point within the area of Montgomery County for Hazardous Materials Response and Confined Space Rescue, and

WHEREAS, on request, a representative of Montgomery County will respond with equipment and personnel to any point within the jurisdiction of the 109th Airlift Wing Department for Hazardous Materials Response and Confined Space Rescue,

RESOLVED, that following the review and approval of the County Attorney, the Chairman of the Board of Supervisors is hereby authorized to sign an agreement with the 109th Airlift Wing Fire Department to be renewed yearly.

RESOLUTION ADOPTED with Aye(1868). (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 120 of 2007 **DATED:** April 24, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - NON-RESTRICTED FORFEITURE PROCEEDS (DISTRICT ATTORNEY)

Resolution by Supervisor: Jonker Seconded by Supervisor: Thomas WHEREAS, the District Attorney's office has received forfeitures of crime proceeds in excess of the amount budgeted and the 2007 Operating Budget needs to be amended accordingly,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

INCREASE REVENUE:

A-25-3-2625 Forfeiture of Crime Proceeds(Not Restricted) \$2,766.10

INCREASE APPROPRIATIONS;

A-25-4-1165-00-4522 DA/Law Enforcement Programs

\$2, 766. 10

RESOLUTION ADOPTED with Aye(1868). (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 121 of 2007 **DATED:** April 24, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - STATE AID APPROPRIATIONS (DISTRICT ATTORNEY)

Resolution by Supervisor: Manci ni Seconded by Supervisor: Di Mezza

WHEREAS, the District Attorney's Office was awarded a Drug Trafficking Grant, and

WHEREAS, said revenue was included in the Adopted 2007 Operating Budget in the account A-25-3-3089 — State Aid Other, and

WHEREAS, said appropriations were not included in the Adopted 2007 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget, as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingent Account

\$25,000.00

TRANSFER TO:

A-25-4-1165-00-4522 D. A. / Law Enforcement Program \$25,000.00

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas abstained. (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 122 of 2007 **DATED:** April 24, 2007

RESOLUTION AWARDING RFP #01-07 - PHARMACEUTICAL SERVICES - MONTGOMERY COUNTY CORRECTIONAL FACILITY (SHERIFF)

Resolution by Supervisor: Dybas Seconded by Supervisor: McMahon

WHEREAS, the Purchasing Agent was authorized per Resolution 57 of 2007 to conduct a Request for Proposals, RFP #01-07 for the provision of pharmaceutical services to the Montgomery County Correctional Facility, and

WHEREAS, proposals have been received and were opened on March 27, 2007, and

WHEREAS, after reviewing the proposals the Sheriff and Purchasing Agent recommend awarding the RFP to Diamond Pharmacy Services of Pennsylvania,

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 Diamond Pharmacy Services of Pennsylvania for the provision of Pharmaceutical Services to the Montgomery County Correctional Facility.

RESOLUTION ADOPTED with Aye(1868). (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 123 of 2007 **DATED:** April 24, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - TEMPORARY EMPLOYEE (DATA PROCESSING)

Resolution by Supervisor: McMahon Seconded by Supervisor: Strevy

WHEREAS, the Data Processing Dept. payroll line for temporary employees is currently being used by an interim employee filling in for a permanent fulltime employee who is on extended medical leave due to serious illness, and

WHEREAS, the return date for the full time employee is not expected to be immediate, and

WHEREAS, the funding for the temporary employee's line is nearly exhausted, and

WHEREAS, the Montgomery County Data Processing Director has determined that the temporary employee replacement is necessary and therefore recommends that funding be obtained to retain the interim employee,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingency Account \$ 10,500.00

TRANSFER TO:

A-14-4-1680-00-1130 (165) Temporary Employees \$ 10,500.00

RESOLUTION ADOPTED with Aye(1868). (4/24/2007)

Douglas Landon Kimberly Sanborn

County Attorney CI erk, Board of Supervi sors

## **RESOLUTION NO.** 124 of 2007 **DATED:** April 24, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - FEMA/SEMO REIMBURSEMENT (SANITARY DISTRICT)

Resolution by Supervisor: Strevy Seconded by Supervisor: Greco

WHEREAS, an inverted siphon owned by the Montgomery County Sanitary District #1 was damaged during the flood on June 28, 2006, and

WHEREAS, the Montgomery County Sanitary District #1 filed with FEMA/SEMO for losses they sustained to said property, and

WHEREAS, FEMA/SEMO approved the claims filed by the Sanitary District#1 concerning the damage sustained,

RESOLVED, the County Treasurer is hereby authorized and directed to amend the Montgomery County Sanitary District #1 2007 Operating Budget as follows:

INCREASE REVENUE:

G-26-3-3960 STATE REVENUE \$ 26, 512. 20 G-26-3-4960 FEDERAL REVENUE \$ 76, 477. 50

INCREASE APPROPRIATIONS:

G-26-4-8120-00-4438 MI SC. SUPPORTING SERVICES \$ 102, 989.70

RESOLUTION ADOPTED with Aye(1868). (4/24/2007)

Douglas Landon Kimberly Sanborn
County Attorney Clerk, Board of Supervisors

Supervisor Quackenbush stated that he doesn't support immediately voting on Resolution 125, and feels it should be entertained along with the other 64 non-bargaining positions after the completion of the study.

Supervisors McMahon and Strevy spoke in support of voting on the Resolution now.

Supervisor Schumann stated that voting on this position now would be unfair for the other non-bargaining positions which are being now reviewed. She said the Board should wait for the recommendations of the study, and this should have been all part of the annual budget process to begin with.

**RESOLUTION NO.** 125 of 2007 **DATED:** April 24, 2007

RESOLUTION ESTABLISHING NON-BARGAINING POSITION - BUSINESS MANAGER - AND AMENDING 2007 BUDGET (PUBLIC WORKS)

Resolution by Supervisor: McMahon Seconded by Supervisor: Strevy

WHEREAS, the responsibilities of managing the financial operations of the Montgomery County Public Works Department with its regular operating budget of \$9,374,159. and Capital Project budget of \$9,698,649, and due to the annual increases in the State and Federal Pass-Thru Reimbursement Projects,

regulations and reporting requirements necessitating the continued establishment of accounting policies and procedures in order to maintain compliance and ensure reimbursement, and

WHEREAS, the Montgomery County Commissioner of Public Works has recommended that a non-bargaining, managerial position of Business Manager be established as a result of, and in recognition of, the increasing fiscal demands on the department,

RESOLVED, that the Montgomery County Board of Supervisors does hereby approve the following title and salary change in the Montgomery County Public Works Department:

Current

Accounting Supervisor Bargaining Unit - Grade J \$33,750 base salary

New

Business Manager Non-Bargaining (Managerial) \$38,965 base salary

and,

FURTHER RESOLVED, that the Personnel Officer is hereby authorized and directed to establish the above title change, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget effective April 30, 2007 as follows:

TRANSFER FROM:

A 12 4 1490 00.1110 (8) Accounting Supervisor \$25,489.70 A 12 4 1620 00.1110 (149) Hourly Employees \$2,639.94

TRANSFER TO:

A 12 4 1490 00. 1110 (458) Business Manager \$28, 129. 64

RESOLUTION ADOPTED with Aye(999). Supervisors Johnson, Schumann, Dybas, Mancini, Quackenbush, Cechnicki and Stagliano voted Nay. (4/24/2007)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

## **RESOLUTION NO.** 126 of 2007 **DATED:** April 24, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ENGINEERING SERVICES AGREEMENT - 2007 BRIDGE PROGRAM (PUBLIC WORKS)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Jonker

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 42 of 2007, has approved the 2007 Bridge Program, including engineering services, and

WHEREAS, the funding for said program was approved, by adoption of Resolution No. 103 of 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 an agreement with Earth Tech, Inc., of Latham, for provision of engineering services for the 2007 Bridge Program, and

FURTHER RESOLVED, that said services shall be provided at a cost not to exceed \$180,900.

RESOLUTION ADOPTED with Aye(1868). (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 127 of 2007

**DATED:** April 24, 2007

RESOLUTION AWARDING ROAD RELOCATION CONTRACT (PUBLIC WORKS)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Jonker

WHEREAS, the Commissioner of Public Works has recommended that a contract be awarded to the low bidder on a road relocation project,

RESOLVED, that the Board of Supervisors hereby awards a contract to Ketco Inc. of Albany NY for the road relocation project as follows:

River Road, CR 65

, 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 Ketco Inc. of Albany NY, and

FURTHER RESOLVED, that said contract shall provide for payment in an amount not to exceed \$1,065,000.00.

RESOLUTION ADOPTED with Aye (1868). (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 128 of 2007 **DATED:** April 24, 2007

RESOLUTION AUTHORIZING THE SOLICITATION OF BIDS - REPLACEMENT OF SECOND BOILER - MONTGOMERY COUNTY PUBLIC SAFETY FACILITY (PUBLIC WORKS)

Resolution by Supervisor: Schumann Seconded by Supervisor: Wal ters

WHEREAS, the DPW Commissioner has recommended the replacement of the second boiler at the Public Safety Facility, and

WHEREAS, in accordance with the Montgomery County Procurement Policy and General Municipal Law, said purchase would require the County to seek competitive bids,

RESOLVED, that the Purchasing Agent, in conjunction with the DPW Commissioner, is hereby authorized and directed to seek competitive bids for the replacement of the second boiler located at the Montgomery County Public Safety Facility, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors hereby reserves the right to reject any and all bids.

RESOLUTION ADOPTED with Aye(1868). (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 129, Supervisor Cechnicki stated that he abstained on voting because of a personal relationship.

**RESOLUTION NO.** 129 of 2007 **DATED:** April 24, 2007

RESOLUTION REQUESTING MONTGOMERY COUNTY REPRESENTATIVES ON MONTGOMERY, OTSEGO & SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA) BOARD TO SUPPORT REMOVAL OF CERTAIN INDIVIDUALS FROM OFFICE FOR INSUBORDINATION

Resolution by Supervisor: Wal ters Seconded by Supervisor: McMahon

WHEREAS, upon the request of the Montgomery County Board of Supervisors and other municipal officials, on March 22, 2007 the Montgomery, Otsego & Schoharie Solid Waste Management Authority (MOSA) Board adopted a resolution providing for reimbursement of certain solid waste tipping fee increases paid and to be paid by certain municipalities, including the City of Amsterdam and villages located in Montgomery County, between January 1, 2007 and the ends of their current fiscal years, and

WHEREAS, said resolution remains in full force and effect, and

WHEREAS, certain individuals associated with MOSA have, to date, thwarted the intent and directive of the MOSA Board to provide such reimbursement by refusing and failing to issue and sign checks providing for such reimbursement, in clear contradiction of the provisions contained in such resolution, and

WHEREAS, such refusal and failure to act constitutes insubordination of the part of said individuals,

RESOLVED, that based upon the foregoing, the Montgomery County Board of Supervisors requests that Montgomery County representatives on the MOSA Board initiate and support removal of the current Executive Director, Chairman of the Board and Treasurer of MOSA from office unless the provisions of the above referenced resolution are promptly carried out.

RESOLUTION ADOPTED with Aye(1467). Supervisors Dybas and Stagliano voted Nay. Supervisors Strevy and Cechnicki abstained. (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 130 of 2007 **DATED:** April 24, 2007

RESOLUTION AUTHORIZING JOB SHADOWING DAY 2007 (BOARD OF SUPERVISORS)

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, Friday, February 2, 2007 was the kickoff to Job Shadowing 2007, a yearlong national initiative that gives students across America the chance to "shadow" a workplace mentor as he or she goes through a day on the job, and

WHEREAS, Job Shadowing provides young people with an up-close look at how skills learned in school are put to use in the workplace, and

WHEREAS, Teens who have job shadowed are one-third more likely to seek employment during their high school years (44%) than students who have not job shadowed (33%), and

WHEREAS, Job Shadowing teens are five percent more likely to believe they will obtain a college degree (79.1%) than are students who have not shadowed (74%), and

WHEREAS, students who job shadow will be more positive about their future and more likely to complete high school, attend a graduate college and be productively employed, and

WHEREAS, the Fulton, Montgomery and Schoharie Counties Workforce Development Board, Inc. empowered their Emerging Worker Council, which is an active committee under the auspices of the Workforce Development Board, to bring this national initiative to Montgomery County youth through a collaborative planning group, and

WHEREAS, this collaborative planning group consists of representation from the Workforce Development Board, the Emerging Worker Council, HFM Career and Tech Center, Fonda-Fultonville Central School District, Montgomery County Youth Bureau, Centro-Civico — Liberty Partnership and Career and Employment Network, and

WHEREAS, this group has selected Fonda-Fultonville Central School as the pilot group to host this kickoff project designed specifically to meet the needs of Montgomery County, and

WHEREAS, youth from Fonda-Fultonville School District will be given the opportunity to Job Shadow throughout their choice of any and all County Government Departments/Offices, and

WHEREAS, this pilot project is scheduled to be held on Wednesday, May 2, 2007 and will run from 9:00 a.m. - 12:00 p.m., and

WHEREAS, the Montgomery County Board of Supervisors will be designated as the lead partner in this initiative for the spring of 2007,

RESOLVED, that the Chairman of the Montgomery County Board of Supervisors hereby authorizes all county departments to participate in this project and encourages all department heads to emphasize participation within their respective offices.

RESOLUTION ADOPTED with Aye(1868). (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 132 of 2007 **DATED:** April 24, 2007

RESOLUTION APPOINTING MEMBERS - FULTON - MONTGOMERY - SCHOHARIE WORKFORCE DEVELOPMENT BOARD

Resolution by Supervisor: Johnson Seconded by Supervisor: Dybas

WHEREAS, Resolution 241 of 2005 authorizes Montgomery County to enter into a formal Chief Local Elected Officials Agreement with Fulton County and Schoharie County for the creation of the Fulton-Montgomery-Schoharie Workforce Development Board, and

WHEREAS, said agreement requires that each County maintain five public sector appointments and six private sector appointments as listed under the Workforce Investment Act, Section 117, and

WHEREAS, Montgomery County's public sector appointments include the Department of Labor, Organized Labor, Vocational Rehabilitation, and two Community-Based Organizations, and

WHEREAS, there are currently three vacancies, one Community-Based Organization and two private sector appointments,

RESOLVED, that the Montgomery County Board of Supervisors hereby appointments the following individuals to the Fulton-Montgomery-Schoharie Workforce Development Board:

Appointing Representing Term

Dustin Swanger Public Sector Appointment 04/24/07 - 11/22/08

FURTHER RESOLVED, as per this resolution and previous appointments, said Board shall now be comprised as follows:

Appoi ntment	Representi ng	Term
Pat Baia Tom Pasquarelli	Private Sector Appointment Private Sector Appointment	11/22/05 - 11/22/08 11/22/05 - 11/22/08
Terry Suits	Private Sector Appointment Private Sector Appointment	11/22/05 - 11/22/08 XXXXXXXX - 11/22/08
Gary Donnadio	Private Sector Appointment Private Sector Appointment	05/23/06 - 11/22/08 XXXXXXXX - 11/22/08
Bob Hoefs Dustin Swanger	Public Sector Appointment Public Sector Appointment	11/22/05 - 11/22/08 04/24/07 - 11/22/08
Robert Palmatier Ramon Rodriguez Kristine Pennick	Public Sector Appointment Public Sector Appointment Public Sector Appointment	11/22/05 - 11/22/08 11/22/05 - 11/22/08 06/27/06 - 11/22/08

RESOLUTION ADOPTED with Aye(1868). (4/24/2007)

Douglas Landon

County Attorney

Kimberly Sanborn

Clerk, Board of Supervisors

Chairman DiMezza stated that Resolution 133 pertains to a conceptual drawing of the new facility and new location.

Supervisor Cechnicki stated that he does not support consolodating five buildings into three, and doesn't at this time see the cost benefits.

Supervisor Strevy inquired if there is a NYS criteria for consolidation that the County could benefit from. Chairman DiMezza stated that that is something that could be looked into.

## **RESOLUTION NO.** 133 of 2007 **DATED:** April 24, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TEITSCH-KENT-FAY ARCHITECTS, P.C. - SCHEMATIC PLANS - NEW COUNTY OFFICE BUILDING PROJECT

Resolution by Supervisor: Dybas Seconded by Supervisor: Johnson

WHEREAS, the Needs Assessment Committee has met and has recommended that the County proceed with architectural services to assist with decision to construct new County office buildings,

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 Teitsch-Kent-Fay Architects, P.C. of Cazenovia, NY to complete schematic plans which include two new County office buildings along NYS Route 5S, an addition to the Montgomery County Public Safety Facility and a reconfiguration of the existing County office building on NYS Route 30A at a cost not to exceed \$15,000 plus expenses as outlined.

RESOLUTION ADOPTED with Aye(1482). Supervisors McMahon and Paton voted Nay. Supervisor Stagliano abstained. (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 134 of 2007 **DATED:** April 24, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - NYS REAL PROPERTY TAX ADMINISTRATION IMPROVEMENT PROGRAM & CONSULTING SERVICE FOR GRANT IMPLEMENTATION AND AMENDING 2007 OPERATING BUDGET

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Jonker

WHEREAS, Resolution 307 of 2006 authorized application for a NYS Real Property Tax Administration Technology Improvement Grant to 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 County has been awarded said grant in the amount of \$90,389 and the Real Property Director has recommended acceptance of said grant and has also recommended entering into agreements with certain companies for the provision of computer hardware, software and support services for grant implementation,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign a grant agreement with the NYS Office of Real Property for a NYS Real Property Tax Administration Improvement Program Grant in the amount of \$90,389, 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 agreement with Systems Development Group, Inc. for the provision of ImageMate Online, a software package and related support and maintenance at a cost not to exceed \$37,100, 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 agreement with Fountains Spatial, Inc. of Schenectady, NY for conversion of the County's current digital tax parcel data, integration of the County's web-based GIS mapping application with ImageMate software, provide training and related services in an amount not to exceed \$44,600, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

INCREASE REVENUE:

A-07-3-1355-3040 State Aid

\$90,389

### INCREASE APPROPRIATIONS:

A-07-4-1355-00-2259	Computer Equipment	\$ 8,689
A-07-4-1355-00-4438	Misc Support Services	\$34, 100
A-07-4-1355-00-4455	Trai ni ng	\$14,000
A-07-4-1355-00-4459	Computer Software	\$33, 600

RESOLUTION ADOPTED with Aye(1868). (4/24/2007)

Douglas Landon
County Attorney

Ki mberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 135, Supervisor Schumann inquired if Seely Conover was on state contract. If not, she asked if the County would have to RFP yearly since we spend more than \$20,000 per year on office products.

(Clerk's note: Based on her question, which was unanswered fully, the Resolution was amended.)

## **RESOLUTION NO.** 135 of 2007 **DATED:** April 24, 2007

RESOLUTION AWARDING BID #07-07 - OFFICE SUPPLIES - MONTGOMERY COUNTY DEPARTMENTS AND ALL POLITICAL SUBDIVISIONS (PURCHASING)

Resolution by Supervisor: Johnson Seconded by Supervisor: Jonker

WHEREAS, the Purchasing Agent was authorized to solicit bids for Office Supplies for all of Montgomery County Departments and its political subdivisions, and

WHEREAS, said bids were opened on March 19, 2007,

RESOLVED, that the Board of Supervisors hereby awards BID No. 07-07 to Seely Conover's Office Centre, Inc. of Amsterdam, NY for a term of 1 year beginning May 1, 2007 and ending April 30, 2008 with the option to renew annually by mutual consent of Montgomery County and the awarded vendor at current or lesser prices.

MOTION TO AMEND by Supervisor Schumann, seconded by Supervisor Strevy by striking all text in the RESOLVED clause after the number 2008 and inserting a ".", passed with Aye(1868). (4/24/2007)

RESOLUTION ADOPTED with Aye(1868). (4/24/2007)

Douglas Landon County Attorney

Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 136 of 2007 **DATED:** April 24, 2007

RESOLUTION REQUESTING ASSEMBLYMAN PAUL D. TONKO TO COSPONSOR S. 4164/A. 2989. WHICH WOULD AMEND NYS CIVIL PRACTICE LAW AND RULES, IN RELATION TO EQUALIZING THE TREATMENT OF COLLATERAL SOURCES IN TORT ACTIONS

Resolution by Supervisor: Schumann Seconded by Supervisor: Cechni cki

WHEREAS, NYS Civil Practice Law and Rules (CPLR), Section 4545 regulates the use of collateral sources to reduce the amount of an award in certain legal proceedings, collateral consisting of but not limited to insurance, social security, workers' compensation and employee benefit programs payable for the same injury which is the subject of the legal proceeding, and

WHEREAS, the statute has as its intent, the desirable purpose of avoiding paying an individual twice for the same injury, and

WHEREAS, an anomaly exists under the interpretation of CPLR Section 4545 whereby public employers are held to a different standard than private employers and are not entitled to access collateral sources unless the benefits are utilized and paid for by the public employer, and

WHEREAS, Senate Bill 4164 and Assembly Bill 2989 would place public employers, such as Counties on equal footing with private employers by standardizing the treatment of the collateral source doctrine for public employers, and

WHEREAS, the bill is currently supported by numerous Counties and Cities throughout New York

State, including Montgomery County, and

WHEREAS, additional support of our Assemblyman would only further encourage the passage of said bills,

RESOLVED, that the Montgomery County Board of Supervisors respectfully requests Assemblyman Paul D. Tonko to consider co-sponsorship of Assembly Bill 2989, as the passage of such bill would thereby substantially benefit municipalities during these difficult times without an additional cost to the State.

RESOLUTION ADOPTED with Aye(1868). (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 137 of 2007 **DATED:** April 24, 2007

RESOLUTION IN SUPPORT OF PROJECT ACTION AND REALITY CHECK'S RETAIL TOBACCO ADVERTISING CAMPAIGN

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, in New York State alone, the tobacco industry spends \$516 million annually to market its deadly products; and

WHEREAS, every day, another 4,000 American children start to smoke, and another 2,000 become regular, daily smokers; and

WHEREAS, 75% of youth shop in a convenience store at least once a week; and

WHEREAS, tobacco advertising in retail stores has a powerful influence on teens, who are significantly more likelty to smoke due to advertising than they are due to peer pressure; and

WHEREAS, children are more likely than adults to notice and remember tobacco advertising; and

WHEREAS, nearly 90% of adult smokers started smoking before they were eighteen years old; and

WHEREAS, retail stores are an integral part of our community.

RESOLVED, that the Montgomery County Board of Supervisors supports Project Action and Reality Check in their campaign to raise awareness of the prevalence and impact of tobacco advertsing and promotion with parents and local retailers; and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors supports reducing, rearranging or eliminating tobacoo advertisements in the retail setting to protect the health and wellness of Montgomery County youth.

RESOLUTION ADOPTED with Aye(1868). (4/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

(Clerk's note: Resolution 131 was discussed in Executive Session and voted upon once Executive Session adjourned.)

## **RESOLUTION NO.** 131 of 2007 **DATED:** April 24, 2007

RESOLUTION APPOINTING MONTGOMERY COUNTY SAFETY OFFICER

Resolution by Supervisor: McMahon Seconded by Supervisor: Johnson

RESOLVED, that \_\_\_\_\_ is hereby appointed Montgomery County Safety Officer, said appointment provisional upon passage of appropriate civil service examination, at an annual base salary of \$35,000, and

FURTHER RESOLVED, said position shall be in the non-bargaining managerial class and report directly to the Board of Supervisors, and

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

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Quackenbush, by inserting the name "David Guiliano" in the RESOLVED clause passed with Aye(1578). Supervisors McMahon and Paton abstained. (4/24/2007)

RESOLUTION ADOPTED with Aye(1868). (4/24/2007)

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 Dybas and Walters, respectively, to enter into Executive Session to discuss the employment of a particular person, passed with Aye(1868). Executive Session commenced at 7:56 PM.

Motion to adjourn the Executive Session at 8:14 PM was made and seconded by Supervisors Dybas and Walters, respectively, passed with Aye(1868).

Executive Session was adjourned at 8:14 PM.

As a result of Executive Session, Resolution 131 (RESOLUTION APPOINTING MONTGOMERY COUNTY SAFETY OFFICER) was voted upon in open Chamber.

### **ADJOURNMENT**

MOTION TO ADJOURN by Supervisor Stagliano, seconded by Supervisor Strevy, passed with Aye(1868).

Chairman Di Mezza adjourned the meeting at 8:17 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY SPECIAL MEETING 7:00 PM, April 25, 2007

### CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for April 25, 2007 was called to order at  $7:00\ PM$  by Chairman DiMezza.

### SALUTE TO THE FLAG

Chairman Di Mezza led the Salute to the Flag.

### MOMENT OF SILENCE

Chairman DiMezza asked for a moment of silence to honor Trooper David Brinkerhoff who was killed recently in the line of duty.

### **ROLL CALL**

Roll call indicated that Supervisors Quackenbush, Johnson, Greco, Dybas, McMahon, Strevy, Schumann, Jonker, Thomas, and Di Mezza were present. Supervisors Stagliano, Mancini, Walters, Paton and Cechnicki were absent.

Supervisor Paton entered Chamber at 7:04 PM.

Supervisor Cechnicki entered Chamber at 7:07 PM.

### STATEMENT OF PURPOSE OF MEETING

Statement of Purpose of Meeting

- A. Joint Meeting with Montgomery County Industrial Development Agency to discuss a corporate application
- B. OTHER
- A. Chairman DiMezza requested that Economic Development Director Ken Rose, members of the IDA Board and the IDA Attorney remain present in Chamber during Executive Session for the discussion of item A. There were no objections.
- B. (Clerk's Note: Please see "OTHER" below.)

### **EXECUTIVE SESSION**

Pursuant to Section 105 (f) of NYS Open Meeting Law, MOTION TO ENTER EXECUTIVE SESSION at 7:03 PM to discuss the financial history of a particular corporation by Supervisor Thomas, seconded by Supervisor Jonker, passed with Aye(1373). Supervisors Mancini, Walters, Paton, Cechnicki and Stagliano were absent.

MOTION TO EXIT EXECUTIVE SESSION at 8:30 PM by Supervisor Strevy, seconded by Supervisor Schumann, passed with Aye(1586). Supervisors Mancini, Walters and Stagliano were absent.

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

### **OTHER**

Following the adjournment of Executive Session, Chairman DiMezza requested that his self-sponsored add-on RESOLUTION SUPPORTING PROPOSED NEW YORK STATE LEGISLATION REINSTATING THE DEATH PENALTY LAW AND ENACTING THE DEATH PENALTY FOR PEOPLE WHO KILL POLICE OFFICERS OR CORRECTION OFFICERS be entertained. There were no objections.

Supervisor Schumann stated that she cannot support Resolution 138, as her husband is a Police Officer, and she feels the death penalty is not a deterrent to crime.

Chairman Di Mezza asked for an immediate vote on the Resolution.

**RESOLUTION NO.** 138 of 2007 **DATED:** April 25, 2007

RESOLUTION SUPPORTING PROPOSED NEW YORK STATE LEGISLATION REINSTATING THE DEATH PENALTY LAW AND ENACTING THE DEATH PENALTY FOR PEOPLE WHO KILL POLICE OFFICERS OR CORRECTION OFFICERS

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Thomas

WHEREAS, another New York State Trooper, David Brinkerhoff, has been shot and killed, and

WHEREAS, this type of violence against our bravest young men and women has become a common occurrence, and

WHEREAS, New York State Legislature is attempting to reinstate the death penalty law, and

WHEREAS, this law would be a deterrent to anyone who kills a Police Officer or Corrections Officer. Therefore, be it

RESOLVED, that the Montgomery County Board of Supervisors urges the Governor, Assembly and Senate to pass this bill and make the death penalty a certain penalty for those who kill our brave men and women who are Police Officers or Corrections Officers.

RESOLUTION ADOPTED with Aye(950). Supervisors Schumann, Dybas, Quackenbush and Cechnicki voted Nay. Supervisor Johnson abstained. Supervisors Mancini, Walters and Stagliano were absent. (4/25/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **ADJOURNMENT**

MOTION TO ADJOURN by Supervisor Schumann, seconded by Supervisor Quackenbush, passed with Aye(1586). Supervisors Mancini, Walters and Stagliano were absent.

Chairman Di Mezza adjourned the Special Meeting at 8:38 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - GENERAL SERVICES 7:00 PM, May 8, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:02 PM.

Roll call indicated Committee members present included Supervisors Cechnicki, Paton, Greco and Strevy. Absent were Supervisors Quackenbush and Stagliano.

Additional Supervisors present were McMahon, Thomas, Johnson, Dybas and Jonker. Absent were Supervisors Di Mezza, Manci ni and Schumann.

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

- Presentation NYS SEMO Pre-Disaster Mitigation (Economic Development & Planning)
- Resolution Awarding Contract Asbestos Abatement, Lead Based Paint Abatement & Hazardous & Non-Hazardous Waste Disposal (Public Works)
- Resolution Awarding Contract Asbestos Abatement Air Sampling (Public Works)
- 4. Resolution Authorizing Chairman to Sign Supplemental Agreement Engineering Services Agreement Barton & Loguidice, PC River Road Relocation Project (Public Works)
- 5. Other

Chairman Walters announced that the tape recorder used to record Committee and other meetings in Chamber is out of service for tonight.

Item #1: Chairman Walters announced that agenda item #1 is being moved to the Ag, Planning and Development Committee meeting agenda for June 5, 2007. There were no objections.

Item #2: Chairman Walters stated that agenda items #2 & 3 have been moved to the next Finance Committee meeting per Supervisor Greco, Treasurer Shawn Bowerman and DPW Commissioner Paul Clayburn, as monetary re-figuring is needed for the Resolutions regarding the Annex Building and the asbestos removal. There were no objections.

Item #3: Not entertained.

Item #4: 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 #5, Other: No additional discussion.

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

Chairman Walters adjourned the General Services Committee meeting at 7:07 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - PUBLIC SAFETY 7:15 PM, May 8, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 7:43 PM.

Roll call indicated Committee members present included Supervisors Cechnicki, Dybas, Greco, Strevy and Jonker. Absent was Supervisor Schumann.

Additional Supervisors present were Johnson, Paton, Walters and McMahon. Absent were Supervisors Di Mezza, Quackenbush, Mancini and Stagliano.

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

- Resolution Authorizing Chairman to Sign Agreement Use of Property -Safety Day - Palatine Associates LLC (Traffic Safety Board)
- 2. Discussion Regarding Montgomery County EMS Advisory Board
- Discussion Regarding Support of Proposed "Volunteer Peace Officer Benefit Law"
- 4. Other

Item #1: 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 #2: (Clerk's note: This item was entertained prior to this Committee meeting during a break between meetings. It was not officially entertained during this Committee meeting. As a result of the discussion, Chairman Thomas stated that most likely Resolution 50 (RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY EMS ADVISORY BOARD (EMERGENCY MANAGEMENT)) will probably die on the table during the next Full Board Meeting and a new Resolution will be written supporting a seven-member EMS Advisory Board, with one representative each from Ambulance Service, Fire Departments, St. Mary's Hospital, Medvac, Public Health, E911 and the EMS Coordinator. There were no objections.)

Item #3 (formerly item #4, Other): Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NY DCJS - AID TO PROSECUTION GRANT (DISTRICT ATTORNEY): Supervisors Greco 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 #4, Other (formerly item #3, "Discussion Regarding Support of Proposed Volunteer Peace Officer Benefit Law"): Chairman Thomas stated that he supports the idea in theory and principle, but is not sure if it is affordable. He also stated that he would like Supervisor Greco to speak with Personnel Officer Rich Baia to find out how much the benefit would cost the County, and report back to the Board of Supervisors at a future date. There were no objections.

Item #5, Other: Pursuant to Section 105 (h) of NYS Open Meeting Law, the motion was made and seconded by Supervisor Strevy and Dybas, respectively, to enter into Executive Session to discuss the proposed acquisition, sale or lease of real property. Executive Session commenced at 7:45 PM.

Present were IDA Board members, the IDA Attorney and Economic Development/Planning Director Ken Rose.

Motion to adjourn the Executive Session was made and seconded by Supervisors Dybas and Strevy, respectively.

Executive Session was adjourned at 8:42 PM.

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

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

Chairman Thomas adjourned the Public Safety Committee meeting at 8:42 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - PERSONNEL 7:00 PM, May 15, 2007

### COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:01 PM.

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

Additional Supervisors present were Thomas, Paton, Strevy, and Dybas. Absent were Supervisors Stagliano, Jonker, Cechnicki and Schumann.

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

- Resolution Requiring Training for Montgomery County Planning Board Members
- 2. Resolution Appointing Montgomery County Ethics Board Members
- 3. Discussion Regarding Montgomery County Non-Bargaining Personnel Policy Payout of Unused Vacation Time Department Heads
- 4. Other

(Clerk's note: County Attorney Doug Landon was not present for tonight's committee meetings.)

Item #1: 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.

I tem #2: Supervisors Mancini and Johnson made a motion and seconded, respectively, to sponsor the Resolution.

Chairman DiMezza stated that names will be announced prior to the Full Board Meeting, if there are any volunteers.

Supervisors Jonker and Cechnicki entered Chamber at 7:06 PM.

Chairman Quackenbush inquired if the Resolution should state that a member must reside in Montgomery County and remain in their chosen political party for the duration of their term. He stated that perhaps the County Attorney could provide certification after each general election. He also stated that there is no wording stating that a person must resign if they change residency or political party, but wonders if there is a change to the Resolution, would it also change the Local Law.

Chairman DiMezza stated that he will check with Attorney Landon to receive clarification on Chairman Quackenbush's concerns.

Supervisor Strevy made the suggestion to put an ad in the paper that board members are needed.

Chairman DiMezza stated that he feels there's no need to change any of the language on the Resolution, as the Board of Supervisors staff is responsible for keeping track of the financial disclosure forms. He stated that it's logical that they also be responsible for keeping track of the terms and party affiliations.

Supervisor Thomas stated that if someone changes party, they should be removed from the Board.

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

Item #3: Chairman Quackenbush stated that there is currently no language for the Department Head who wants to get paid for his/her unused vacation time. Current policy states that if anyone wants to get paid for his/her unused vacation time, it needs to first be approved by the Department Head, then forwarded to Personnel Chairman then the Chairman of the Board of Supervisors.

Chairman Di Mezza stated that this is a non-issue, and Department Heads should be treated the same as all other employees. If necessary, this could be added as an amendment to the Personnel Policy that requests should go through the Personnel Chairman then the Board Chairman.

Chairman Quackenbush recommends that the amendment be added to the policy, for clarification purposes. There were no objections.

Item #4, Other: There was no additional discussion.

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

Chairman Quackenbush adjourned the Finance Committee meeting at 7:13~pm.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - FINANCE 7:15 PM, May 15, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Greco presided over the meeting commencing at 7:15 PM.

Roll call indicated Committee members present are Supervisors Quackenbush, Mancini, McMahon, Johnson, Jonker and Walters.

Additional Supervisors present were Thomas, DiMezza, Paton, Strevy, Dybas, and Cechnicki. Absent were Supervisors Stagliano and Schumann.

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

- Discussion Regarding Administrative Fees Phone Revenue and Commissary Account - Sheriff
- 2. Resolution Amending 2007 Operating Budget Resurfacing of Various Parking Lots and Additional Lighting (Public Works)
- 3. Resolution Amending 2007 Operating Budget Roof Replacement New County Court House (Public Works)
- 4. Resolution Amending 2007 Operating Budget Old Jail Pre-demolition Abatement (Public Works)
- 5. Resolution Authorizing Chairman to Sign Agreement Purinton & Morris, LLC Departmental Accounting Training (County Treasurer)
- 6. Resolution Authorizing Treasurer to Disburse Mortgage Tax Money
- 7. Resolution Authorizing Chairman to Sign Agreement and Amending 2007 Operating Budget Long Term Care Point of Entry Program (Social Services)
- 8. Resolution Amending 2007 Operating Budget Early Intervention Administration Grant (Public Health)
- 9. Resolution Authorizing Chairman to Sign Agreement MVEDD (Economic Development)
- Resolution Authorizing FMCC to Proceed with the Disconnection of the Water Supply from the Distribution System - Connection to BOCES Project (2007 Capital Projects)
- 11. Other

Item #1: Sheriff Amato clarified the changes needed in the Phone Revenue account and Commissary account and stated he'd write a Resolution outlining the changes.

Supervisors Dybas and Thomas 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.

Item #2: Supervisors Walters 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: Supervisors DiMezza 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 #4: Supervisors Strevy and Mancini made a motion and seconded, respectively, to sponsor the Resolution.

DPW Commissioner Paul Clayburn disseminated to all present Supervisors a letter received from EarthTech stating the revised budgetary estimates for the old jail and Annex building, as well as the winning bids for asbestos abatement air sampling and asbestos abatement lead based pain abatement/hazardous and non-hazardous waste disposal. He stated that the figure listed in the Resolution should be \$331,980, not \$235,000.

Supervisor Dybas stated that bonding should be considered.

When queried by Supervisor Strevy, Treasurer Shawn Bowerman stated that the Fund Balance is approximately \$14,200,000.

Supervisor Dybas asked Treasurer Bowerman if the County should bond or take the money out of Fund Balance. Treasurer Bowerman stated that bonding will be a direct impact to the taxpayer, but that it is the Board's decision.

When queried by Supervisor Jonker, Treasurer Bowerman stated that the only capital project coming down the pike is perhaps the storage building up by the jail.

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

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

Chairman DiMezza clarified and spoke in support of the Resolution.

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

Supervisor Dybas stated that we are engaging Purinton & Morris to do work that our auditor's aren't doing. He suggested changing the wording in the resolution to state that department accounting assistance will be provided.

Treasurer Bowerman stated that there are two green accountants, which he can't do the training of. He stated that training is needed for Capital Project accounting and putting together the Cost Allocation Project.

Chairman DiMezza recommended that a monetary figure be inserted in the Resolution, such as "not to exceed \$5,000 for the year".

When polled, the Committee chose to leave the Resolution as is, as Treasurer Bowerman is comfortable with the wording.

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

Item #6: 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 #7: 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.

Social Services Director William Cranker stated that space is an issue for a long term home health care unit, but the program should be up and running in September, 2007.

Chairman Di Mezza stated that the Caucus Room should be able to accommodate the program.

Item #8: 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 #9: 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 #10: 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 #11, Other: Add-on "RESOLUTION RECOMMENDING THE STATE LEGISLATURE PASS A.7390/S.4408 WHICH WOULD REAUTHORIZE LEGISLATION WHICH INCREASES SALES TAX IN THE COUNTY OF MONTGOMERY".

Supervisors Walters 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 #12, Other: Add-on "RESOLUTION ACCEPTING BIDS - 2007 AUCTION": Treasurer Bowerman stated that he will provide the list of winning bids prior to the full Board meeting.

Supervisors Walters 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 #13, Other: Supervisor Walters stated we still haven't received a check from MOSA, or confirmation that it's illegal. He stated that the other day, a bill was received for the subsidy of \$67,000. He stated that he would like to subtract the money that MOSA owes and only pay the difference.

Supervisors Walters and Jonker made a motion and seconded, respectively, to sponsor a draft Resolution to pay the difference and move it to the full Board with a positive recommendation. There were no objections.

(Clerk's note: Supervisor Walters will write the Resolution with the help of Administrative Aide Jacki Meola.)

Supervisor Quackenbush is concerned that we would be breaking contract, and suggests a consultation with County Attorney Landon.

Item #13, Other: (Clerk's note: The following two Resolutions which were originally on the agenda for the General Services Committee meeting on May 8 were moved to this week's Finance Committee meeting pending more information forthcoming. They were inadvertently left off of the agenda for this meeting. DPW Commissioner Paul Clayburn provided the needed information in the handout disseminated during agenda item #4.)

RESOLUTION AWARDING CONTRACT - ASBESTOS ABATEMENT AIR SAMPLING (PUBLIC WORKS): 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.

RESOLUTION AWARDING CONTRACT - ASBESTOS ABATEMENT, LEAD BASED PAINT ABATEMENT, AND HAZARDOUR AND NON-HAZARDOUSE WASTE DISPOSAL (PUBLIC WORKS): 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.

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

Chairman Greco adjourned the Finance Committee meeting at 7:54 pm.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY REGULAR MEETING 7:00 PM, May 22, 2007

#### CALL TO ORDER

Chairman Di Mezza called the Regular Meeting of the Montgomery County Board of Supervisors for May 22, 2007 to order at 7:00 PM.

### SALUTE TO THE FLAG

Chairman Di Mezza led the Salute to the Flag.

### ROLL CALL

Roll Call indicated Supervisors Quackenbush, Greco, Paton, McMahon, Strevy, Dybas, Cechnicki, Schumann, Walters, Thomas, Jonker, Mancini and DiMezza were present. Absent were Supervisors Johnson and Stagliano.

Supervisor Johnson entered Chamber at 7:06 PM.

#### PRIVILEGE OF THE FLOOR

- A. Proclamations
  - i. Older Americans Month May 2007
  - ii. Mental Health Month May 2007
  - iii. Montgomery County Bar Association Liberty Bell Award Recipient Claude Palczak
  - iv. American Red Cross Hometown Heroes CSEA Special Presentation Award Montgomery County DPW
- i. Supervisor Mancini presented a proclamation to Lee Broyles from the Office of the Aging. He gave thanks to older citizens of Montgomery County for their continued contributions, energy, efforts and support to the County as a whole.
- ii. Supervisor Dybas presented a proclamation to James Kelly and Janet Benson of St. Mary's Mental Health. Supervisor Dybas spoke regarding suicide prevention and well-being for all, and the importance of continued care and support for the mentally ill members of society.
- Ms. Benson stated that the hospital is happy to provide extended services to the mentally ill.
- iii. Supervisor Greco presented a proclamation to Claude Palczak. The proclamation honors Mr. Palczak for his outstanding volunteerism during Hurricane Katrina and his service to Montgomery County as a teacher and citizen.
- Mr. Palczak stated that he was a social worker in Baton Rouge, LA, when the hurricane hit. He also stated that \$15,000,000 was donated to the Baton Rouge Diocese by Saudi Arabia.
- iv. Chairman DiMezza presented a proclamation to the Montgomery County DPW for their support above and beyond the call of duty during the June flood. CSEA President Eddie Russo stated that DPW has also been honored by the American Red Cross and the US Postal Service.

### B. Public Comment

Chairman Di Mezza asked if there were any speakers.

Ed Wesnofske, Chairman of the MOSA Board of Directors, disseminated a multi-page document to all Supervisors present. The document included:

Copy of memo to MOSA Executive Director Gilbert Chichester from MOSA Legal counsel Christine Chale, Esq. regarding the MOSA Finance Committee request, dated 3/21/07,

Copy of email to County MOSA representatives from Ed Wesnofske regarding payments to the counties, dated 3/26/07,

Copy of Penal Law of NYS (specifically section 195, "Official Misconduct",

Copy of the signed contract between MOSA and Montgomery County regarding the 2007 GAT subsidy, signed 12/12/06, and

Copy of Resolution 360 of 2006 (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2007 GAT SUBSIDY - MOSA (BOARD OF SUPERVISORS)).

Mr. Wesnosfske summarized the documents, highlighting statements such as:

"MOSA's board must ensure that funds are used in accordance with its enabling act to serve a public purpose of the authority.", and "The most direct issue is that there is no expressed statutory authority in the laws setting up MOSA to provide funds to county and municipal entities beyond the solid waste purposes in the MOSA law.".

He stated that the county should consider carefully its ties to MOSA. He stated that the MOSA attorney has made clear the legalities of the issue.

He stated that MOSA would like to improve their communication with the counties and public outreach in general. He also stated that he or Gilbert Chichester would be happy to address any questions in public forum, as there must be rational and sound bases for communicating.

There were no other speakers.

Chairman Di Mezza adjourned Public Comment at 7:28 PM.

### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (April 24, 2007 - May 15, 2007) by Supervisor Johnson, seconded by Supervisor Quackenbush, passed with Aye(1772). Supervisor Stagliano was absent.

### APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Dybas, seconded by Supervisor Thomas, passed with Aye(1772). Supervisor Stagliano was absent.

### **UNFINISHED BUSINESS**

TABLED RESOLUTION #50 OF 2007 -

RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY EMS ADVISORY BOARD (EMERGENCY MANAGEMENT)

Supervisor Jonker made a motion to remove Resolution 50 from the table. There was no second. The Resolution died on the table.

## **RESOLUTION NO.** 50 of 2007 **DATED:** February 27, 2007

RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY EMS ADVISORY BOARD (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Schumann Seconded by Supervisor: Wal ters

WHEREAS, Resolution No. 79 of 2006 re-established the Montgomery County EMS Advisory board, with members being appointed for a one-year term,

RESOLVED, that the Montgomery County Board of Supervisors hereby makes the following appointments to said EMS Advisory Board for a one-year term effectuve January 1, 2007 through December 31, 2007:

APPOI NTEE	REPRESENTI NG	TERM EXPIRAT	ION
Kyle Haak Mayra Rodriguez G. Brian Harrington William Blanchard Tom Pasquarelli, Jr Kimberley Nikolaus Steve Kuck Mathew Wood Al Nadler Robert Furman	Ambulance Service - SAVAC Ambulance Service - SAVAC Ambulance Service - Mid-County Ambulance Service - Mid-County Ambulance Service - GAVAC Ambulance Service - GAVAC Ambulance Service - Rural Metro Ambulance Service - Rural Metro Fire Departments - 211/214/218/223 Fire Departments - 216/217	December 31, December 31, December 31, December 31, December 31, December 31, December 31, December 31, December 31,	2007 2007 2007 2007 2007 2007 2007 2007

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2007
Julie Franchi
                          Fire Departments - 206/209/219
                                                                    December 31,
Mark DeLafayette
                                                                    December
                          Fire Departments - 208/210
                                                                               31,
                                                                                   2007
                                                                    December 31,
Patty Prime
                          Fire Departments - 215/220/224
                                                                                   2007
Don Wagner
                          Fire Departments - 212/222
                                                                    December 31,
                                                                                   2007
                          Fire Departments - 207/AFC
Fire Departments - 213/221
                                                                    December 31,
December 31,
Michael Whitty
                                                                                   2007
Pam VanAl styne
                                                                                   2007
                          St Mary's Hospital
Robert Quist
                                                                    December 31,
                                                                                   2007
Mickey Swartz
Public Health Educ.
                          Medvac Airlift Services
                                                                    December 31,
                                                                                   2007
                          Public Health
                                                                    December
                                                                               31,
                                                                                   2007
                                                                    December 31,
Twila Dopp
                          Sheriff's Department - E911 Coord
                                                                                   2007
                                                                    December 31,
Carrie Newkirk
                          EMS Coordinator
                                                                                   2007
```

MOTION TO TABLE by Supervisor Thomas, seconded by Supervisor Walters, passed with Aye(1868). (2/27/2007)

MOTION TO REMOVE FROM TABLE by Supervisor Dybas, seconded by Supervisor Jonker, passed with Supervisors Johnson and Cechnicki were absent. (3/27/2007)

MOTION TO TABLE by Supervisor Thomas, seconded by Supervisor Mancini, passed with Aye(1665). Supervisors Johnson and Cechnicki were absent. (3/27/2007)

MOTION TO REMOVE FROM TABLE seconded by Supervisor Thomas, passed with Aye(1868). (4/24/2007)

MOTION TO TABLE by Supervisor Jonker, seconded by Supervisor Johnson, passed with Aye(1868). (4/24/2007)

THERE WAS NO MOTION TO REMOVE FROM TABLE, THEREFORE, THE RESOLUTION DIED. (5/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **NEW BUSINESS**

- A. Resolutions
- B. Other

### **RESOLUTION NO.** 139 of 2007 **DATED:** May 22, 2007

RESOLUTION AUTHORIZING FMCC TO PROCEED WITH THE DISCONNECTION OF THE WATER SUPPLY FROM THE DISTRIBUTION SYSTEM - CONNECTION TO BOCES PROJECT (2007 CAPITAL PROJECTS)

Resolution by Supervisor: McMahon Seconded by Supervisor: Johnson

WHEREAS, the 2007 approved Capital Plan at Fulton-Montgomery Community College identifies a project entitled "Connection to BOCES", and

WHEREAS, said Capital Project, which began in the 2006 Capital Projects List and was not fully completed, was rolled over into the 2007 Capital Plan and consists of three tasks as follows:

- A. Decommission College Water System -

  - Disconnect water supply from the distribution system
     Dismantle elevated tank, pumps, chlorine system and other supply components
- B. Sidewalk connection to BOCES
- C. Lighting and underground connections to BOCES
- and

WHEREAS, Montgomery County share of the funding for this project has been appropriated in the 2007 Operating Budget, and

WHEREAS, Resolution 108 of 2006 authorized FMCC to proceed directly with administering and managing the sidewalk to BOCES and the lighting and underground connector to BOCES, and

WHEREAS, FMCC would like to administer and manage the disconnection of the water supply from the distribution system, as well, to identify the best location to complete this task and also to

make arrangements with a contractor to perform this work,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes Fulton-Montgomery Community College to administer and manage the disconnection of the water supply from the distribution system, 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(1772). Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 140, Supervisor Strevy expressed his concern that a former Ethics Board member would be serving.

## **RESOLUTION NO.** 140 of 2007 **DATED:** May 22, 2007

### RESOLUTION APPOINTING MONTGOMERY COUNTY ETHICS BOARD MEMBERS

Resolution by Supervisor: Manci ni Seconded by Supervisor: Jonker

WHEREAS, Resolution 8 of 2007 adopted Local Law #1 of 2007, a law entitled The Montgomery County Ethic Renewal Law, and

WHEREAS, said local law became effective on April 25, 2007, and

WHEREAS, said local law, Part B, Section 201 establishes 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, and

WHEREAS, No more than one member of the Ethics Board may be an appointed officer or employee of the County and of the total membership of the Board, no two members shall be registered in the same political party, and

WHEREAS, 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, and

WHEREAS, 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, and

WHEREAS, 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, and

WHEREAS, No member of the Ethics Board shall serve more than two terms consecutively, and

WHEREAS, 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 Montgomery County.

WHEREAS, the Chairman of the Board has recommended the following individuals for appointment to the Montgomery County Ethics Board:

	of	registered in	the	political	party,	whose	appoi ntment	shal l
end	on December 31, 2007	-						
end	of on December 31, 2008	registered in	the	pol i ti cal	party,	whose	appoi ntment	shal I
end	of on December 31, 2009	registered in	the	pol i ti cal	party,	whose	appoi ntment	shal l

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

FURTHER RESOLVED, that 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 adopted by the Board of Supervisors, and

FURTHER RESOLVED, 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.

 ${\tt MOTION}$  TO AMEND by Supervisor Quackenbush, seconded by Supervisor Jonker, by inserting the following three names in the tenth WHEREAS clause:

Robert F. Sitterly - 277 Main St., Ft. Plain - Conservative Paul Parillo - 79 Minaville St., Amsterdam - Democrat Dominick Megna, Sr. - 16 Pershing Rd., Amsterdam - Republican,

passed with Aye(1772). Supervisor Stagliano was absent. (5/22/2007)

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 141 of 2007 **DATED:** May 22, 2007

RESOLUTION REQUIRING TRAINING FOR MONTGOMERY COUNTY PLANNING BOARD MEMBERS

Resolution by Supervisor: McMahon Seconded by Supervisor: Manci ni

WHEREAS Town Law Sections 267 and 271, Village Law Sections 7-712 and 7-718, and General City Law Sections 27 and 81 provide that effective January 1, 2007, all planning board and zoning board of appeals members in New York State, as well as alternate members of those boards, must complete a minimum of four hours of training each year; and

WHEREAS the above sections of state law provide that a planning board or zoning board of appeals member shall not be eligible for reappointment to such board if they have not completed the training required by law; and

WHEREAS the above sections of state law provide that the legislative body of the town, village, city and county specifies which activities qualify as training to satisfy the state requirements;

RESOLVED, that the following list of agencies, commissions, associations, universities, and other organizations are approved to provide training to meet the state requirements when the training they provide pertains to municipal planning, zoning, community design, environmental issues, economic development, and local government functions and practices:

- 1) The NYS Department of State; Department of Agriculture and Markets; Office of the State Comptroller; Department of Health; Department of Transportation; Department of Environmental Conservation; Office of Parks, Recreation, and Historic Preservation; Hudson River Valley Greenway; and
- 2) The New York State Association of Towns, the New York Conference of Mayors, the New York State Association of Counties, the New York Planning Federation, the American Planning Association, the Upstate New York Chapter of the American Planning Association and it sections, and the Metro New York Chapter of the American Planning Association and its sections; and
- 3) The Capital District Regional Planning Commission, Central New York Regional Planning and Development Board, Herkimer-Oneida Counties Comprehensive Planning Program, Lake Champlain-Lake George Regional Planning Board, Long Island Regional Planning Board, Southern Tier Central Regional Planning and Development Board, Southern Tier East Regional Planning Development Board, Southern Tier West Regional Planning and Development Board, Genesee-Finger Lakes Regional Planning Council, Hudson Valley Regional Council, Tug Hill Commission, and Adirondack Park Agency; and
- 4) The Montgomery County Department of Economic Development and Planning and Montgomery County Soil and Water Conservation districts; and
- 5) The Albany Law School Governmental Law Center and Institute for Legal Studies, Pace Law School, Cornell University and its cooperative extension,; and
- 6) On-line planning and zoning training programs offered by the New York Municipal Insurance Reciprocal, Pace University and Land Use Law Center, and the Lincoln Institute of Land Use Policy; and

FURTHER RESOLVED, that other training activities may be approved on a case-by-case basis by the Montgomery County Board of Supervisors upon the request of the County Planning Board; and be it further; and

FURTHER RESOLVED, that any new member appointed to fill the last 6 months of a term shall not be

required to have attended training to be reappointed to a first full term, but must thereafter comply with the municipal training policy as provided elsewhere herein; and be it further; and

FURTHER RESOLVED, that training received by a planning board member or zoning board of appeals member in excess of four hours in any one year may be carried over by the member into succeeding years; and

FURTHER RESOLVED, that the Director of the Department of Economic Development and Planning shall create and maintain a system of tracking the training individual members complete annually; and such information shall be presented to the appointing authority prior to considering a member for reappointment.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 142 of 2007 **DATED:** May 22, 2007

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

Resolution by Supervisor: Strevy
Seconded by Supervisor: Quackenbush

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign 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, 2007, and ending on December 31, 2007.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 143 of 2007 **DATED:** May 22, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2007 OPERATING BUDGET - LONG TERM CARE POINT OF ENTRY PROGRAM (SOCIAL SERVICES)

Resolution by Supervisor: Strevy Seconded by Supervisor: Johnson

WHEREAS, the Commissioner of Social Services has received notification of \$52,000 funding allocated for the Long Term Care Point of Entry Program with the deadline of September 30, 2007 to expend said funds, and

WHEREAS, Montgomery County Department of Social Services and Montgomery county Office for Aging were designated as co-lead agencies for this program,

RESOLVED, that the Chairman of The Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign appropriate documents related to the contracting of services with Montgomery County Office for Aging for their part of the program in the amount not to exceed \$26,000, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

### I NCREASE:

REVENUE: A-18-3-3610-00	State Aid DSS Admin.	\$ 52,000
APPROPRI ATI ON: A-18-4-6010-00. 2259 A-18-4-6010-00. 4407 A-18-4-6010-00. 4408 A-18-4-6010-00. 4408 A-18-4-6010-00. 4438	DSS Admin Computer Equipment Office Equipment Office Supplies Office Furniture Misc. Supporting Serv.	\$ 4,000 300 500 1,900 30,642
A-18-4-6010-00. 4459	Computer Software	14, 658

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 144 of 2007 **DATED:** May 22, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET- EARLY INTERVENTION ADMINISTRATION GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, the Board of Supervisors authorized acceptance of the Early Intervention Administration Grant funds for the period commencing October 1, 2006 and ending September 30, 2007, and

WHEREAS, the New York State Department of Health has authorized an increase to the total grant funds allocated to the Montgomery County Public Health Department in the amount of \$534.00, and

WHEREAS, the New York State Department of Health requires that a contract amendment be executed for the additional funds for the period commencing October 1, 2006 and ending September 30, 2007,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the additional 2006-07 Early Intervention Administration Grant funds, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign the 2006-2007 grant contract amendment, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget, as follows:

I NCREASE:

Revenue:

A-16-3-3401-01 Public Health Grant

\$ 534.00

Appropri ati ons:

A-16-4-4010-01 Public Health Grant

.1110(1189) F/T Employees(Coord ChildSvc. Manager) \$ 534.00

RESOLUTION ADOPTED with Aye(1706). Supervisor Cechnicki abstained. Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 145 of 2007 **DATED:** May 22, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - USE OF PROPERTY - SAFETY DAY - PALATINE ASSOCIATES, LLC (TRAFFIC SAFETY BOARD)

Resolution by Supervisor: Dybas Seconded by Supervisor: Jonker

WHEREAS, the Montgomery County Traffic Safety Board will be sponsoring a Safety Day Event on June 9th, 2007, and

WHEREAS, this event is scheduled to take place in the Palatine Price Chopper Plaza, and

WHEREAS, Palatine Associates LLC, a New York limited liability company having its principal office at 5 Southside Drive, Clifton Park, NY ("WINDSOR") is the ground lessee of the land upon which is currently situated the Price Chopper Plaza, and

WHEREAS, the Montgomery County Traffic Safety Board requested WINDSOR to grant a license for space usage in the parking lot of the plaza solely for the purpose of having a Safety Day on June 9, 2007, and

WHEREAS, Montgomery County will provide the certificate of insurance to WINDSOR demonstrating the coverage by the county for the above stated event,

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 Palatine Associates, LLC (WINDSOR) for the space usage in the parking lot of the Price Chopper Plaza for the purpose of the Safety Day on June 9, 2007.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 146 of 2007 **DATED:** May 22, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DCJS - AID TO PROSECUTION GRANT (DISTRICT ATTORNEY)

Resolution by Supervisor: Greco Seconded by Supervisor: Wal ters

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 for 2006-2007,

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(1772). Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Chairman Di Mezza clarified Resolution 147.

## **RESOLUTION NO.** 147 of 2007 **DATED:** May 22, 2007

RESOLUTION AUTHORIZING INCREASE IN ADMINISTRATION FEES - INMATE ACCOUNTS - PUBLIC SAFETY FACILITY (SHERIFF)

Resolution by Supervisor: Dybas Seconded by Supervisor: Thomas

WHEREAS, the Sheriff is responsible for administering both the Commissary Fund and the Telephone Account for inmates at the County Public Safety Facility, and

WHEREAS, Resolution 56 of 2000 implemented administration fees of \$1,200 for each account

WHEREAS, the Sheriff has recommended increasing said fees to coincide with increased responsibilities of administration,

RESOLVED, that the Sheriff hereby is authorized to increase administration fees for the Commissary Fund and the Telephone Account maintained for inmates at the County Jail, and

FURTHER RESOLVED, that said fees shall be established at \$2,400 for each of the respective accounts, and deposited in account A-15-3-1510 (Sheriff Fees).

MOTION TO AMEND by Supervisor Thomas, seconded by Supervisor Dybas, to strike the last FURTHER RESOLVED clause and insert the following:

"FURTHER RESOLVED, that said fees shall be established at \$2,000 for the Phone Account and \$2,500 for the Commissary Account, for a total of \$4,500 administration fees per year, and

FURTHER RESOLVED, said administration fees shall take effect on July 1, 2007 and deposited in account A-15-3-1510 (Sheriffs Fees).",

passed with Aye(1772). Supervisor Stagliano was absent. (5/22/2007)

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 148 of 2007 **DATED:** May 22, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN SUPPLEMENTAL AGREEMENT - ENGINEERING SERVICES AGREEMENT - BARTON & LOGUIDICE, PC - RIVER ROAD RELOCATION PROJECT (PUBLIC WORKS)

Resolution by Supervisor: Strevy Seconded by Supervisor: Johnson

WHEREAS, implementation and funding of the Road Relocation Project, PIN 2753.82, River Road, was authorized by Resolution No. 80 of 2007, 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 \$361,000, as set forth in Attachment "A" of said Agreement.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 149 of 2007 **DATED:** May 22, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - RESURFACING OF VARIOUS PARKING LOTS AND ADDITIONAL LIGHTING (PUBLIC WORKS)

Resolution by Supervisor: Walters Seconded by Supervisor: Quackenbush

WHEREAS, the Board of Supervisors has heretofore approved the resurfacing of various parking Lots and additional Lighting, as more particularly described in Resolution no. 82 of 2007 dated March 27, 2007 (the "Prior Resolution"); and

WHEREAS, the Board of Supervisors desires not to finance the cost of this project described in the Prior Resolution through bonding,

RESOLVED, that the Board of Supervisors hereby approves funding the parking lot resurfacing and additional lighting, the maximum aggregate cost thereof not exceeding \$155,000, through budgetary provisions, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

I NCREASE:

A - 599 Appropri ated Fund Balance \$155,000

TRANSFER TO:

A-06-4-9900-00-9950 Trans. To Cap. Proj. \$155,000

RESOLUTION ADOPTED with Aye(1521). Supervisors Dybas and Jonker voted Nay. Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

**RESOLUTION NO.** 150 of 2007 **DATED:** May 22, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - ROOF REPLACEMENT - NEW COUNTY COURT HOUSE (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Wal ters

WHEREAS, the Board of Supervisors has heretofore approved the roof replacement for the New County Courthouse, as more particularly described in Resolution no. 83 of 2007 dated March 27, 2007 (the "Prior Resolution"); and

WHEREAS, the Board of Supervisors desires not to finance the cost of this project described in the Prior Resolution through bonding,

RESOLVED, that the Board of Supervisors hereby approves funding the roof replacement of the New County Courthouse, the maximum aggregate cost thereof not exceeding \$240,000, through budgetary provisions, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

I NCREASE:

A - 599 Appropriated Fund Balance \$240,000

TRANSFER TO:

A-06-4-9900-00-9950 Trans. To Cap. Proj. \$240,000

RESOLUTION ADOPTED with Aye(1521). Supervisors Dybas and Jonker voted Nay. Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

**RESOLUTION NO.** 151 of 2007 **DATED:** May 22, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - OLD JAIL - PRE-DEMOLITION ABATEMENT (PUBLIC WORKS)

Resolution by Supervisor: Strevy Seconded by Supervisor: Manci ni

WHEREAS, the Board of Supervisors has heretofore approved the old jail pre-demolition abatement, as more particularly described in Resolution no. 84 of 2007 dated March 27, 2007 (the "Prior Resolution"); and

WHEREAS, the Board of Supervisors desires not to finance the cost of this project described in the Prior Resolution through bonding,

RESOLVED, that the Board of Supervisors hereby approves funding the old jail pre-demolition abatement, the maximum aggregate cost thereof not exceeding \$235,000, through budgetary provisions, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

I NCREASE:

A - 599 Appropriated Fund Balance \$331,980

TRANSFER TO:

A-06-4-9900-00-9950 Trans. To Cap. Proj. \$331, 980

RESOLUTION ADOPTED with Aye(1521). Supervisors Dybas and Jonker voted Nay. Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon Kimberly Sanborn

County Attorney Clerk, Board of Supervisors

**RESOLUTION NO.** 152 of 2007 **DATED:** May 22, 2007

RESOLUTION AWARDING CONTRACT - ASBESTOS ABATEMENT AIR SAMPLING (PUBLIC WORKS)

Resolution by Supervisor: Wal ters Seconded by Supervisor: Jonker

WHEREAS, the Commissioner of Public Works has recommended that a contract be awarded to the low bidder on an asbestos abatement air sampling project,

RESOLVED, that the Board of Supervisors hereby awards a contact to Alpine Environmental Services, Inc., of Albany, NY for the asbestos abatement air sampling project as follows:

Former County Correctional Facility

County Office Building Annex

, 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 Alpine Environmental Services, Inc., of Albany, NY, and

FURTHER RESOLVED, that said contract shall provide for payment in an amount not to exceed \$30,000.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 153 of 2007 **DATED:** May 22, 2007

RESOLUTION AWARDING CONTRACT - ASBESTOS ABATEMENT, LEAD BASED PAINT ABATEMENT, AND HAZARDOUS AND NON-HAZARDOUS WASTE DISPOSAL (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Manci ni

WHEREAS, the Commissioner of Public Works has recommended that a contract be awarded to the low bidder on an asbestos abatement, lead based paint abatement, and hazardous and non-hazardous waste disposal contract,

RESOLVED, that the Board of Supervisors hereby awards a contract to Jupiter Environmental Services, Inc., of Lincoln Park, NJ, for the abatement and disposal project as follows:

Former County Correctional Facility

County Office Building Annex

, 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 Jupiter Environmental Services, Inc., of Lincoln Park, NJ, and

FURTHER RESOLVED, that said contract shall provide for payment in an amount not to exceed 438,000.

RESOLUTION ADOPTED with Aye(1636). Supervisor Dybas abstained. Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Supervisor Walters clarified his amendment to Resolution 154. He stated that this isn't a political issue, and only the MOSA legal counsel has stated any illegality.

Supervisor Schumann urged the Board to carefully consider what MOSA's legal counsel has stated. She stated her support of bailing out the towns and villages, but doesn't support the Resolution as it would encourage a legal fight with MOSA.

Oueried by Supervisor Jonker, County Attorney Doug Landon stated that he is reluctant to publicly discuss any potential legal strategy. He stated that he's been in communication with the Attorney General's office. He also stated that the subsidy agreement and the reduction in payment are really two separate issues and should be treated as such, but timing is bad on all of it.

Supervisor Jonker withdrew his secondary sponsorship of the Resolution, and Supervisor

Quackenbush picked up the sponsorship.

Supervisor Dybas said that MOSA can change their rate anytime, either up or down, and supports waiting for the Attorney General's findings.

**RESOLUTION NO.** 154 of 2007 **DATED:** May 22, 2007

RESOLUTION AUTHORIZING DECREASED PAYMENT OF INVOICE - MOSA SUBSIDY (BOARD OF SUPERVISORS)

Resolution by Supervisor: Walters Seconded by Supervisor: Jonker

WHEREAS, at the March 22, 2007 meeting of the MOSA Board of Directors, motion was made to return \$1 per ton to each of the participating Counties based on the 2006 actual deliveries to provide relief from the devastating effects of the Flood of 2006, and

WHEREAS, in Montgomery County, said dollars would, in turn, be given back to the villages and City of Amsterdam, who are experiencing budget shortfalls due to an increase in the 2007 tip fee at MOSA,

WHEREAS, said motion was presented and voted upon at the March 22nd meeting of the MOSA Board of Directors and passed with 6 members voting in the aye, and

WHEREAS, since said motion was passed, MOSA has yet to issue a check to Montgomery County for funds due, as the MOSA Executive Director and Treasurer are refusing to pay such return, regardless of the directive set forth by motion of the MOSA Board of Directors, and

WHEREAS, the villages of Montgomery County and the City of Amsterdam are fast-approaching the end of the fiscal year and are in need of such funds to make up for the shortfall that will occur in the garbage expenses, and

WHEREAS, MOSA has presented a bill dated April 30, 2007 to Montgomery County for \$77,292 for GAT Subsidy for March actual deliveries and estimated May deliveries, and

WHEREAS, it is the recommendation of the Finance Committee that said bill to Montgomery County should be paid but reduced by the amount of money due as per the directive of the MOSA Board of Directors,

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized and directed to reduce the \$77,292 due to MOSA by the amount of \$50,976 and sign for payment not to exceed \$26,316, and

FURTHER RESOLVED, said monies from the reduction in payment (\$50,976) shall be considered due to the villages and the City of Amsterdam to make up for the shortfall that will occur in the garbage expenses for their 2006-2007 budget.

MOTION TO AMEND by Supervisor Walters, seconded by Supervisor Johnson, by striking in the first WHEREAS clause "from the devastating effects of the Flood of 2006" and inserting "to the Towns, Villages and City for the 2006-2007 budget", passed with Aye(1633). Supervisor Schumann voted Nay. Supervisor Stagliano was absent. (5/22/2007)

RESOLUTION ADOPTED with Aye(1213). Supervisors Schumann, Dybas, Jonker and Cechnicki voted Nay. Supervisor Strevy abstained. Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 155 of 2007

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

**DATED:** May 22, 2007

RESOLUTION ADOPTING REVISED NON-BARGAINING PERSONNEL POLICY

Resolution by Supervisor: Town Supervisors

Seconded by Supervisor: Greco

WHEREAS, the Board of Supervisors updated a Non-Bargaining Personnel Policy by the adoption of Resolution 443 of 2006, and

WHEREAS, it has been recommended by the Personnel Committee to revise said policy to further clarify the approval process when a department head requests to be paid out for unused vacation time, and

WHEREAS, the Personnel Committee has recommended that the Chairman of the Board approve all Department Head requests,

RESOLVED, that the Board of Supervisors hereby approves the following changes to Section 7, Part G of the Non-Bargaining Personnel Policy as follows:

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, with copy made to the Personnel Chairman. Request for payment by a Department Head must be submitted, in writing, for approval by the Chairman of the Board, with copy made to the Personnel Chairman.

, and

FURTHER RESOLVED, said revised Non-Bargaining Personnel Policy shall be attached hereto and made part of this resolution.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 156 of 2007 **DATED:** May 22, 2007

RESOLUTION ACCEPTING BIDS - 2007 AUCTION

Resolution by Supervisor: Wal ters Seconded by Supervisor: Di Mezza

WHEREAS, an open-bid auction of certain County-owned real property was held on Wednesday, May 16,

2007, and

WHEREAS, the respective successful bidders were as follows:

PARCEL #

DESCRI PTI ON

BI D

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 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.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Walters, by inserting the following in the second WHEREAS clause as appropriate:

"FIRST BIDDER NAMES Allen Pileckas Jeannette M. Cowles Arthur M. Banewicz Jeannette M. Cowles Kevin J. Moak Robert Bertholde Joseph F. Hurley Elba I Vanleuvan Eric J. Vanzandt Eric J. Vanzandt Mohammad A. Azam Carol L. Whitaker Julie A. Sonner Marc A. Raymond & Jelotte Turene Faruk S. Bhuiyan Brian C. Leffler Nicole A. Chambers Russell J. Hurteau	PARCEL#  1 2 5 7 10 11 12 15 16 20 21 29 31 32 34 37 38 40	***	BID 300.00 200.00 19,500.00 300.00 300.00 5,500.00 7,500.00 3,500.00 5,750.00 5,000.00 12,000.00 8,500.00 800.00 3,500.00 9,000.00
		\$ \$	
			,

\$166, 850.00",

Carol A. Smith 16,000.00 45 Marc A. Raymond & Jelotte Turene 50A 500.00 Joseph M. & James C. Vitus 52 5,500.00 Thomas P. Fraher 55 8,000.00 John W. Haigis & Jan Monk Haigis 59 10, 500.00 1,000.00 NRLL East A Florida LLC 61 Craig A. Hough Robert A. Shaut 63 700.00 72 12,000.00

passed with Aye(1772). Supervisor Stagliano was absent. (5/22/2007)

RESOLUTION ADOPTED with Aye(1688). Supervisor Thomas voted Nay. Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney

TOTAL BID AMOUNT

Kimberly Sanborn Clerk, Board of Supervisors

Kimberly Sanborn

Clerk, Board of Supervisors

**RESOLUTION NO.** 157 of 2007 **DATED:** May 22, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PURINTON & MORRIS, LLC - DEPARTMENTAL ACCOUNTING TRAINING (COUNTY TREASURER)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Dybas

WHEREAS, the County Treasurer recommends the hiring of a consultant to facilitate the training of departments and new employees in the area of accounting for Montgomery County,

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 with Purinton & Morris, LLC of Wilton, NY, and

FURTHER RESOLVED, that payment of said agreement shall not exceed the amounts budgeted in the 2007 Operating Budget for professional services.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Strevy, by inserting at the end of the FURTHER RESOLVED clause before the period "with a cap of \$5,000",

passed with Aye(1772). Supervisor Stagliano was absent. (5/22/2007)

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney

**RESOLUTION NO.** 158 of 2007 **DATED:** May 22, 2007

RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY

Resolution by Supervisor: Dybas Seconded by Supervisor: McMahon

RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to disburse Mortgage Tax money for the period from October 1, 2006 through March 31, 2007, 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(1772). Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon
County Attorney

Ki mberly Sanborn
Clerk, Board of Supervisors

**RESOLUTION NO.** 159 of 2007 **DATED:** May 22, 2007

RESOLUTION RECOMMENDING THE STATE LEGISLATURE PASS A. 7390/S. 4408 WHICH WOULD REAUTHORIZE LEGISLATION WHICH INCREASES SALES TAX IN THE COUNTY OF MONTGOMERY

Resolution by Supervisor: Walters Seconded by Supervisor: Quackenbush

WHEREAS, in 2003 the NYS Legislature empowered the County of Montgomery to raise an additional 1% sales tax, and

WHEREAS, such authorization is due to expire November 30, 2007, and

WHEREAS, Resolution 109 of 2007 asked the NYS Legislature to reauthorize Legislation which amended Section 1210 of NYS Tax Law to increase the sales tax in Montgomery County by an additional 1%, and

WHEREAS, the New York Legislature has drafted legislation (A.7390/S.4408) which would amend such sections of the NYS Tax Law to reauthorize the additional 1% sales tax,

RESOLVED, that the Montgomery County Board of Supervisors hereby supports and advocates for the passage of A. 7390/S. 4408 by the NYS Legislature.

RESOLUTION ADOPTED with Aye(1567). Supervisors Schumann and Cechnicki voted Nay. Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **OTHER**

SUSPEND THE RULES by Supervisor McMahon, seconded by Supervisor Thomas, passed with Aye(1772). Supervisor Stagliano was absent.

(Clerk's Note: Rules suspended in order to entertain the following add-on Resolutions:

#160 RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TIME WARNER CABLE - HIGH-SPEED INTERNET SERVICE (BOARD OF ELECTIONS), and

#161 RESOLUTION AMENDING 2007 BUDGET (UNALLOCATED INSURANCE).)

(Clerk's Note: Prior to the start of the meeting, Election Commissioner Joan Granier disseminated an email document to all Supervisors to help clarify the issue as stated in Resolution 160. The email was written by Data Processing Director Deb Bain and was addressed to Supervisor Dybas.)

Chairman Di Mezza stated that the County should seek a better rate, and he will ask County Purchaser Scott Surrento and County Auditor Marco Zumbolo to contact Time Warner.

Supervisor Johnson stated that the County should also negotiate the three year contract.

Chairman Walters wondered why the County is paying for the service and not the state.

**RESOLUTION NO.** 160 of 2007 **DATED:** May 22, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TIME WARNER CABLE - HIGH-SPEED INTERNET SERVICE (BOARD OF ELECTIONS)

Resolution by Supervisor: Strevy Seconded by Supervisor: Schumann

WHEREAS, it is necessary to establish a high-speed Internet connection in the Board of Elections Office to remain compliant with the Help America Vote Act, and

WHEREAS, the Data Processing department has recommended a separate connection through the Board of Elections,

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 Time Warner Cable of Schenectady, NY for a period of 3 years from the date of installation at a monthly charge of \$109.95.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors Chairman DiMezza clarified Resolution 161 and spoke in support of it.

Supervisor Walters stated that the Board increased Cheryl's salary to help with the needed administrative duties back in January.

(Clerk's note: The Supervisors stated a general confusion about which Department (Purchasing or Board of Supervisors) would be more appropriate for the retaining of the funds. On that note, the Resolution was tabled and will be returned to the appropriate committee for further discussion.)

### **RESOLUTION NO.** 161 of 2007 **DATED:** May 22, 2007

RESOLUTION AMENDING 2007 BUDGET (UNALLOCATED INSURANCE)

Resolution by Supervisor: Thomas Seconded by Supervisor: Dybas

WHEREAS, Pursuant to Resolution 71 of 2007, the Board of Supervisors established the position of Safety Officer and also funded the position, and

WHEREAS, Resolution 71 of 2007 also moved the funding of the insurance out of the Purchasing Department and into the Board of Supervisors budget, be it

RESOLVED, that the intent of the Board of Supervisors was the insurance would be handled through the Purchasing Department, and be it

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1910-00-4480 Insurances \$400,000

TRANSFER TO:

A-31-4-1910-00-4480 Insurances \$400,000

MOTION TO TABLE by Supervisor Strevy, seconded by Supervisor Dybas, passed with Aye(1420). Supervisors DiMezza, Walters and Thomas voted Nay. Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Supervisor Quackenbush stated that he would like to save time by amending Resolution 71 of 2007, as the rules are suspended. There were no objections to revisiting Resolution 71.

## **RESOLUTION NO.** 162 of 2007 **DATED:** May 22, 2007

RESOLUTION AMENDING RESOLUTION 71 OF 2007 - GENERAL LIABILITY INSURANCE ALLOCATION (BOARD OF SUPERVISORS)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Cechni cki

WHEREAS, Resolution 71 of 2007 was presented that transferred allocation of insurance from Purchasing to the Board of Supervisors at an amount of \$400,000, and

WHEREAS, upon further review, the Budget Officer has indicated that there was not enough money in appropriations to make said transfer as invoices had been paid, and

WHEREAS, it is therefore necessary to amend Resolution 71 of 2007 to provide for the appropriate amount to be transferred,

RESOLVED, Resolution 71 of 2007 is hereby amended as follows:

In the last FURTHER RESOLVED clause, strike the amounts of "\$400,000" and replace with "\$295,000".

RESOLUTION ADOPTED with Aye(1326). Supervisors DiMezza, McMahon and Thomas voted Nay. Supervisor Stagliano was absent. (5/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### ADJOURNMENT

 $\tt MOTION$  TO ADJOURN by Supervisor Greco, seconded by Supervisor Dybas, passed with Aye(1772). Supervisor Stagliano was absent.

Chairman Di Mezza adjourned the meeting at 8:17 PM.

Respectfully submitted,

### PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - AGRICULTURE, PLANNING & DEVELOPMENT 7:00 PM, June 5, 2007

#### COMMITTEE MEETING DISCUSSION

Chairperson Johnson presided over the meeting commencing at 7:00 PM.

Roll call indicated Committee members present are Supervisors Schumann, Dybas, Strevy, Thomas and Jonker. Absent was Supervisor Walters.

Additional Supervisors present were Greco, DiMezza, Thomas, McMahon and Cechnicki. Absent were Supervisors Quackenbush, Stagliano and Mancini.

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

- 1. Discussion Regarding Pre-Disaster Mitigation Planning Ed Lipps, Property Mitigation Specialist (SEMO)
- 2. Resolution Appointing Members Montgomery County Planning Board (Economic Development)
- 3. Tourism Presentation Erica Squillace, Montgomery County Chamber of Commerce
- 4. Other

Chairman Johnson stated that add-on Resolutions would be entertained during discussion items, where appropriate.

Item #1: Mr. Lipps disseminated a SEMO packet to all Supervisors present. Montgomery County Planner Doug Green stated that the purpose of the presentation is to explain the benefits and importance of the mitigation planning process, which would reduce disaster losses in the County. Mr. Green will also be discussing the hiring of a consultant after the presentation.

Mr. Green asked that all present Supervisors sign a sign-in sheet so their attendance can be documented.

The packet contained the following documents:

- Letter to NYSEMO from FEMA acknowledging and approving the Montgomery County's application for the Hazard Mitigation Grant Program (HMGP) for \$100,000 PowerPoint presentation "Overview of HMGP"
- Sample of a local mitigation plan outline
   Possible mitigation measures by hazard
   Copy of the Hazard Mitigation Planning and HMGP

(Clerk's note: As quoted from the packet, "the local mitigation plan is the representation of the jurisdiction's commitment to reduce risks from natural hazards, serving as a guide for decision makers as they commit resources to reducing the effects of natural hazards. Local plans will also serve as the basis for the State to provide technical assistance and to prioritize project funding.")

Mr. Green explained the Consultant RFP process that was followed earlier in the year, and spoke in support of hiring Tetra Tech EM, Inc. as consultants for leading the planning process. He clarified the TETRA TECH add-on Resolution.

At this time, add-on "RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT-TETRA TECH EM, INC. - PROFESSIONAL SERVICES - MULTI-JURISDICTIONAL ALL-HAZARD MITIGATION PLAN & AMENDING 2007 OPERATING BUDGET" was entertained.

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.

Supervisor Thomas recommended that the County's Safety Officer be present and part of the process. There were no objections.

Item #2: Supervisors Strevy 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: Deborah Auspelmyer, President of MCCC, introduced Kevin McClary, Board of Directors. He spoke in support of the add-on Resolution regarding the Chamber's renewal as official tourism promotion agency from 10/1/07-9/30/08. He stated that the cost for administrative services, which

is still under negotiation, will be presented at the full Board meeting.

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.

Chairperson Johnson stated that the cost for services will probably be around \$11,000 or less, and asked the Chamber to provide justification for the amount.

Tourism Director Erika Squillace disseminated a Chamber of Commerce folder to all Supervisors present, containing an overview of current and upcoming projects, Calendar of Events, etc.

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

Chairperson Johnson adjourned the Agriculture, Planning & Development Committee meeting at 7:43 PM.

Respectfully submitted,

### PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - EDUCATION/GOVERNMENT 7:15 PM, June 5, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman McMahon presided over the meeting commencing at 7:46 PM.

Roll call indicated Committee members present included Supervisors Paton, Johnson, Jonker, Schumann and Cechnicki. Absent was Supervisor Stagliano.

Additional Supervisors present were Supervisors DiMezza, Greco, Strevy, and Thomas. Absent were Supervisors Dybas, Quackenbush, Mancini and Walters.

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

- Discussions regarding FMCC:
   \* Electrical Vault Project

  - \* Pool Project \* Capital Plan

  - Budget Overview
- 2. Resolution Establishing Public Hearing FMCC 2007-2008 Operating Budget
- 3. Discussion Regarding Municipal Chargebacks Board of Elections
- 4. Other

Item #1: Chairman McMahon stated that the several add-on Resolutions will be entertained first.

Add-on "RESOLUTION ENDORSING THE RETENTION OF THE ELECTRICAL VAULT AT FULTON MONTGOMERY COMMUNITY COLLEGE (FMCC)".

Supervisors Schumann 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 AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PHILLIP ASSOCIATES - DESIGN PLANS AND SPECIFICATIONS FOR ELECTRICAL VAULT WATER INFILTRATION REPARI PROJECT AND UATHORIZING THE SOLICITATION OF BIDS (FMCC)".

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.

Add-on "RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - DAVID JABLONSKI CONSTRUCTION COPORATION, INC. - STUDENT SERVICES BUILDING ROOF REPLACEMENT PROJECT (FMCC)".

Supervisors DiMezza 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 CHAIRMAN TO SIGN AGREEMENT - STEVEN E. SMITH, PE - STUDENT SERVICES BUILDING ROOF REPLACEMENT PROJECT - CONSTRUCTION ADMINISTRATION SERVICES (FMCC)

Supervisors Jonker 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.

Add-on "RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FPI MECHANICAL, INC. - STEAM SYSTEM UPGRADES/MEP PROJECT (FMCC)".

Supervisors Johnson 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.

Add-on "RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PHILLIPS ASSOCIATES - CONSTRUCTION ADMINISTRATION SERVICES - STEAM SYSTEM UPGRADE/MEP PROJECT (FMCC)"

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.

Add-on "RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - C.T. MALE ASSOCIATES - AIR MONITORING AND LABORATORY SERVICES - STEAM SYSTEM UPGRADE/MEP PROJECT (FMCC).

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.

Add-on "RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PHILLIPS ASSOCIATES - COST ESTIMATING SERVICES - PROPOSED 2008 CAPITAL PROJECT - REPLACEMENTS AND UPGRADES IN THE CLASSROOM BUILDING (FMCC)".

Supervisors Schumann 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.

Regarding the pool discussion item, Chairman McMahon stated that the pool, which the community also uses, is in need of repair or upgrading.

Chairman DiMezza stated that the pool is an asset and should be repaired. There were no objections.

Supervisor Schumann stated that perhaps creating a capital reserve fund for the pool project for use in 2008 would be a positive move.

Chairman McMahon stated that whatever action this County takes, we must remain in sync with Fulton County, and this project would actually be rolled into the Capital Projects funding.

Regarding the Capital Plan discussion, President Dustin Swanger stated that the 3-year Capital Projects Plan will be finished and forwarded to Chairman DiMezza next week, hopefully. He stated that numbers are being refined and should be complete soon. He stated that the College is working on a 2009-2013 Master Plan update, also, and feels discussion should be postponed for the time being. There were no objections among the Supervisors.

Item #2: When queried by Supervisor Strevy about the Fund Balance, President Swanger stated that it is 6-7% of the Operating Budget. He stated that the College projected spending \$100,000, but instead, will be adding to the Fund Balance.

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 #3 (formerly item #4, Other): President Swanger disseminated an packet titled "Proposed Operating Budget for Fiscal Year 9/1/07-8/31/08". The packet included an "Executive Summary", "Vision/Mission/Core Values", "Operating Budget Summary" and "Grant Budget Summary", which he clarified.

When queried by Supervisor Strevy about managing off-campus student housing as stated in the newspaper, President Swanger stated that this will not be a revenue generator.

Jim Delsavio, Chairman of Board of Trustees at FMCC, also disseminated an internal FMCC progress report to all present Supervisors.

Item #4 (formerly item #3, "Discussion Regarding Municipal Chargebacks - Board of Elections"): County Treasurer Bowerman stated that he supports chargebacks.

Supervisor Thomas spoke in objection to chargebacks because he feels it is a double taxation.

Supervisor Strevy stated that, according to the law, the County can charge the Towns, but the Towns can't charge the County. County Attorney Doug Landon confirmed that the law allows the County to charge back the expenses to the municipalities.

When queried by Supervisor Strevy, Supervisor Schumann stated that she doesn't feel that the cost would be significantly reduced if there was only one polling place. She also spoke in support of chargebacks.

Supervisor Cechnicki expressed his frustration that this item is still under discussion, and that some kind of action should be taken.

Motion was made and seconded by Supervisors DiMezza and Strevy, respectively, to adjourn the Committee meeting.

Chairman McMahon adjourned the Education/Government Committee meeting at 8:26 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - PUBLIC SAFETY 7:00 PM, June 12, 2007

#### COMMITTEE MEETING DISCUSSION

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

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

Additional Supervisors present was Supervisor Walters. Absent were Supervisors Johnson, Paton, McMahon, Stagliano, Mancini and DiMezza.

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

- Resolution Authorizing Chairman to Sign Agreement Government Payment Services, Inc. - Payment of Restitution & Fines (Probation)
- 2. Resolution Authorizing Chairman to Sign Letter of Approval to Accept Funds for Supervision of Levels 2 & 3 Sex Offenders and Amending 2007 Operating Budget (Probation)
- 3. Resolution Amending 2007 Operating Budget Local Emergency Management Performance Grant (Emergency Management)
- 4. Resolution Authorizing Chairman to Sign Grant Agreement NYS EMO Citizen Corps Grant (Emergency Management)
- 5. Resolution Adopting Montgomery County Multiple Casualty Incident Plan for EMS (Emergency Management)
- 6. Other

Item #1: 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 #2: 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.

Supervisor Strevy entered Chamber at 7:02 PM.

Item #3: Supervisors Cechnicki 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.

I tem #4: Supervisors Dybas and Greco made a motion and seconded, respectively, to sponsor the Resolution

Emergency Management Director Gary Nestle clarified the Resolution.

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

Supervisor Paton entered Chamber at 7:08 PM.

Item #5: 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 #6, Other: Add-On RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DCJS - OPERATION SAFE CHILD PROGRAM (SHERIFF).

Supervisors Strevy 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 #7, Other: Add-on RESOLUTION AUTHORIZING CHARIMAN TO SIGN GRANT AGREEMENT - NYS DCJS - PURCHASE, MAINTENANCE & STAFF TRAINING FOR USE OF AED'S (SHERIFF).

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 #8, Other: Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DCJS - PURCHASE OF AIRBOAT AND TRAILER (SHERIFF).

Supervisors Jonker 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 7:12 PM.

(Clerk's Note: The Sheriff's office will be providing the Clerk with the "appropriation" account information for the three add-on Resolutions prior to the full Board meeting.)

Item #9, Other: Add-on Discussion - EMS Advisory Board.

Supervisors Dybas and Thomas made a motion and seconded, respectively, to sponsor a draft Resolution (rescinding Resolution 79 of 2006 and implementing a new seven member EMS Advisory Board) and move it to the full Board with positive recommendation. There were no objections.

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

Chairman Thomas adjourned the Public Safety Committee meeting at 7:14 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - GENERAL SERVICES 7:15 PM, June 12, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:15 PM.

Roll call indicated Committee members present included Supervisors Quackenbush, Cechnicki, Paton, Greco and Strevy. Absent was Supervisor Stagliano.

Additional Supervisors present were Thomas, Johnson, Dybas and Jonker. Absent were Supervisors McMahon, Di Mezza, Mancini and Schumann.

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

- 1. Resolution Authorizing Chairman to Sign Renewal Agreement Data Processing Services City of Johnstown (Data Processing)
- 2. Resolution Authorizing Chairman to Sign Renewal Agreement Data Processing Services City of Amsterdam (Data Processing)
- 3. Discussion regarding Emergency Watershed Protection Program
- 4. Discussion Regarding Transportation of Waste within Montgomery County
- 5. Other

Item #1: Supervisors Strevy 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 Dybas and Paton made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Greco spoke his concern regarding the City's seemingly lack of enthusiasm toward shared services. He said he would like the Board to consider making this (and other similar contracts) a three year term.

Supervisor Dybas stated that he heard that the City may be looking for an outside computer tech support firm.

Data Processing Director Deb Bain also spoke about her concern that the City may be looking in a different direction for certain services.

Chairman Walters recommends talking to the City and asking them what they would do if the contract was changed to two or three years.

Supervisor Greco recommends that we should inquire as to what the City's true agenda is, but to go ahead and pass the Resolution for now, as disrupting service isn't the answer.

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

Item #3: Supervisor Strevy shared a newspaper article with the present Board which highlighted Connecticut properties in danger of collapse due to erosion. He also shared a one page data sheet on USDA's Emergency Watershed Protection Program (EWP). The EWP is designed to relieve imminent hazards to life and property caused by flooding and erosion.

(Clerk's note: According to the data sheet, application for assistance can be in the form of a letter "giving the nature, location and scope of the problem which is then sent to the local NRCS/SWCD Office".)

Supervisor Dybas exited Chamber at 7:25 PM.

Tom Bielli, District Conservationist with the USDA, clarified the Watershed Protection Act. He stated that a storm event that occurred in mid April caused damage to a few homes in the Montgomery County. He said that the required sponsor would pay 25% of the cost and that the County only has a week left to make the program request to the Agency.

Mr. Bielli clarified that the County would need to provide 25% of (in-kind) funds, the land rights, as well as future operation & maintenance of the repaired properties. There may be a state reimbursement, but it's up to the County to inquire.

MCSWCD Manager Corey Nellis clarified the erosion issues of certain landowners in Amsterdam and Florida.

Supervisors Strevy and Greco made a motion and seconded, respectively, to sponsor a draft Resolution (to apply for the EWP Program, if a Resolution is needed as opposed to a letter of intent) and move it to the full Board with a positive recommendation. There were no objections.

Item #4, Other: Chairman Walters stated that the County needs to figure out what it's going to do with its waste after 2014, when the MOSA contract expires. He stated that he's been approached by some non-waste haulers who would like to meet with the County to discuss some options for waste handling.

Chairman Walters polled the present Supervisors to inquire how their trash is picked up and/or handled in their particular municipalities.

Supervisor Quackenbush stated that a possibility is to create a County-owned landfill, apart from MOSA, to handle the trash. Chairman Walters stated that there is not enough time to begin such a project, as it would take years to get the necessary permits.

Replying to a query by Supervisor Strevy, County Attorney Doug Landon stated that any municipality has the option to include in their MOSA contract a clause stating that all solid waste will be routed to MOSA.

Supervisor Thomas stated that the GAT should be divorced from the debt structure. He stated that the GAT has nothing to do with the level of garbage, as businesses are constantly leaving the County, thereby producing no garbage, while the GAT continues to rise.

Supervisor Quackenbush questioned why the County needs involvement in local garbage collection after 2014. He said perhaps, if the County must be involved, a landfill or environmentally sound incinerator is needed to serve all municipalities at once.

Chairman Walters stated that the most cost effective avenues for the local taxpayer must be explored sooner rather than later, as time goes on.

Supervisor Thomas cautioned the Board against getting involved in the landfill/incinerator business.

Supervisor Greco exited Chamber at 8:05 PM.

Supervisor Quackenbush recommends polling the County residents on the following: "Do you want a landfill? Incinerator? Our own County system? Or should each municipality take cares of self?", then present the answers to MOSA.

Chairman Walters stated he would like to have a meeting with the haulers, with the Clerk of the Board taking minutes. There were no objections.

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

Chairman Walters adjourned the General Services Committee meeting at 8:09 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - FINANCE 6:00 PM, June 19, 2007

#### COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present are Supervisors Quackenbush, McMahon and Jonker. Absent were Supervisors Mancini, Johnson and Walters.

Additional Supervisors present were DiMezza, Stagliano, Schumann and Strevy. Absent were Supervisors Thomas, Paton, Dybas, and Cechnicki.

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

- Resolution Amending 2007 Operating Budget Insurances (Sanitary District)
- 2. Resolution Supporting the Montgomery County Annual Golf Tournament (STOP DWI)
- Resolution Authorizing Chairman to Sign Agreement City of Amsterdam-Purchasing Services (Purchasing) & Discussion Regarding Results of June 12th General Services Committee Meeting Data Processing Services for the City of Amsterdam
- 4. Resolution Awarding Bid 11-07 Food Service Materials & Cleaning Supplies Various Vendors (Purchasing)
- 5. Resolution Authorizing Chairman to Sign Agreement Greater Amsterdam Area Cooperative Energy Commission (Purchasing)
- 6. Discussion Regarding Sales Tax Distribution for Educational Purposes
- 7. Discussion Regarding Employment Pre-Screening Software & Training
- 8. Resolution Amending 2007 Operating Budget Overtime Shortfall (Economic Development & Planning)
- 9. Review Montgomery County RLF Application Baker's Studios
- 10. Other

(Clerk's Note: Agenda item #9, to be held in Executive Session, was entertained last so that addon items could be publicly heard.)

Item #1 (INSURANCES): Supervisors Jonker 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 (GOLF TOURNAMENT): Supervisors DiMezza and Greco made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Schumann expressed concern regarding the tracking of revenue, expenses and employee time for this Tournament.

Chairmen Greco and DiMezza clarified the Resolution.

Supervisor Schumann stated that more back-up information about the event prior to the Resolution being presented would have been appreciated.

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

Item #3 (PURCHASING SVC): 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.

Chairman DiMezza spoke in favor of the City utilizing Purchasing and Data Processing services from the County. He cautioned the City against using any stand-alone software systems.

Data Processing Director Deb Bain stated that the City has the contracts for Purchasing and Data

Processing from the County in their possession.

Supervisor Schumann suggested that an additional figure be added to the Resolution, to compensate for any manual entry needed by Purchasing should the City not want to use the County's AS400 system.

Mr. Surento stated that he'd be willing to look into that option.

After further discussion, the Committee chose to add a FURTHER RESOLVED clause stating that the purchasing contract is contingent on the Data Processing contract.

Item #4 (FOOD SVC): 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 #5 (COOP ENERGY): Chairman DiMezza clarified the Resolution, and stated that the Controller's office is satisfied with the bidding process. He also stated that by-laws will be set up with the Co-op.

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 #6 (SALES TAX DIST.): Chairman Greco stated that this could be a premature discussion because of the status of Beechnut. He stated that they may get a share, so why double-dip?

Supervisor McMahon stated that school districts should be kept separate from County government, as they have their own funding.

Supervisor Dybas entered Chamber at 6:33 PM.

Supervisor Jonker questioned why the County is entertaining the notion, because the factory will not be bringing any children into the district.

Supervisor DiMezza cautioned the Supervisors on negative comments which could impact the Amsterdam School District's interests. He suggested perhaps raising school tax and dropping property tax.

Item #7 (SOFTWARE): Personnel Officer Rich Baia explained the software and its potential use. He stated that it is a pre-screening hiring tool that could flag potentially incompatible employees, thereby reducing the number of employee discharges and related loss of training costs.

Supervisor Schumann stated that the issue (employee discharges) may not be incompatibility, but low wages. She also stated that the Dept. Heads can be trusted to do their job in hiring the right candidate after the interview process. She cautioned the Supervisors against blindly purchasing a product without hearing from "satisfied customers".

Chairman Greco requested from Rich Baia more information and that a presentation be made to the next Personnel Committee on this software.

Supervisor Mancini entered Chamber at 6:46 PM.

Supervisor Quackenbush suggested that the presentation occur during a special meeting, then further discussion can occur in Personnel Committee. There were no objections.

Chairman DiMezza stated that the Special Meeting can occur at 6:30 PM on Tuesday, June 26, prior to the full Board meeting. There were no objections.

Item #8 (OVERTIME): Supervisors McMahon 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, Other: Add-on RESOLUTION AUTHORIZED CHAIRMAN TO SIGN GRANT AGREEMENT - LEGISLATIVE GRANT - VAN PURCHASE (VETERAN'S SERVICE AGENCY).

Veteran's Director William Mullarkey clarified the Resolution.

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 #10, Other: Supervisor McMahon asked for two additional items to be added to the agenda for the Special Meeting:

- 1) Discussion of FMCC Capital Project Plan
- 2) A Resolution supporting the FMCC pool renovation.

Supervisor Paton entered Chamber at 6:58 PM.

Supervisor Quackenbush stated that he will second Supervisor McMahon's sponsorship of the

Resolution regarding the pool renovation, if he cares to sponsor. Supervisor McMahon indicated his sponsorship.

Chairman DiMezza stated that he has no objections to the draft Resolution be added to the full Board meeting.

Chairman DiMezza also stated that the Special Meeting, to be held prior to the Full Board Meeting, will have two agenda items:

6:00 PM: Software presentation - Employment Pre-Screening Software & Training 6:30 PM: FMCC Capital Plan

There were no objections.

Chairman Greco asked Officer Baia to meeting with him regarding the presentation.

Item #11, Other: Supervisor Strevy stated that there will be a MOSA meeting Thursday at 1:00 PM in the Annex Building, and that the recycling Resolution is on the agenda for third time.

Chairman DiMezza stated that a county representative will be present to express to MOSA the County's needs.

Item #12, Other (formerly agenda item #9): Pursuant to Section 105 (f) of NYS Open Meeting Law, the motion was made and seconded by Supervisor McMahon and Jonker, respectively, to enter into Executive Session to discuss the financial history of a particular corporation. Executive Session commenced at 7:02 PM.

Motion to adjourn the Executive Session was made and seconded by Supervisors Dybas and Jonker, respectively.

Executive Session was adjourned at 7:12 PM.

As a result of Executive Session, Supervisors Strevy and Quackenbush made a motion and seconded, respectively, to sponsor a draft Resolution (supporting Bakers Studio's RLF application) and move it to the full Board with a positive recommendation. There were no objections.

(Clerk's Note: Economic Development Director Ken Rose will be writing the Resolution for the Full Board Meeting.)

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

Chairman Greco adjourned the Finance Committee meeting at 7:12 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE OF THE WHOLE

6:00 PM, June 26, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Di Mezza presided over the meeting commencing at 6:04 AM.

Roll call indicated that Supervisors Quackenbush, Johnson, Greco, McMahon, Stagliano, Dybas, Schumann, Thomas, and Mancini were present.

Absent were Supervisors Jonker, Walters, Cechnicki, Paton, and Strevy.

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

- 1. 6:00 PM: Software presentation Employment Pre-Screening Software & Training
- 2. 6:30 PM: FMCC Capital Plan
- 3. Other

Chairman DiMezza stated that the two items on the agenda will not be entertained at this time.

Item #1 (formerly item #3, Other): Add-on RESOLUTION AUTHORIZING SOLICIATION OF BIDS - WASTEWATER TREATMENT PLANT PROJECT (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.

Chairman DiMezza requested that the Resolution be entertained after Resolution 172 during the Full Board Meeting. There were no objections.

Item #2 (formerly item #3, Other): Add-on RESOLUTION SUPPORTING TOURISM FUNDING APPLICATION - MONTGOMERY COUNTY CHAMBER OF COMMERCE.

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.

Chairman DiMezza requested that the Resolution be entertained after Resolution 177 during the Full Board Meeting. There were no objections.

Supervisor Paton entered Chamber at 6:09 PM.

Item #3 (formerly item #3, Other): Chairman DiMezza spoke in favor of renovating the FMCC pool. He stated that Jim Salvio (FMCC Board of Trustees) polled the Trustees, and 6 out of 10 Trustees would like to keep it open.

Supervisor McMahon spoke in support of renovating the pool.

Chairman DiMezza stated that the pool Resolution will be presented in tonight's full Board meeting. He also stated that a letter was received from James Mraz, Planning Director, regarding the status of the pool and estimated costs of repair and upgrades.

Supervisors Greco and Quackenbush made a motion and seconded, respectively, to adjourn the Committee of the Whole Meeting. There were no objections.

Chairman Di Mezza adjourned the Meeting at 6:11 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY REGULAR MEETING 7:00 PM, June 26, 2007

#### CALL TO ORDER

Chairman Di Mezza called the Regular Meeting of the Montgomery County Board of Supervisors for June  $26,\ 2007$  to order at  $7:00\ PM$ .

### SALUTE TO THE FLAG

Vice Chairman Greco led the Salute to the Flag.

### **ROLL CALL**

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

#### PRIVILEGE OF THE FLOOR

### A. Proclamations -

- 2007 Crystal Pillar of the Community Citation Montgomery County Office of the Aging Sister William Aloysius Fitzpatrick
- ii. 2007 Humanitarian Award Montgomery County Office of the Aging Kathleen Jones

Chairman DiMezza and Supervisor Johnson presented the above two Proclamations to Lee Broyles from the Office of the Aging, honoring Sister Fitzpatrick and Nurse Jones for their humanitarian efforts in the County.

iii. Special Award for Excellence in Disaster Response Excellence in Flood Disaster Response - June 2006 Montgomery County Data Processing Department

Chairman DiMezza honored Data Processing Director Deb Bain and Kathy Snyder for the Department's outstanding commitment to the County during the flood of 2006 in maintaining the flow of information technology. The Department was also previously honored by the Center for Digital Government and Digital Technology with a "Best in NY" award.

### B. Public Comment

Chairman Di Mezza asked if anyone wished to speak.

Carl Baia from Amsterdam requested a parking area on the south side of Amsterdam for bike path users. He asked that the County provide the labor and materials to construct such a parking area, perhaps on the access road off of Bridge Street.

There were no other speakers.

Chairman Di Mezza adjourned Public Comment at 7:08 PM.

### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (May 22 - June 19, 2007) Supervisor Johnson, seconded by Supervisor Mancini, passed with Aye(1868).

### APPROVAL OF BUDGETARY TRANSFER

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

#### UNFINISHED BUSINESS

TABLED RESOLUTION #161 OF 2007 -

"RESOLUTION AMENDING 2007 BUDGET (UNALLOCATED INSURANCE)"

**RESOLUTION NO.** 161 of 2007 **DATED:** May 22, 2007

RESOLUTION AMENDING 2007 BUDGET (UNALLOCATED INSURANCE)

Resolution by Supervisor: Thomas Seconded by Supervisor: Dybas

WHEREAS, Pursuant to Resolution 71 of 2007, the Board of Supervisors established the position of Safety Officer and also funded the position, and

WHEREAS, Resolution 71 of 2007 also moved the funding of the insurance out of the Purchasing Department and into the Board of Supervisors budget, be it

RESOLVED, that the intent of the Board of Supervisors was the insurance would be handled through the Purchasing Department, and be it

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1910-00-4480 Insurances \$400,000

TRANSFER TO:

A-31-4-1910-00-4480 Insurances \$400,000

MOTION TO TABLE by Supervisor Strevy, seconded by Supervisor Dybas, passed with Aye(1420). Supervisors DiMezza, Walters and Thomas voted Nay. Supervisor Stagliano was absent. (5/22/2007)

MOTION TO REMOVE FROM TABLE by Supervisor Greco, seconded by Supervisor Johnson, was defeated with Aye(901). Supervisors Greco, Johnson, Dybas, Mancini, DiMezza, Walters and Thomas voted Aye. (6/26/2007)

RESOLUTION DIED ON THE TABLE (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **NEW BUSINESS**

- A. Resolutions
- B. Other

# **RESOLUTION NO.** 163 of 2007 **DATED:** June 26, 2007

RESOLUTION ESTABLISHING PUBLIC HEARING - FMCC 2007-2008 OPERATING BUDGET

Resolution by Supervisor: Johnson Seconded by Supervisor: Jonker

RESOLVED, that the Montgomery County Board of Supervisors hereby schedules a Public Hearing on the proposed 2007-2008 Operating Budget of Fulton-Montgomery Community College for July 24, 2007 at 6:55pm 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). (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors **RESOLUTION NO.** 164 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PHILLIPS ASSOCIATES - COST ESTIMATING SERVICES - PROPOSED 2008 CAPITAL PROJECT - REPLACEMENTS AND UPGRADES IN THE CLASSROOM BUILDING (FMCC)

Resolution by Supervisor: Schumann Seconded by Supervisor: Di Mezza

WHEREAS, the 2005 Master Plan for FMCC recommended the implementation of 29 individual projects in the Classroom Building estimated, in 2005, to cost over \$3.0 million, and

WHEREAS, most of these projects involve replacing and upgrading mechanical, electrical and plumbing systems within the building, and asbestos must be abated in numerous areas of the building, which is an additional cost, and

WHEREAS, while the Master Plan contained a recommended list of all projects to implement, the Master Plan did not propose how to implement them in an organized and coordinated manner to allow for the work to be done and the Classroom Building to still to be occupied and utilized, and

WHEREAS, given the recent increases in construction costs caused by rising oil and material costs, the 2005 cost estimates for these 29 individual projects are outdated, and

WHEREAS, FMCC is proposing to submit as a 2008 Capital Project to Fulton and Montgomery Counties, to implement these mechanical, electrical and plumbing projects in the Classroom Building and in order to logically package this project and estimate it with current dollars, FMCC desires to retain the services of an engineer to provide FMCC with input and guidance, and

WHEREAS, the FMCC Master Plan Steering Committee recommend that Fulton and Montgomery Counties award a contract to Phillips Associates to prepare an implementation schedule and updated cost estimates for the mechanical, electrical and plumbing projects identified in the 2005 Master Plan for the Classroom Building for inclusion into a 2008 Capital Project request to be submitted to both Counties, and

WHEREAS, it was also recommended that the cost for this contract would be paid for out of the unspent funds from the Electrical Vault Water Infiltration Project included in the 2007 Capital Plan for Fulton and Montgomery Counties.

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 Phillips Associates, of Saratoga Springs, NY to prepare an implementation schedule and updated cost estimates for the mechanical, electrical and plumbing projects identified in the 2005 Master Plan for the Classroom Building at a cost not to exceed \$6,500, and

FURTHER RESOLVED, that the cost for this contract will be paid for out of the unspent funds from the Electrical Vault Water Infiltration Project included in the 2007 Capital Plan for Fulton and Montgomery Counties, and

 $\hbox{FURTHER RESOLVED, that this resolution is contingent upon passage of a similar resolution by the Fulton County Board of Supervisors.}$ 

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 165 of 2007 **DATED:** June 26, 2007

RESOLUTION ENDORSING THE RETENTION OF THE ELECTRICAL VAULT AT FULTON MONTGOMERY COMMUNITY COLLEGE

Resolution by Supervisor: Schumann Seconded by Supervisor: Cechni cki

WHEREAS, Resolution 351 of 2006 approved a contract with Phillips Associates, of Saratoga Springs, to prepare an engineering and cost evaluation study to identify alternatives to using the electrical vault at Fulton-Montgomery Community College, and

WHEREAS, Phillips Associates has completed said investigation and due to cost restraints, has recommended that the Electrical Vault be kept in place, and

WHEREAS, the FMCC Master Steering Plan committee has met with Phillips Associates and has

recommended the same,

RESOLVED, that the Montgomery County Board of Supervisors endorses the retention of the Electrical Vault at Fulton-Montgomery Community College, and

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

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 166 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PHILLIP ASSOCIATES - DESIGN PLANS AND SPECIFICATIONS FOR ELECTRICAL VAULT WATER INFILTRATION REPAIR PROJECT AND AUTHORIZING THE SOLICITATION OF BIDS (FMCC)

Resolution by Supervisor: Johker Seconded by Supervisor: Johnson

WHEREAS, Resolution 351 of 2006 approved a contract with Phillips Associates, of Saratoga Springs, to prepare an engineering and cost evaluation study to identify alternatives to using the Electrical Vault at Fulton-Montgomery Community College, and

WHEREAS, as part of said evaluation, Phillips Associates recommended retaining the Electrical Vault and have further identified a proposed project to deal with the water infiltration into the Electrical Vault and the code violation that FMCC has been cited for regarding this water infiltration, and

WHEREAS, Phillips Associates has submitted a proposal to prepare design plans and bid specifications for the proposed project, and

WHEREAS, the Master Plan Steering Committee has met and recommended awarding such contract to Phillips Associates and has also recommended that Fulton and Montgomery Counties also authorizing the advertising for bids for this project,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign an agreement with Phillips Associates, of Saratoga Springs, NY, to prepare design plans and bid specifications for the Electrical Vault Water Infiltration Repair Project at a cost not to exceed \$5,500, and

FURTHER RESOLVED, that, once said design plans and bid specification are complete, in conjunction with the Fulton County Board of Supervisors, the Fulton County Purchasing Agent is hereby authorized and directed to advertise for sealed bids from Contractors for said project, 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). (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 167 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - DAVID JABLONSKI CONSTRUCTION CORPORATION. INC. - STUDENT SERVICES BUILDING ROOF REPLACEMENT PROJECT (FMCC)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Thomas

WHEREAS, Resolution 447 of 2006 authorized a contract with Steven E. Smith, P.E. to prepare plans and specifications for the Student Services Building Roof Replacement Project, and

WHEREAS, Resolution 113 of 2007 authorized advertising for bids for this project and bids were received on May 23, 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 David Jablonski Construction Corporation, Inc. for Replacement of the Student Services Building Roof at a cost not to exceed \$142,740, 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. (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 168 of 2007

**DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - STEVEN E. SMITH, PE - STUDENT SERVICES BUILDING ROOF REPLACEMENT PROJECT - CONSTRUCTION ADMINISTRATION SERVICES (FMCC)

Resolution by Supervisor: Jonker Seconded by Supervisor: Schumann

WHEREAS, Resolution 447 of 2006 authorized a contract with Steven E. Smith, P.E. to prepare plans and specifications for the Student Services Building Roof Replacement Project, and

WHEREAS, said project has been bid and awarded and Steven E. Smith, P.E. has submitted proposal to Fulton and Montgomery Counties to provide construction administration 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 Steven E. Smith, P.E. of Gloversville, NY at a cost not to exceed \$1,050, 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). (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 169 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FPI MECHANICAL, INC. - STEAM SYSTEM UPGRADES/MEP PROJECT (FMCC)

Resolution by Supervisor: Johnson Seconded by Supervisor: Schumann

WHEREAS, the approved 2007 Capital Projects at FMCC include a project entitled Steam System Upgrades/MEP Project, and

WHEREAS, Resolution 30 of 2007 authorized a contract with Phillips Associates of Saratoga Springs, NY, for engineering design services and bid specifications for said project, and

WHEREAS, advertising was completed and bids were received for said projects,

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 FPI Mechanical, Inc. as follows:

FPI Mechani cal

Base Bid		\$248, 000
Add Alt. Bid #1	Asbestos Abatement	+ \$ 52,850
Add Alt. Bid #2	Replace Roof Exhaust Fans on PE Bldg	+ \$ 21, 300
Deduct Alt. Bid #3	Install Condensate Pipe in Gym	- \$ 12,000
	Replace Exhaust Fans in College Union	+ \$ 13,400

Total \$323, 550

, and

FURTHER RESOLVED, that this resolution shall be contingent upon passage of a similar resolution by the Fulton County Board of Supervisors

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 170 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PHILLIPS ASSOCIATES - CONSTRUCTION ADMINISTRATION SERVICES - STEAM SYSTEM UPGRADE/MEP PROJECT (FMCC)

Resolution by Supervisor: Jonker Seconded by Supervisor: Cechni cki

WHEREAS, Resolution 30 of 2007 authorized a contract with Phillips Associates of Saratoga Springs to prepare plans and specifications for the Steam System Upgrade/MEP Project, and

WHEREAS, said project has been bid and awarded and Phillips Associates has submitted proposal to Fulton and Montgomery Counties to provide construction administration 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 Phillips Associates of Saratoga Springs, NY at a cost not to exceed \$12,000, 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. (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 171 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - C.T. MALE ASSOCIATES - AIR MONITORING AND LABORATORY SERVICES - STEAM SYSTEM UPGRADE/MEP PROJECT (FMCC)

Resolution by Supervisor: Paton Seconded by Supervisor: Di Mezza

WHEREAS, Resolution 30 of 2007 authorized a contract with Phillips Associates of Saratoga Springs to prepare plans and specifications for the Steam System Upgrade/MEP Project, and

WHEREAS, said project has been bid and awarded and due to a change in the NYS Code in September 2006, new regulations require that the Owner of a facility having an asbestos abatement project be responsible for the Air Monitoring and Laboratory Services of the abatement contractor, and

WHEREAS, C.T. Male Associates has provided a proposal for said 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 C.T. Male Associates at a cost not to exceed \$7,000, and

 $\hbox{FURTHER RESOLVED, that this resolution is contingent upon passage of a similar resolution by the Fulton County Board of Supervisors.}$ 

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 172 of 2007 **DATED:** June 26, 2007

RESOLUTION IN SUPPORT OF KEEPING AND MAINTAINING THE POOL AT FULTON-MONTGOMERY

#### COMMUNITY COLLEGE

Resolution by Supervisor: Quackenbush Seconded by Supervisor: McMahon

WHEREAS, there have been several issues related to the maintenance and upkeep of the pool at Fulton-Montgomery Community College, and

WHEREAS, it is necessary for both sponsoring Counties and the Board of Trustees to make a decision to move forward with upkeep of this facility at the College or find other uses for such space,

RESOLVED, Montgomery County Board of Supervisors hereby supports the upkeep and maintenance of the pool at Fulton-Montgomery Community College and whatever renovations necessary to keep the pool in good working condition for use by the students and public.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas abstained. (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

MOTION TO AMEND AGENDA by Supervisor McMahon, seconded by Supervisor Thomas by adding Resolutions 195 (to be entertained after Resolution 172) and 196 (to be entertained after Resolution 177), passed with Aye(1868).

### RESOLUTION NO. 195 of 2007

**DATED:** June 26, 2007

RESOLUTION AUTHORIZING SOLICITATION OF BIDS - WASTEWATER TREATMENT PLANT PROJECT (FMCC)

Resolution by Supervisor: McMahon Seconded by Supervisor: Johnson

WHEREAS, Montgomery County Resolution 168 of 2006 endorsed the FMCC Wastewater Treatment Plant Renovation Project and its submittal to SUNY, and

WHEREAS, Montgomery County Resolution 285 of 2006 authorized an agreement with Fraser and Associates of Rennsselaer, NY for engineering design services for the FMCC Wasterwater Treatment Plan Upgrade Project, and

WHEREAS, Fraser and Associates has completed final design plans and bid specifications for said project, 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 Wastewater Treatment Plant Project at Fulton-Montgomery Community Colleges, and

 $\hbox{FURTHER RESOLVED, that this resolution is contingent upon passage of a similar resolution by the Fulton County Board of Supervisors. } \\$ 

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). (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

# **RESOLUTION NO.** 173 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT-TETRA TECH EM, INC. - PROFESSIONAL SERVICES - MULTI-JURISDICTIONAL ALL-HAZARD MITIGATION PLAN & AMENDING 2007 OPERATING BUDGET

Resolution by Supervisor: Schumann Seconded by Supervisor: Thomas

WHEREAS, the Disaster Mitigation Act of 2000 requires that local governments have either a single-

jurisdiction or 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, FEMA has awarded Montgomery County a grant in the amount of \$75,000, cash from the State Emergency Management Office (SEMO) for the purpose of providing professional services to prepare a plan, with a 25% County match for a total cost of \$100,000, and

WHEREAS, the Purchasing Agent was authorized per Resolution 75 of 2007 to conduct a Request for Proposals, RFP #03-07 for the provision of professional services for the preparation of a Multi-Jurisdictional All-Hazard Mitigation Plan (HMP) for Montgomery County, and

WHEREAS, proposals have been received and were opened on May 11, 2007, and

WHEREAS, after reviewing the proposals the Consultant Selection Committee (Departments of Economic Development, Purchasing, Public Works and Emergency Management) recommend awarding the RFP to Tetra Tech EM, Inc. of Rockaway; N.J. for a cost not to exceed \$100,000.

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 Tetra Tech of Rockaway, N.J. for the provision of professional services for the preparation of a Multi-Jurisdictional All-Hazard Mitigation Plan for Montgomery County, in an amount not to exceed \$100,000, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 operating budget as follows:

INCREASE REVENUE:

A-24-3-3789 Econ Assistance & Opport \$75,000

INCREASE APPROPRIATION:

A-24-4-6430-00-4431 Professional Services \$75,000

TRANSFER FROM:

A-01-4-1990-00-4400 Contingency Account \$25,000

TRANSFER TO:

A-24-4-6430-00-4431 Professional Services \$25,000

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Regarding Resolution 174, Supervisor Schumann stated that if Mr. Baia is elected, there may be a conflict.

**RESOLUTION NO.** 174 of 2007 **DATED:** June 26, 2007

RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY PLANNING BOARD

Resolution by Supervisor: Strevy 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 expires June 30, 2007:

Wayne Heiser Town of Canajoharie 699 Clinton Rd. Canajoharie, NY

Scott McKay 216 Hartley Rd. Town of Florida

Amsterdam, NY

Keith MacGregor Town of Minden

24 Clinton Ave Fort Plain, NY

Anthony Bruno Town of Mohawk 1238 0Ĭd Trail Rd. Johnstown, NY

John Lykers 655 E. Lykers Rd.

Town of Root

Sprakers, NY

WHEREAS, the following individual is a new appointment to the Fifth ward:

45 St. Paul Street Amsterdam, NY

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:

Wayne Heiser, Scott McKay, Keith MacGregor, Anthony Bruno, John Lykers, Karl Baia for a term commencing July 1, 2007 and ending on June 30, 2010.

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon County Attorney

Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 175 of 2007 **DATED:** June 26, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - OVERTIME SHORTFALL (ECONOMIC DEVELOPMENT & PLANNI NG)

Resolution by Supervisor: McMahon Seconded by Supervisor: Di Mezza

WHEREAS, the workload of the Montgomery County Department of Economic Development and Planning has been increased substantially and will continue to do so, and

WHEREAS, this increased workload has led to the depletion of the Department's overtime account which was budgeted at \$3,000 for fiscal year 2007,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 operating budget as follows:

TRANSFER FROM:

A-01-4-1990-0-4400

Contingency Account \$3,000

TRANSFER TO:

A-24-4-6430-00-1111 (489) Overtime \$3,000

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn

Clerk, Board of Supervisors

### **RESOLUTION NO.** 176 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT - BAKER STUDIOS, INC. AND VON & DUTCH, LLC (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Strevy Seconded by Supervisor: Quackenbush

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 Baker Studios, Inc. and Von & Dutch, LLC, and

WHEREAS, said applicant has requested a loan from the Economic Development Program for the purposes of working capital to start marketing directly to end customers, and

WHEREAS, said applicant has agreed to retain 11 employees and create an additional 6 employees over the next three years in conjunction with receiving said loan,

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, and any other legal documents necessary to process an economic development loan, in a principal amount not to exceed \$35,000 to Baker Studios, Inc. and Von & Dutch, LLC, and

FURTHER RESOLVED, that the proceeds shall come from Montgomery County's Program Income Account, and

FURTHER RESOLVED, that said loan shall be payable in not more than 60 monthly installments, with interest of prime minus two (at the time of closing), 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(1868). (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

When queried by Supervisor Strevy, Chairman DiMezza stated that, regarding Resolution 177, the Occupancy Tax Board (OTAB) recommends a \$2,000 increase.

Supervisor Greco clarified the OTAB as overseer of the grant funds.

Chairman DiMezza and Supervisor Schumann stated their support of the OTB recommendation.

When queried by Supervisor Stagliano, County Treasurer Shawn Bowerman stated that any increase takes grant funding away from the County supported Canal Fest, Ft. Plain Museum, etc. He stated that \$105,00\$ was budgeted for the Chamber in total.

Deborah Auspelmyer, Chamber of Commerce President, stated that the Chamber's Board of Directors is requesting a total of \$50,000 for the Chamber to be able to continue in the same capacity as usual, and that there hasn't been an increase for 6 years or so.

Supervisor Walters encouraged the Supervisors to consider a middle-of-the-road figure of \$44,000.

Chairman DiMezza stated that he believes personalities got in the way during the negotiation process. He spoke in support of the Chamber, lauding them on their tourism efforts and accomplishments.

Ms. Auspelmyer stated that the "I LOVE NY" application is coming up, so timing is an issue.

Supervisor Dybas spoke in support of Supervisor Walters suggestion of \$44,000.

Supervisors Quackenbush and McMahon spoke in support of the Chamber of Commerce, especially their eagerness to help during last year's flood crisis.

Supervisor Johnson brought to the attention of the Board two documents on their desks for their consideration. One is titled "Occupancy Tax Collection History and Trends; Prior Six-Year History by Quarter". The second, a multi-page draft document, is titled "Agreement Between Montgomery County, NY and Montgomery County Chamber of Commerce".

### **RESOLUTION NO.** 177 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TOURISM PROMOTION AGENCY - MONTGOMERY COUNTY CHAMBER OF COMMERCE

Resolution by Supervisor: Dybas Seconded by Supervisor: Jonker

WHEREAS, the Montgomery County Board of Supervisors encourages and supports tourism promotion within Montgomery County, and

WHEREAS, the Montgomery County Chamber of Commerce has requested to renew their designation as the County's Official Tourism Promotion Agency for an administration cost of \$\_\_\_\_\_\_, and

WHEREAS, said designation is for a one-year period commencing on October 1, 2007 and ending on September 30, 2008

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, 2007 and ending on September 30, 2008, 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 \$\_\_\_\_\_\_.

MOTION TO AMEND by Supervisor Strevy, seconded by Supervisor Schumann by inserting "\$41,000" in the second WHEREAS and FURTHER RESOLVED clauses, was defeated with Aye(688). Supervisors Schumann, Mancini, Strevy, Paton, Cechnicki and Stagliano voted Aye. Supervisor Dybas abstained. (6/26/2007)

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Greco by inserting "\$50,000" in the second WHEREAS and FURTHER RESOLVED clauses, passed with Aye(1868). (6/26/2007)

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 196 of 2007 **DATED:** June 26, 2007

RESOLUTION SUPPORTING TOURISM FUNDING APPLICATION - MONTGOMERY COUNTY CHAMBER OF COMMERCE

Resolution by Supervisor: Greco Seconded by Supervisor: Dybas

WHEREAS, The Montgomery County Chamber of Commerce is applying for New York State - "I Love New York" funds for the 2007-2008 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 as matching, an amount which shall be set forth at a later date, upon determination of amount of grant award from New York State.

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 178 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - LEGISLATIVE GRANT - VAN PURCHASE (VETERAN'S SERVICE AGENCY)

Resolution by Supervisor: Schumann Seconded by Supervisor: Dybas

WHEREAS, the Veterans Service Agency has been awarded a grant in the amount of \$25,000 from the State of New York Executive Department Office of General Services to be used to purchase a new veterans van to transport veterans to health facilities.

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a grant agreement with the New York State Division of Veterans Affairs, accepting the terms and conditions associated with receipt of the \$25,000 grant and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

INCREASE REVENUE:

A-19-3-3710 Veterans Servi ce Agency State Aid \$25,000

INCREASE APPROPRIATIONS:

A-19-4-6510-00-2230 Motor Vehicle Equipment \$25,000

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon Kimberly Sanborn

County Attorney Clerk, Board of Supervisors

**RESOLUTION NO.** 179 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - DATA PROCESSING SERVICES - CITY OF JOHNSTOWN (DATA PROCESSING)

Resolution by Supervisor: Strevy Seconded by Supervisor: Paton

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 \$9,983

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, 2007 and ending on June 30, 2008.

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

**RESOLUTION NO.** 180 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - DATA PROCESSING SERVICES - CITY OF AMSTERDAM (DATA PROCESSING)

Resolution by Supervisor: Dybas Seconded by Supervisor: Paton

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

WHEREAS, said contract will generate annual revenue of approximately \$32,486.

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, 2007 and ending on June 30, 2008.

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

**RESOLUTION NO.** 181 of 2007 **DATED:** June 26, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - INSURANCES (SANITARY DISTRICT)

Resolution by Supervisor: Jonker Seconded by Supervisor: McMahon WHEREAS, properties owned by the Montgomery County Sanitary District #1 were found to under assessed when an appraisal of said properties was done, and

WHEREAS, said increase in assessment has resulted in an increase in general liability coverage for the District Properties, and

WHEREAS, the Sanitary District Board has reviewed and agreed that an increase was in order, and

WHEREAS, it is necessary to provide for payment of such increase, as it exceeds the amount budgeted in the 2007 Operating Budget,

RESOLVED, the Montgomery County Board of Supervisors hereby authorizes and directs the County Treasurer to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

G-26-4-1990-00-4400

Contingent Account

\$ 4,000.00

TRANSFER TO:

G-26-4-1910-00-4480

Insurances

\$ 4,000.00

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn

Clerk, Board of Supervisors

### **RESOLUTION NO.** 182 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GOVERNMENT PAYMENT SERVICES, INC. - PAYMENT OF RESTITUTION & FINES (PROBATION)

Resolution by Supervisor: Dybas Seconded by Supervisor: Greco

WHEREAS, the Probation Dept. collects restitution payments and fines from convicted defendants for distribution to victims and the criminal courts,

WHEREAS, currently the only method of payment accepted by the Probation Dept. is in the form of cash, money order or certified check,

WHEREAS, Government Payment Service, Inc. specializes in providing remote payment processing for government agencies,

WHEREAS, an agreement with Government Payment Service, Inc. will provide additional forms of payment via credit/debit cards: Visa, MasterCard, Discover, American Express,

WHEREAS, there is no expense to the county as the consumer pays the service fee, not Montgomery County,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with Government Payment Service, Inc. to provide remote payment processing for restitution and fines processed through the Probation Dept.

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn

Clerk, Board of Supervisors

## **RESOLUTION NO.** 183 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LETTER OF APPROVAL TO ACCEPT FUNDS FOR SUPERVISION OF LEVELS 2 & 3 SEX OFFENDERS AND AMENDING 2007 OPERATING BUDGET (PROBATION)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Quackenbush

WHEREAS, the Montgomery County Probation Dept. supervises sex offenders in the community,

WHEREAS, sex offenders are classified as part of the Sex Offender Registration Act at three

levels of risk,

WHEREAS levels 2 & 3 sex offenders present the greatest risk to the community and require the most intense level of supervision from the Probation Dept.,

WHEREAS the New York State Division of Probation and Correctional Alternatives has received funds for fiscal year 2007-08 to provide financial assistance to counties for Probation Departments to provide enhanced supervision services to level 2 & 3 sex offenders,

WHEREAS Montgomery County's share of these funds is \$4,800,

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 Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a letter of approval to accept \$4,800 to provide enhanced supervision to levels 2 &3 sex offenders, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

INCREASE REVENUE:

A-27-3-3310 State Aid Probation Services \$4,800

INCREASE APPROPRIATION:

A-27-4-3140-00-4438 Misc. Supporting Service \$4,800

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon Kimberly Sanborn

County Attorney CI erk, Board of Supervi sors

Regarding Resolution 184, Supervisor Thomas stated that Jarod Gilston would like to serve as representative for ambulance services.

Supervisor Thomas also stated that he would like the first three representatives listed to serve three years, the next two representatives to serve two years, and the last two to serve one year, so that all terms wouldn't be expiring at the same time.

### **RESOLUTION NO.** 184 of 2007 **DATED:** June 26, 2007

RESOLUTION RESCINDING RESOLUTION 79 OF 2006 AND RE-ESTABLISHING A SEVEN MEMBER MONTGOMERY COUNTY EMS ADVISORY BOARD

Resolution by Supervisor: Dybas Seconded by Supervisor: Thomas

WHEREAS, Resolution no. 79 of 2006 rescinded Resolution no. 193 of 2004 and re-established a twenty-one member Montgomery County EMS Advisory Board, and

WHEREAS, it has been recommended by the Public Safety Committee that Resolution 79 of 2006 be rescinded and that a seven member Montgomery County EMS Advisory Board be re-established to better reflect the needs of the EMS organizations and the Community,

RESOLVED, that Resolution 79 of 2006 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 seven appointments to said Board which shall consist of the following representation, for a period of one year:

1 individual representing the EMS Coordinator, 1 individual representing the County Sheriff's Dept - E911 Coordinator, 1 individual representing St. Mary's Hospital,

individual representing Public Health,

1 individual representing the fire services in the County, 1 individual representing the medvac airlift services,

1 individual representing the ambulance agencies in the County,

and,

FURTHER RESOLVED, that the following individuals be appointed as follows:

Appoi ntee Representi ng

Carrie Newkirk Twila Dopp Robert Quist Jodi Abbott Al Nadler Shannon Martin

EMS Coordinator Sheriff's Department - E911 Coord. St. Mary's Hospital

Public Health Educator All Fire Departments LifeNet Air Services All Ambulance Services

and,

FURTHER RESOLVED, that appointments to said Board shall be for a period of one year, commencing with the adoption of this Resolution and expiring December 31, 2007.

MOTION TO AMEND by Supervisor Thomas, seconded by Supervisor Dybas as follows:

by striking the third FURTHER RESOLVED clause and inserting:

"FURTHER RESOLVED, there shall be seven appointments to said Board which shall consist of the following representation, for a period of three years:

1 individual representing the EMS Coordinator,

1 individual representing the County Sheriff's Dept - E911 Coordinator, 1 individual representing St. Mary's Hospital, and

for a period of two years:

1 individual representing Public Health,

1 individual representing the fire services in the County, and

for a period of one year:

1 individual representing the medvac airlift services

1 individual representing the ambulance agencies in the County,

and, '

and in the fourth FINAL RESOLVED by striking the underscore and inserting "Jarod Gilston",

passed with Aye(1772). Supervisor Stagliano abstained. (6/26/2007)

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano voted Nay. (6/26/2007)

Douglas Landon County Attorney

Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 185 of 2007

**DATED:** June 26, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - LOCAL EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Cechni cki Seconded by Supervisor: Dybas

WHEREAS, the Emergency Management Director has received notice of an increase in the Local Emergency Management Performance Grant for Federal Fiscal Year 2007, and

WHEREAS, an amendment is needed in the 2007 Operating Budget to show this increase,,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget, as follows:

INCREASE REVENUE:

A-02-3-43050 Federal Aid - Emergency Management \$1,497.14

INCREASE APPROPRIATIONS:

A-02-4-3640-00-4422 Equipment Repairs \$ 497.14 A-02-4-3640-00-4441 Gasoline, Oil, Diesel Fuel \$1,000.00

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon Kimberly Sanborn
County Attorney Clerk, Board of Supervisors

# **RESOLUTION NO.** 186 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NYS EMO CITIZEN CORPS GRANT AND AMENDING 2007 OPERATING BUDGET (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Dybas Seconded by Supervisor: Greco

WHEREAS, the Emergency Management Director has been notified that the County has been approved for a \$70,552 Citizen Corps Grant,

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 NYS Emergency Management Office for a Citizen Corps Grant in the amount of \$70,552, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Adopted Budget, as follows:

INCREASE REVENUE:

A-02-3-3960-00 State Aid – Emerg Disaster Assistance \$70,552.00

INCREASE APPROPRIATIONS:

A-02-4-3640-00-4455 Training \$70, 552. 00

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

### **RESOLUTION NO.** 187 of 2007

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

**DATED:** June 26, 2007

RESOLUTION ADOPTING MONTGOMERY COUNTY MULTIPLE CASUALTY INCIDENT PLAN FOR EMS (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Strevy Seconded by Supervisor: Greco

WHEREAS, the EMS Advisory Board has advised the Board of Supervisors that the County is required by the State of New York to submit an EMS Multiple Casualty Incident Plan that has been accepted by the Board of Supervisors,

RESOLVED, that the Montgomery County EMS Multiple Casualty Incident Plan submitted by the EMS Advisory Board and attached hereto is accepted by the Montgomery County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon Kimberly Sanborn

County Attorney

Clerk, Board of Supervisors

RESOLUTION NO. 188 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DCJS -OPERATION SAFE CHILD PROGRAM (SHERIFF)

Resolution by Supervisor: Strevy Seconded by Supervisor: Walters

WHEREAS, the Sheriff has been notified of a \$15,000 grant to Montgomery County from NYS Division of Criminal Justice to be utilized for the purchase of computer equipment and software to participate in NYS's Operation Safe Child Program,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign a grant agreement with NYS Division of Criminal Justice to be utilized for the purchase of computer equipment and software to participate in NYS's Operation Safe Child Program, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

#### INCREASE REVENUE:

A-15-3-3389 State Aid - Public Safety \$15,000

INCREASE APPROPRIATIONS:

\$11,500 A-15-4-3110-00-2259 Computer Equipment A-15-4-3110-00-4449 Special Supply and Material \$3,500

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon

Kimberly Sanborn Clerk, Board of Supervisors County Attorney

### RESOLUTION NO. 189 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NYS DCJS - PURCHASE, MAINTENANCE & STAFF TRAINING FOR USE OF AED'S (SHERIFF)

Resolution by Supervisor: Strevy Seconded by Supervisor: Greco

WHEREAS, the Sheriff has been notified of a \$5,000 grant to Montgomery County from NYS Division of Criminal Justice to be utilized for the purchase of Automatic External Defibrillators (AED), as well as maintenance of AEDs & training of staff,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign a grant agreement with NYS Division of Criminal Justice to be utilized for the purchase, maintenance & staff traning for use of Automatice External Defibrillators in the Sheriff's Department, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

Kimberly Sanborn

### INCREASE REVENUE:

A-15-3-3389 State Aid - Public Safety \$5,000

### INCREASE APPROPRIATIONS:

Technical Equipment A-15-4-3110-00-2250 \$3,526 A-15-4-3110-00-4425 Maintainance Agreements 500 A-15-4-3110-00-4455 Trai ni ng 974

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon

County Attorney

Clerk, Board of Supervisors

When queried, Undersheriff Jeff Smith stated that sealed bids could be obtained for the airboat that is being replaced in Resolution 190.

Chairman DiMezza stated that the Amsterdam Fire Department is interested in purchasing the airboat.

Undersheriff Smith stated that grant funding for the purchase of the boat would be reduced if the old boat was given away instead of sold.

**RESOLUTION NO.** 190 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DCJS - PURCHASE OF AIRBOAT & TRAILER (SHERIFF)

Resolution by Supervisor: Jonker Seconded by Supervisor: Greco

WHEREAS, the Sheriff has been notified of a \$35,000 grant to Montgomery County from NYS Division of Criminal Justice to be utilized for the purchase of an airboat and a trailer,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign a grant agreement with NYS Division of Criminal Justice to be utilized for the purchase of an airboat and a trailer, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

INCREASE REVENUE:

A-15-3-3389 State Aid - Public Safety \$35,000

INCREASE APPROPRIATIONS:

A-15-4-3110-00-2266 Water & Boating \$35,000

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

**RESOLUTION NO.** 191 of 2007 **DATED:** June 26, 2007

RESOLUTION SUPPORTING THE MONTGOMERY COUNTY ANNUAL GOLF TOURNAMENT (STOP-DWI)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Greco

WHEREAS, that in 1993, the first County Golf Tournament was held and County Supervisors, former County Supervisors, County Non-Bargaining Personnel, and former County Department Heads were invited to participate, and

WHEREAS, in 1997 the County Golf Tournament altered its focus to raise funds for specific purposes, and

WHEREAS, Montgomery County strives to continue its dedication to contributing money to local charities and causes, and

RESOLVED, that the Montgomery County Board of Supervisors does hereby support the Montgomery County Annual Golf Tournament, and

FURTHER RESOLVED, that Montgomery County's Annual Golf Tournament will now be open to County Supervisors, former County Supervisors, County Non-Bargaining Personnel, and former County Department Heads and any and all interested participants, and

FURTHER RESOLVED, that all proceeds generated from the Annual Golf Tournament will be distributed in the following manner: the first half to the Stop-DWI Educational Scholarship Fund, and the second half to various other charitable organizations within Montgomery County, and

FURTHER RESOLVED, that any administrative costs associated with mailings as well as any additional expenses will come from the tournament proceeds, no county funds are to be spent for

expenses. Any administrative support will be accomplished by utilizing collaborative resources amongst the various county departments as well as county personnel volunteering their time, and

FURTHER RESOLVED that this Golf Tournament will be officially named "The Montgomery County Annual Golf Tournament" and can only be played at golf courses located within Montgomery County.

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann abstained. (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 192 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CITY OF AMSTERDAM - PURCHASING SERVICES (PURCHASING)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Jonker

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, 2007 and ending on June 30, 2008, and

FURTHER RESOLVED, that the agreement is contingent upon the City agreeing to enter into a contract with Montgomery County for Data Processing services covering the same period of time.

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 193 of 2007 **DATED:** June 26, 2007

RESOLUTION AWARDING BID 11-07 - FOOD SERVICE MATERIALS & CLEANING SUPPLIES - VARIOUS VENDORS (PURCHASING)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Strevy

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

WHEREAS, said bids were opened on June 4, 2007, and

WHEREAS the Purchasing Agent has reviewed the bids submitted and recommends that awards be made to the lowest responsible bidders for each item,

RESOLVED, that the Board of Supervisors hereby awards the Food Service portion of Bid No. 11-07 to R.H. Crown, S&J Enterprises, and Hill & Markes for a term of 2 years beginning August 1, 2007 and ending July 31, 2009, and

FURTHER RESOLVED, that the Cleaning Supplies portion of said bid hereby are awarded to R.H. Crown, Ecolab, S&J Enterprises, and Hill & Markes for the same term.

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 194 of 2007 **DATED:** June 26, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GREATER AMSTERDAM AREA COOPERATIVE ENERGY COMMISSION (PURCHASING)

Resolution by Supervisor: Jonker Seconded by Supervisor: Strevy

WHEREAS, the County of Montgomery has the opportunity to reduce the costs of gas and electricity by combining the Counties purchases of gas and electricity with other municipalities, and

WHEREAS, the County has the opportunity to achieve this by becoming a member of "The Greater Amsterdam Area Cooperative Energy Commission",

RESOLVED, that the Chairman of The Board of Supervisors, following review and approval by the County Attorney is authorized to sign the Intermunicipal Agreement.

RESOLUTION ADOPTED with Aye(1868). (6/26/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### **OTHER**

Supervisor Walters stated that MOSA has passed the Resolution which divides certain monies into three Counties. He encouraged all Supervisors to support MOSA in this effort. He stated that the original motion is still on the table.

Chairman DiMezza stated that there will be a GAT shortfall of 700 tons. He also stated that he will be setting up a meeting with Gil Chichester and Attorney Cahill regarding flow control, and that this meeting will be held on the night of the Public Works Committee meeting or at some other public Chamber venue.

### ADJOURNMENT

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

Chairman Di Mezza adjourned the meeting at 8:05 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY SPECIAL MEETING 7:00 PM, July 10, 2007

### CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for July 10, 2007 was called to order at 7:00 PM by Chairman DiMezza.

### SALUTE TO THE FLAG

Supervisor Mancini led the Salute to the Flag.

#### ROLL CALL

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

#### STATEMENT OF PURPOSE OF MEETING

Statement of Purpose of Meeting

A. Resolution Establishing and Authorizing Chairman to Sign Agreement Montgomery County Health Insurance Trust Plan (Personnel)

#### B OTHER

Chairman DiMezza clarified the Resolution, stating that a Trust must be formed under Article 47. He stated that the City of Amsterdam has already passed a related Resolution, and that MOSA and FMCC are considering joining. He stated that benefits won't be altered, union contracts won't be changed, and liability won't be effected. He also stated that there will be deeper discounts and also discounts in administrative fees.

He stated that the current contract with APA expires the end of the December, and that the requested RFPs have been received with Blue Shield in the forefront.

Pat Baia of Benetech spoke in support of Blue Shield and clarified how consolidation would work.

Supervisor Schumann stated that she hasn't seen any contract or documentation, and would like to review it before agreeing to it.

Responding to Supervisor Schumann's comment, Chairman DiMezza stated that the typical Article 47 contract will be in line with the Trust, and that he will provide all the Board members with a copy of the contract prior to signatures being notarized. He stated that the document should be available for perusal at the upcoming Finance Committee meeting.

In response to a query from Supervisor Strevy, Mr. Baia stated that a supplemental plan for retirees is being considered. He stated that the language of the agreement Supervisor Schumann is referring to was written by County Attorney Doug Landon.

Supervisors Dybas and Strevy made a motion and seconded, respectively, to amend the Resolution by striking the last FURTHER RESOLVED clause, and provide wording stating the intent to enter into the agreement.

Chairman DiMezza stated that the draft agreement will be available at the next Finance Committee meeting, and the Resolution will be entertained at the full Board meeting.

Personnel Officer Rich Baia stated that the County already has a Trust agreement for Worker's Compensation.

### RESOLUTION NO. 197 of 2007

**DATED:** July 10, 2007

RESOLUTION ESTABLISHING AND AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONTGOMERY COUNTY HEALTH INSURANCE TRUST PLAN (PERSONNEL)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Thomas

WHEREAS, Montgomery County is proposing a "Montgomery County Health Insurance Trust Plan" which

enables plan members to fund the cost of the health insurance and prescription drug coverage through a self-insurance program, as defined in and authorized by Article 47 of the New York State Insurance Law, and

WHEREAS, this trust agreement enables Montgomery County to adhere to Governor Spitzer's initiative of consolidation of government services, and

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes participation in an Intermunicipal Health Insurance Trust Plan, effective July 1, 2007, for the administration of health insurance and prescription drug benefits, 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 documents allowing Montgomery County to participate in said plan.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Strevy, as follows:

in the RESOLVED clause, strike the word "authorizes" and insert "agrees in principal to authorize", and

in the RESOLVED clause, strike ", and" and insert ".", and

strike the entire FURTHER RESOLVED CLAUSE,

passed with Aye(1706). Supervisors Cechnicki and Stagliano were absent. (7/10/2007)

RESOLUTION ADOPTED with Aye(1706). Supervisors Cechnicki and Stagliano were absent. (7/10/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor McMahon, passed with Aye(1706). Supervisors Cechnicki and Stagliano were absent.

Chairman Di Mezza adjourned the Special Meeting at 7:28 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - PUBLIC SAFETY 7:10 PM , July 10, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 7:29 PM.

Roll call indicated Committee members present included Supervisors Strevy, Dybas, Greco Schumann and Jonker. Absent was Supervisor Cechnicki.

Additional Supervisors present were Quackenbush, Johnson, Paton, McMahon, Walters, Mancini and DiMezza. Absent was Supervisor Stagliano.

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

- Discussion Regarding Social Host Law/Legislation (Underage Drinking Party Ordinance
- 2. Discussion Regarding Sex Offender Registry
- 3. Other

Item #1: Youth Bureau Executive Director Jen Petteys clarified the Social Host Law, which was spearheaded in Fulton County. She stated that supporting legislation has already been proposed in the Assembly and Senate and that some municipalities in Fulton County have enacted similar town ordinances. However, the ordinances are difficult to enforce, so she's been advised by law enforcement officials that a Local Law passed by the Montgomery County Board of Supervisors would be more enforceable, then municipalities could pass follow-up ordinances, if needed.

She stated that this legislation works in conjunction with current "endangering the welfare of a child" laws.

Supervisor Dybas stated that, by this action, we are taking the responsibility away from parents and trying to legislate morality.

Supervisor Johnson stated that parents obviously don't have parenting skills or appropriate morality if they are hosting these kinds of drinking parties for underage kids.

Chairman DiMezza clarified current laws regarding endangering the welfare of a child (by providing alcohol).

Supervisor Mancini stated that an eighteen year old can be drafted but can't legally drink.

Supervisor Schumann spoke in support of the proposed legislation.

Supervisor Walters will support the Board's decision on whether to support the legislation or not.

Supervisor Thomas stated that he lost a child to an alcohol-related incident, and thereby supports the legislation.

Chairman DiMezza and Supervisor Jonker made a motion and seconded, respectively, to sponsor a draft Resolution (to hold a public hearing in support of the Local Law, with the hearing to be held August 28, prior to the Full Board meeting) and move it to the full Board with a positive recommendation. There were no objections.

Item #2: Chairman DiMezza stated that he feels there's no need to change the current state law of 1000 foot residency restriction for sex offenders. He stated that Schenectady County just changed the law to 2000 feet, which puts the offenders in the countryside, probably the Duanesburg area.

Motion was made and seconded by Supervisors Dybas 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,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - HEALTH & HUMAN SERVICES 7:30 PM, July 10, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Jonker presided over the meeting commencing at 7:57 PM.

Roll call indicated Committee members present included Supervisors Quackenbush, Dybas, Strevy, Paton, Mancini and Thomas.

Additional Supervisors present were Supervisors Johnson, Di Mezza, Walters, and McMahon. Absent were Supervisors Cechnicki, Stagliano, Schumann and Greco.

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

- 1. Discussion Regarding PINS (Probation/Social Services)
- 2. Welfare to Work Presentation (Social Services)
- 3. Social Services Cost Analysis Sales Tax Intercept vs. Medicaid Cap
- 4. Social Services Case Load Analysis by Zip Code
- 5. Other

Item #1: Social Services Commissioner William Cranker clarified the PINS back-up documentation. He stated that PINS (Persons in Need of Supervision) referrals can come from schools, parents, etc., but JD (Juvenile Delinquent) referrals come from law enforcement officials. He also stated that schools are now becoming more responsible for taking appropriate action regarding truancy, which reflects a lowered PINS referral number.

Answering a query by Chairman Di Mezza, Commissioner Cranker stated that the average placement cost of PINS and JD's run around \$80/day. He stated that the rate is higher for youths with more severe physical or mental issues.

Item #2: Commissioner Cranker clarified the back-up documentation, stating that lack of transportation is a big issue in the County for the unemployed. He stated that funding for local transportation has been cut, and the options for much needed, low-cost child care in the County are also dwindling.

He stated that of the 48,000+ persons presently living in Montgomery County, 630 are receiving cash assistance, and 8500 are Medicaid recipients. He stated that he expects some funding cuts in the Fall.

Item #3: Chairman Jonker stated that Treasurer Shawn Bowerman supports the Medicaid Cap.

Treasurer Bowerman stated that the sales tax intercept choice doesn't provide an "out".

Commissioner Cranker stated that the local share cap increase of 3% will amount to \$294,365 per year and that he supports increasing the budget that amount annually.

Chairman Jonker stated that he supports going with the Medicaid cap figure, as it's a fixed monetary figure, as opposed to a variable figure. There were no objections to his statement.

Item #4: Regarding the spreadsheet, Commissioner Cranker stated that recipients who are receiving multiple services are being counted by service, so duplication can be expected.

Item #5, Other: Commissioner Cranker stated that a new "800" phone number is coming that will be shared between Social Services and Office of Aging, in regards to the "Point of Entry" program.

He also confirmed that the Caucus room closest to the hallway will be used as the "Point of Entry" office, and should be up and running by September.

Commissioner Cranker also stated that new software for "Point of Entry" is coming soon, also.

Item #6, Other: Pursuant to Section 105 (h) of NYS Open Meeting Law, the motion was made and seconded by Supervisors Quackenbush and DiMezza, respectively, to enter into Executive Session to discuss the proposed acquisition, sale or lease of real property.

Chairman DiMezza requested that Treasurer Shawn Bowerman and IDA members remained in Chamber during Executive Session. He also requested that Supervisor Johnson preside over the Executive Meeting. She agreed.

Executive Session commenced at 8:29 PM.

Motion to adjourn the Executive Session was made and seconded by Supervisors Dybas and Thomas, respectively. Executive Session was adjourned at  $8:54\ PM$ .

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

Motion was made and seconded by Supervisors Dybas and Thomas, respectively, to adjourn the Committee meeting.

Chairman Jonker adjourned the Health & Human Services Committee meeting at 8:54 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - PERSONNEL 7:00 PM, July 17, 2007

#### COMMITTEE MEETING DISCUSSION

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

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

Additional Supervisors present were Thomas, Jonker, Strevy, and Dybas. Absent were Supervisors Stagliano, Paton, Cechnicki and Schumann.

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

- 1. Resolution Reappointing Director of Real Property Tax Services
- Resolution Authorizing Chairman to Sign Renewal Agreement National Employers Council, Inc. - Compliance & HR Management Services (Personnel)
- 3. Resolution Authorizing Chairman to Sign Renewal Agreement M.M. Hayes ID Badge System Maintenance (Personnel)
- 4. Other

Item #1: Supervisors Greco 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 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 #3: Personnel Officer Rich Baia clarified the Resolution.

Supervisors Mancini 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.

Supervisor Paton entered Chamber at 7:02 PM.

Item #4, Other: No other items were entertained.

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

Chairman Quackenbush adjourned the Finance Committee meeting at 7:03 pm.

Respectfully submitted,

## PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - FINANCE

7:10 PM, July 17, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Greco presided over the meeting commencing at 7:12 PM.

Roll call indicated Committee members present are Supervisors Quackenbush, McMahon, Mancini and Jonker. Absent were Supervisors Johnson and Walters.

Additional Supervisors present were Thomas, DiMezza, Dybas, Paton and Strevy. Absent were Supervisors Stagliano, Schumann, and Cechnicki.

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

- Resolution Amending 2007 Operating Budget Insurance Deductibles Due (Board of Supervisors)
- Resolution Amending 2007 Operating Budget CPS Allocation (Social Services)
- 3. Discussion Regarding Funding Security Guard Montgomery County Office Building (Social Services)
- 4. Discussion Regarding FMCC Capital Projects Funding (Supervisor McMahon)
- 5. Resolution Establishing and Authorizing Chairman to Sign Agreement Montgomery County Health Insurance Trust Plan (Personnel)
- Resolution Authorizing Distribution of Request for Proposals Lease Purchase Agreement - New County Office Building/New DPW Building Project (Purchasing)
- 7. Discussion Regarding Fund Balance Variances
- 8. Other

Item #1: Safety Officer David Guiliano clarified the Resolution.

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 #2: Social Services Commissioner William Cranker clarified the Resolution.

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 #3 (formerly item #5, "Health Insurance Trust Plan"): Supervisor Strevy stated that he did not receive a copy of the referenced document.

Chairman Di Mezza spoke in support of the Resolution.

In answering a query by Supervisor Dybas, Attorney Doug Landon stated that the definition of "Board of Trustees" is located in Article Five of the referenced document. He also stated that the liability assessments are defined in Article Twelve.

Chairman Greco stated that there is a termination clause for both parties in the document.

In answering a query by Supervisor Dybas, Attorney Landon stated that the "Administrator", "Plan Administrator", and "Group Administrator" should be uniformly named "Plan Administrator" in the document, and he will personally make the necessary changes.

The Resolution, sponsored by Supervisors DiMezza and Thomas, was moved to the full Board with a positive recommendation. There were no objections.

Item #4 (formerly item #6, "Request for Proposals - Lease/Purchase Agreement"): Supervisors Quackenbush and Dybas made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor McMahon stated his opposition to the project and that the cost of the building project will probably be \$30-60M. He said he doesn't feel the County is ready to take on the project.

Chairman DiMezza clarified the Resolution and spoke in support of the recommendations of the Needs

Assessment Committee, as well as the lease/purchase option. He also stated that there will be an upcoming change-order.

Supervisor Dybas questioned the need for 203,000 square footage, and urged the careful consideration of all office space options.

Supervisor McMahon stated that it would not be ethical for the County to pursue RFP's while there is still an active debate regarding the need for new space and the reallocation of existing space.

Supervisor Quackenbush stated that he would like to see a conceptual presentation by the architects so that questions can be answered and details hammered out. Then, he suggests, the County pursue RFPs.

Supervisor Thomas cautioned the Board on the ramifications of the County offices leaving the Village of Fonda. He stated that local businesses would suffer.

Supervisor Strevy stated that the site-work needed for the Glen project must be included in the projected cost of the project, as well as the future of the soon-to-be-vacated buildings.

Supervisor Dybas recommended a "Committee of the Whole" meeting so that the Needs Assessment Committee can bring the rest of the Supervisors up-to-speed on the project. There were no objections.

Chairman DiMezza made a motion to table this Resolution. Supervisor Mancini seconded. There were no objections.

(Clerk's note: Chairman DiMezza will be contacting the Board of Supervisor's office with details on when/if the Committee Meeting of the Whole should take place, taking into account the Public Hearing meeting already scheduled for 6:55 PM prior to the full Board meeting next week.)

Item #5: Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TEITSCH-KENT-FAY ARCHITECTS, P.C. - PREPARATION OF RFP DESIGN CRITERIA - NEW COUNTY OFFICE BUILDING/NEW DPW COMPLEX (BOARD OF SUPERVISORS).

Chairman DiMezza and Supervisor Mancini made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. Supervisor McMahon opposed.

Item #6: Add-on RESOLUTION APPROVING HOSPITALITY GRANT AWARDS AND TRANSFERRING FUNDS OCCUPANCY TAX RESERVE.

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: Add-on DISCUSSION OF TRACS GRANT BUDGET LINE ITEM CHANGES.

Chairman Di Mezza di ssemi nated a copy of an email document titled "RESOLUTION REQUEST" from Undersheriff Jeff Smith, dated 7/17/07.

Supervisors Quackenbush and Jonker made a motion and seconded, respectively, to sponsor a draft Resolution (amending line items in the 2007 Operating Budget by \$37,790.00) and move it to the full Board with a positive recommendation. There were no objections.

Item #8 (formerly item #3, "SECURITY GUARD"): Commissioner Cranker stated that the Security Guard position benefits all of the departments within the Rte. 30A building. However, DSS can only legally budget 49% of the salary of the Security Guard, with the remainder coming from other departments in the building, as well as the Sheriff's Dept.

The reason, he said, is that DSS occupies 49% of square footage of the building.

Treasurer Shawn Bowerman recommended that instead of moving money around, changes can be made in next year's budget as needed. There were no objections.

Item #9 (formerly item #4, FMCC CAPITAL PROJECTS FUNDING"): Supervisor McMahon stated that the College is looking for an alternative way to be funded for their Capital Projects. Currently, the college must ask for funding as individual projects come up, and would instead like to discuss the possibility of receiving dedicated funding which would be used to cover multiple projects as they come up. The level of funding could be determined in advance, on a yearly basis.

Supervisor McMahon stated that he will continue meeting with the College to discuss this option.

Item #10 (formerly item #7, "FUND BALANCE VARIANCES"): Treasurer Bowerman clarified the Fund Balance analysis sheet.

Chairman Greco stated that these figures will again be reviewed later in the year during budget time. He stated that purpose of the document is to highlight were the variances are.

Supervisor Dybas stated his concern of accountability when mistakes are made.

Supervisor Quackenbush exited Chamber at 8:21 PM.

Chairman DiMezza expressed his desire to come up with a Fund Balance figure that Treasurer Bowerman would be comfortable with. He stated that only the City, the Town of Amsterdam and the Town of Root will see an increase in taxes. In order to offset that increase, he stated, we'd have to use approximately \$6M in Fund Balance for this year alone. He highly recommended future projections of figures.

Treasurer Bowerman cautioned that the Supervisors would probably come up with several different figures on what the Fund Balance should be.

Supervisor Dybas recommended using Darryl Purinton of Marvin and Company to project the cash flow. There were no objections.

Chairman DiMezza stated that more discussion on this issue can take place next week, if desired.

Item #, Other: Supervisor Strevy wondered about the GAT shortfall from the County perspective.

He stated that flow control was just upheld in the Supreme Court, so we need to discuss how to identify and correct garbage flow that is going out of the County.

Chairman Di Mezza recommended further discussion in Supervisor Walters' committee. There were no objections.

(Clerk's note: Add "FLOW CONTROL DISCUSSION" as an agenda item in the next General Safety Committee meeting on August 14, 2007.)

Supervisors DiMezza and Jonker made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Greco adjourned the Finance Committee meeting at 8:32 PM.

Respectfully submitted,

#### PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISOR'S CHAMBERS PUBLIC HEARING 6:55 PM, July 24, 2007

Fulton Montgomery Community College 2007 - 2008 Proposed Operating Budget

#### PUBLIC HEARING DISCUSSION

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

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

The following notice was read:

NOTICE OF PUBLIC HEARING ON 2007-2008 PROPOSED OPERATING BUDGET OF FULTON-MONTGOMERY COMMUNITY COLLEGE

NOTICE IS HEREBY GIVEN, that the Board of Supervisors of the County of Montgomery will meet in the Board of Supervisors Chambers, County Office Building, Broadway (Route 30A), Fonda, New York at 6:55 p.m. on Tuesday, July 24, 2007 for the purpose of holding a public hearing on the Proposed Operating 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, 2007 and ends August 31, 2008.

FURTHER NOTICE is hereby given that a copy of the 2007-2008 Proposed Operating 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

Dated: June 27, 2007

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

FMCC President Dustin Swanger spoke in support of the Budget. He also stated that the press has erroneously reported that the College is asking for additional funds in order to build the surplus/reserve. He stated that the funds are to help balance the revenues with expenses.

There were no additional speakers.

Chairman Di Mezza adjourned the public hearing at 6:57 p.m.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY REGULAR MEETING 7:00 PM, July 24, 2007

#### CALL TO ORDER

Chairman DiMezza called the Regular Meeting of the Montgomery County Board of Supervisors for July 24, 2007 to order at 7:00 PM.

#### SALUTE TO THE FLAG

Chairman Di Mezza led the Salute to the Flag.

#### **ROLL CALL**

Roll Call indicated Supervisors Quackenbush, Johnson, Greco, Paton, McMahon, Dybas, Cechnicki, Thomas, Jonker, Mancini and DiMezza were present. Absent were Supervisors Walters, Schumann, Stagliano and Strevy.

#### CHAIRMAN'S COMMENT

Chairman DiMezza stated that Supervisor Walters is ill and Supervisor Strevy is attending a Town Meeting, so they will not be present at this meeting.

#### PRIVILEGE OF THE FLOOR

#### A. Public Comment

Chairman DiMezza asked if anyone wished to speak.

There were no speakers.

Chairman Di Mezza adjourned Public Comment at 7:02 PM.

#### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (June 26 - July 17, 2007) by Supervisor Greco, seconded by Supervisor Quackenbush, passed with Aye(1481). Supervisors Schumann, Walters, Strevy and Stagliano were absent.

#### APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Quackenbush, seconded by Supervisor Johnson, passed with Aye(1415). Supervisor Cechnicki abstained. Supervisors Schumann, Walters, Strevy and Stagliano were absent.

#### UNFINISHED BUSINESS

#### MOTION TO AMEND THE AGENDA

MOTION TO AMEND AGENDA by Supervisor McMahon, seconded by Supervisor Quackenbush (to insert add-on Resolutions "RESOLUTION ADOPTING 2007-2008 FMCC OPERATING BUDGET", and "RESOLUTION AMENDING 2007 OPERATING BUDGET - SENIOR ACCOUNT CLERK [SHERIFF]", and by entertaining the FMCC OPERATING BUDGET add-on Resolution first), passed with Aye(1481). Supervisors Schumann, Walters, Strevy and Stagliano were absent.

#### **NEW BUSINESS**

- A. Resolutions
- B. Other

### **RESOLUTION NO.** 208 of 2007 **DATED:** July 24, 2007

RESOLUTION ADOPTING 2007-2008 FMCC OPERATING BUDGET

Resolution by Supervisor: Thomas Seconded by Supervisor: McMahon

WHEREAS, the Fulton-Montgomery Community College Board of Trustees has presented Fulton and Montgomery County, the sponsoring counties, with a 2007-2008 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, 2007 and ending on August 31, 2008, with appropriations totaling \$16,450,703, 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 2008, 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(1230). Supervisors Dybas and Jonker voted Nay. Supervisors Schumann, Walters, Strevy and Stagliano were absent. (7/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 198 of 2007 **DATED:** July 24, 2007

RESOLUTION ESTABLISHING A PUBLIC HEARING ON INTRODUCTORY LOCAL LAW #2 OF 2007 - A LOCAL LAW WHICH PROHIBITS THE CONSUMPTION OF ALCOHOLIC BEVERAGES BY MINORS ON PRIVATE PROPERTY

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Jonker

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 2 of 2007, a Local Law which prohibits the consumption of alcoholic beverages by minors on private property.

RESOLVED, that Introductory Local Law No. 2 of 2007 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing as follows:

BE IT ENACTED, by the County of Montgomery, New York, as follows:

Sec. 1. Prohibition against consumption of alcoholic beverages by minors on private property.

#### (a) Legislative Intent.

It is the purpose of this section to protect the public interest, welfare, health and safety within the County of Montgomery by prohibiting the services to and consumption of alcoholic beverages and drugs by persons under the age of twenty-one (21) at private premises located in the County. The Montgomery County Board of Supervisors finds that the occurrence of social gatherings at private premises where alcoholic beverages or drugs are served to or consumed by persons under the age of twenty-one (21) is harmful to such persons themselves and a threat to public welfare, health and safety. The Montgomery County Board of Supervisors finds further that persons under the age of twenty-one (21) often obtain alcoholic beverages or drugs at such gatherings and that persons who are in control of such premises know or have reason to know of such service and/or consumption and will be more likely to ensure that alcoholic beverages and drugs are neither served to nor consumed by persons under the age of twenty-one (21) at these gatherings.

#### (b) Definitions.

For the purpose of this section, the following terms shall be defined as follows:

Alcoholic beverage means any liquor, wine, beer, spirits, cider or other liquid or solid,

patented or not, composed of or containing alcohol or spirits, whether or not brewed, fermented or distilled, and capable of being consumed by a person; except that confectionary containing alcohol as provided in Subsection 12 or 200 Agriculture and Markets Law shall not be considered alcoholic beverage within the meaning of this section.

Control means the authority and ability to regulate, direct of dominate.

Drug means and includes any substance listed in Section 3306 of the Public Health Law.

Minor means any person under the age of twenty-one (21).

Open House Party means a social gathering at a residence or other private property with minors present.

Person means a human being and where appropriate, a public or private corporation, an unincorporated association, a partnership, a government or a governmental instrumentality.

Premises means any home, apartment, condominium, co-operative unit or other dwelling unit of any kind, including yards and open areas adjacent thereto.

(c) Prohi bi ti on.

No person having control of any premises shall allow an open house party to take place at said residence if such person knows or has reason to know that any alcoholic beverage or drug is being unlawfully possessed, served to or consumed by a minor at said residence.

(d) Exceptions.

The provisions of this section shall not apply to:

- (1) the possession or consumption of an alcoholic beverage by persons lawfully permitted to do so pursuant to Section 65-c of the New York State Alcohol Beverage Control Law, or any other applicable law; or
- (2) The possession or consumption of a drug for which the individual has a current, valid prescription or as otherwise permitted by any other applicable law.
- (e) Inconsistency with Other Laws.
- (1) If any part or provision of this section is inconsistent with any federal or sate statute, law, rule or regulation, then such statute, law, rule or regulation shall prevail.
- (2) If any part or provision of this section or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this section, or the application thereof to other persons or circumstances.
- (f) Penal ti es.

Failure to comply with subsection (c) above shall constitute a violation, punishable by a fine which shall not exceed two hundred fifty dollars (\$250.00), or imprisonment not exceeding fifteen (15) days or a combination of such fine and imprisonment as shall be fixed by the court."

Section 2. This Local Law shall take effect immediately.

, and

FURTHER RESOLVED, that said public hearing shall be held Tuesday, August 28, 2007 at 6:55 pm 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(1481). Supervisors Schumann, Walters, Strevy and Stagliano were absent. (7/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 199 of 2007 **DATED:** July 24, 2007

#### SUPERVI SORS)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Quackenbush

WHEREAS, Montgomery County recently received three \$30,000 (\$90,000) insurance deductibles due to Clarendon National Insurance Company, and

WHEREAS, Montgomery County has three additional deductibles pending totaling \$61,000.

WHEREAS, funds are required in the account of Court Related Expenses to provide payment for said deducti bl es,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingent Account \$151,000

TRANSFER TO:

A-01-4-1930-00-4433 Court Related Expenses \$151,000

RESOLUTION ADOPTED with Aye(1345). Supervisor Dybas voted Nay. Supervisors Schumann, Walters, Strevy and Stagliano were absent. (7/24/2007)

Kimberly Sanborn Clerk, Board of Supervisors Douglas Landon County Attorney

RESOLUTION NO. 200 of 2007 **DATED:** July 24, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - CPS ALLOCATION (SOCIAL SERVICES)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Strevy

WHEREAS, the Commissioner of Social Services has received notification of \$23,843 funding allocated for the use of its Child Protective Special Allocation for Improving Staff Ratios for April 1, 2007 through March 31, 2008, and

WHEREAS, the Commissioner is requesting that the 2007 Budget be amended to provide funding for CPS compensatory time,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

I NCREASE:

REVENUE:

State Aid DSS Admin. A-18-3-3610-00 \$16,671

APPROPRI ATI ON:

A-18-4-6010-00. 1125 (902) DSS Admin. -Other Compensation \$ 16,671

RESOLUTION ADOPTED with Aye(1481). Supervisors Schumann, Walters, Strevy and Stagliano were (7/24/2007)absent.

Douglas Landon County Attorney

Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 201, Supervisor Dybas made a motion (seconded by Supervisor Cechnicki) to sponsor a draft Resolution naming the three County representatives to the Board:

Rich Baia (Personnel Officer)

Shawn Bowerman (Treasurer) Thomas Di Mezza (Chairman of the Board),

to serve for a period of two years and at the pleasure of the Board. This Resolution, numbered 210, passed.

(Clerk's note: County Attorney Doug Landon will assist in the writing of the Resolution tomorrow.)

**RESOLUTION NO.** 201 of 2007 **DATED:** July 24, 2007

RESOLUTION ESTABLISHING AND AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONTGOMERY COUNTY HEALTH INSURANCE TRUST PLAN (PERSONNEL)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Thomas

WHEREAS, Montgomery County is proposing a "Montgomery County Health Insurance Trust Plan" which enables plan members to fund the cost of the health insurance and prescription drug coverage through a self-insurance program, as defined in and authorized by Article 47 of the New York State Insurance Law, and

WHEREAS, this trust agreement enables Montgomery County to adhere to Governor Spitzer's initiative of consolidation of government services, and

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes participation in an Intermunicipal Health Insurance Trust Plan, effective July 1, 2007, for the administration of health insurance and prescription drug benefits, 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 documents allowing Montgomery County to participate in said plan.

RESOLUTION ADOPTED with Aye(1481). Supervisors Schumann, Walters, Strevy and Stagliano were absent. (7/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 210 of 2007 **DATED:** July 24, 2007

RESOLUTION APPOINTING THREE TRUSTEES REPRESENTING MONTGOMERY COUNTY TO THE HEALTH INSURANCE TRUST PLAN BOARD OF TRUSTEES

Resolution by Supervisor: Dybas Seconded by Supervisor: Cechni cki

WHEREAS, Article V Section 1 of the Montgomery County Health Insurance Trust Plan states that "Initially there shall be five (5) Trustees, three (3) of whom shall be representatives of Montgomery County", and

WHEREAS, Article V Section 14 outlines the role, powers and duties of said Trustees, and

WHEREAS, said Trustees shall be designated by the Board of Supervisors, and

WHEREAS, said Trustees shall serve a two (2) year term and until such Trustee's successor is designated and qualified.

RESOLVED, Thomas Di Mezza (Chairman of the Board of Supervisors), Shawn Bowerman (County Treasurer) and Richard Baia (Personnel Officer) will represent Montgomery County for a term ending June 30, 2009.

RESOLUTION ADOPTED with Aye(1481). Supervisors Schumann, Walters, Strevy and Stagliano were absent. (7/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 202 of 2007 **DATED:** July 24, 2007

RESOLUTION APPROVING HOSPITALITY GRANT AWARDS AND TRANSFERRING FUNDS OCCUPANCY TAX RESERVE

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, Resolution no. 123 of 2005 approved the guidelines for the Montgomery County Hospitality Grant Program, and

WHEREAS, the Occupancy Tax Advisory Board has received two applications for funding through this grant program; one from the Chamber of Commerce for "Canalfest" and the other from the Fort Plain Museum for "Holding Down the Fort", and

WHEREAS, the Occupancy Tax Advisory Board has recommended the funding of these two events in the amounts of \$3,000.00 for the Chamber of Commerce and \$1,900.00 for the Fort Plain Museum,

RESOLVED, that the Montgomery County Board of Supervisors hereby approves the recommendations of the Montgomery County Occupancy Tax Advisory Board, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget, as follow:

I NCREASE:

A 511 Appropriated Reserve – Occupancy Tax \$4,900.00

I NCREASE:

A-06-4-1325-00-4579 County Contribution: Tourism \$4,900.00

RESOLUTION ADOPTED with Aye(1397). Supervisor Thomas abstained. Supervisors Schumann, Walters, Strovy, and Stagliane were absent. (7/24/2007)

Strevy and Stagliano were absent. (7/24/2007)

Douglas Landon
County Attorney

Ki mberly Sanborn
Clerk, Board of Supervisors

### **RESOLUTION NO.** 203 of 2007 **DATED:** July 24, 2007

#### RESOLUTION REAPPOINTING DIRECTOR OF REAL PROPERTY TAX SERVICES

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, the term of Director of Real Property Tax Services expires on September 30, 2007, and

WHEREAS, it has been recommended that the incumbent be reappointed to a six-year term,

RESOLVED, that Florence Stanton hereby is reappointed Director of Real Property Tax Services, for a six-year term expiring on September 30, 2013 at an annual base salary of 46,090, and

FURTHER RESOLVED, that said reappointment is effective on October 1, 2007.

RESOLUTION ADOPTED with Aye(1481). Supervisors Schumann, Walters, Strevy and Stagliano were absent. (7/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 204 of 2007 **DATED:** July 24, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - NATIONAL EMPLOYERS COUNCIL, INC. - COMPLIANCE AND HR MANAGEMENT SERVICES (PERSONNEL)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Strevy

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, 2007 to August 31, 2008 at a cost not to exceed \$8,400.

RESOLUTION ADOPTED with Aye(1481). Supervisors Schumann, Walters, Strevy and Stagliano were absent. (7/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 205 of 2007 **DATED:** July 24, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - M.M. HAYES - ID BADGE SYSTEM MAINTENANCE AGREEMENT (PERSONNEL)

Resolution by Supervisor: Manci ni Seconded by Supervisor: Dybas

WHEREAS, the Personnel Officer is requiring a Maintenance Agreement for the Identicard 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 renewal maintenance agreement for the Identicard IVIS Plus Badge System and Door Access System with M.M. Hayes, at a cost not to exceed \$6,500.00, for the period commencing on September 1, 2007 and ending on August 31, 2008.

RESOLUTION ADOPTED with Aye(1481). Supervisors Schumann, Walters, Strevy and Stagliano were absent. (7/24/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 206, Chairman DiMezza clarified the FURTHER RESOLVED, stating that the change may not be needed but prefers to keep it in the Resolution.

When queried, he stated that the Supervisors will be receiving an information/update packet in the mail outlining the RFP, space needs and perhaps even some schematics. He also stated that other building sites are being explored.

## **RESOLUTION NO.** 206 of 2007 **DATED:** July 24, 2007

RESOLUTION AMENDING RESOLUTION 133 OF 2007 - A RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - TEITSCH-KENT-FAY ARCHITECTS, P.C. - SCHEMATIC PLANS - NEW COUNTY OFFICE BUILDING PROJECT

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Manci ni

WHEREAS, Resolution 132 of 2004 and Resolution 133 of 2007 authorized the Chairman to sign an agreement with Teitsch-Kent-Fay Architects, P.C. for the provision of architectural services to assist with the decision to construct new county office buildings, and

WHEREAS, the Needs Assessment Committee has met and has recommended that the County proceed with expanding the scope of services of Teitsch-Kent-Fay for additional work needed to complete a design criteria description a new County Building to help further the decision making process in this potential Capital Project,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign an amended agreement with Teitsch-Kent-Fay Architects, P.C. of Cazenovia, NY to include a design criteria description and other architectural services in its previous scope of work, and

FURTHER RESOLVED, that the previous cost of said services has been amended from "a cost not to exceed 15,000" to "a cost not to exceed 15,000" plus expenses as outlined.

RESOLUTION ADOPTED with Aye(1191). Supervisors McMahon and Paton voted Nay. Supervisors Schumann, Walters, Strevy and Stagliano were absent. (7/24/2007)

Douglas Landon

Kimberly Sanborn

County Attorney

Clerk, Board of Supervisors

RESOLUTION NO. 207 of 2007

**DATED:** July 24, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - GOSC TRACS GRANT (SHERIFF)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Jonker

WHEREAS, Resolution 89 of 2007 accepted a grant with the Governor's Traffic Safety Committee in the amount of \$37,790 for TraCS - and electronic ticket and accident report project, which will be utilized for the purchase of computers, printers and scanners to be place within six patrol cars to be utilized throughout Montgomery County, and

WHEREAS, said funds were not appropriated in the 2007 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget, as follows:

INCREASE REVENUE:

A-15-3-3389 State Aid \$37,790

INCREASE APPROPRIATIONS:

A-15-4-3110-00-2259 Computer Equipment \$37,790

RESOLUTION ADOPTED with Aye(1481). Supervisors Schumann, Walters, Strevy and Stagliano were

absent. (7/24/2007)

Douglas Landon Kimberly Sanborn

County Attorney Clerk, Board of Supervisors

**RESOLUTION NO.** 209 of 2007 **DATED:** July 24, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - SENIOR ACCOUNT CLERK TYPIST (SHERIFF)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Thomas

WHEREAS, the Sheriff has recommended that a title change in the Sheriff's Office that will reflect a cost savings,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-15-4-3110-00-1110(335) Principle Account Clerk \$13,000

TRANSFER TO:

A-15-4-3110-00-1110(462) Seni or Account Clerk Typi st \$13,000

RESOLUTION ADOPTED with Aye(1481). Supervisors Schumann, Walters, Strevy and Stagliano were absent. (7/24/2007)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

#### OTHER

Supervisor Quackenbush stated that he would like a discussion item added to the agenda of the next General Services Committee meeting. In particular, he'd like to have a discussion regarding the bike path (CanalWay Trail) and the issue of lack of vehicle parking access along the path, which has been brought to his attention. There were no objections.

He stated he would like DPW Commissioner Paul Clayburn to be part of the discussion, and would like to encourage the Commissioner to look at the entire Bike Path as a whole to determine access possibilities.

He stated that perhaps in Ft. Plain, the bike path can be accessed via River Street near the new grocery store.

Chairman McMahon stated that more discussion is needed regarding the FMCC pool. He stated that Fulton County doesn't support renovating the pool. He would like the Board of Trustees to have an opportunity to state their vision for the pool's future, and that he may bring forth a related Resolution. There were no objections.

#### **ADJOURNMENT**

MOTION TO ADJOURN by Supervisor McMahon, seconded by Supervisor Dybas, passed with Aye(1481). Supervisors Schumann, Walters, Strevy and Stagliano were absent.

Chairman Di Mezza adjourned the meeting at 7:20 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - EDUCATION/GOVERNMENT 7:00 PM, August 7, 2007

#### COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Paton, Johnson, Jonker, and Cechnicki. Absent were Supervisors Schumann and Stagliano.

Additional Supervisors present were Supervisors DiMezza, Greco, Strevy, Quackenbush, Mancini, and Thomas. Absent were Supervisors Dybas and Walters.

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

- Resolution Determining the Future Use of the Swimming Pool at Fulton-Montgomery Community College
- 2. Discussion Regarding 2008-2010 Capital Plan Fulton-Montgomery Community College
- 3. Other

Item #1: Supervisors Cechnicki and Jonker made a motion and seconded, respectively, to sponsor the Resolution.

Chairmen McMahon and DiMezza spoke in support of the Resolution. Chairman McMahon stated that Fulton County will support our Resolution, also.

The Resolution to the full Board with a positive recommendation following roll call. There were no objections.

Item #2: Chairman McMahon stated that an updated Capital Plan was disseminated to all the present Supervisors earlier this evening.

FMCC President Dr. Dustin Swanger stated that issues include water infiltration problems, pool repair, sidewalks in need of repair, HVAC & asbestos issues in the classroom building, and technology issues. He invited all Supervisors to tour FMCC facilities so that they can see for themselves the maintenance issues faced.

He stated that Fulton County is considering the Capital Plan without the pool repairs included.

Chairman Di Mezza exited Chamber at 7:10 PM.

Item #3, Other: Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CONSTRUCTION ADMINISTRATION SERVICES - FRASER & ASSOCIATES - WASTEWATER TREATMENT PLANT PROJECT (FMCC).

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.

Chairman Di Mezza entered Chamber at 7:14 PM.

Item #3, Other: Add-on RESOLUTION AWARDING BED - CONSTRUCTION CONTRACTS - STEPHEN MILLER GENERAL CONTRACTORS & FPI ELECTRIC - WASTWATER TREATMENT PLANT PROJECT (FMCC).

Supervisors Johnson 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.

Motion was made and seconded by Supervisors Cechnicki and Johnson, respectively, to adjourn the Committee meeting.

Chairman McMahon adjourned the Education/Government Committee meeting at 7:17 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISOR'S CHAMBERS COMMITTEE MEETING - AGRICULTURE, PLANNING & DEVELOPMENT 7:15 PM, August 7, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Johnson presided over the meeting commencing at 7:18 PM.

Roll call indicated Committee members present included Supervisors Strevy, Thomas and Jonker. Absent were Supervisors Schumann, Dybas and Walters.

Additionally present were Supervisors Quackenbush, Greco, Paton, McMahon, Mancini and DiMezza. Supervisors Cechnicki and Stagliano were absent.

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

- Resolution Urging the NYS Legislature to pass proposed legislation entitled "The New York State Property Taxpayer Protection Act"
- Resolution Supporting Submission of Farmland Protection Grant Project and Creating a Farmland Protection Fund Account to be Funded on an Annual Basis and Amending the 2007 Operating Budget for a Local Grant Match (Economic Development)
- 3. Other

Item #1: Supervisors Quackenbush 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 Strevy and McMahon made a motion and seconded, respectively, to move the Resolution.

Supervisor Strevy stated that he recommends that the figure of \$30,000 be inserted into the Resolution and put in a special fund-matching account.

Supervisor McMahon spoke in support of the Resolution. He stated that now is the time to take protective measures. He said that subdivision is destroying farmland, the price of land per acre is skyrocketing, and the complexion of the community is changing. He stated that he is also concerned with having to update roads because of new development. He stated that he feels the figure of \$30,000 is too conservative and should be \$100,000.

Doug Green, EOD Planner, disseminated a document to all present Supervisors titled "10 Reasons to Support a Purchase of Development Rights Program in Montgomery County". He also clarified the grant in question, as did Supervisor Jonker.

Chairman Di Mezza spoke in support of the \$30,000 figure.

Ron Mead, Program Manager of the NYS Dept. of Ag & Markets, also spoke in support of the Resolution. He stated that the state has so far made over 240 awards to farmers and have protected over 50,000 acres with this program, state-wide.

Supervisor Greco asked Mr. Mead if the \$30,000 figure is more realistically supporting administrative fees. Mr. Mead replied that the monies being put forward is a combination of administrative costs and supplementing the 25% matching costs.

Supervisor Strevy stated that this is really an attempt show of support to the farmers, and probably won't be able to fund the 25% in question.

Supervisor Thomas stated that he would like the figure in the Resolution to read \$50,000 and that it should come out of the Appropriated Fund Balance. There were no objections.

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

(Clerk's note: Treasurer Shawn Bowerman will provide the related account numbers at a later date.)

Item #3, Other: Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MOHAWK VALLEY SNOWMOBILE CLUBS, INC (ECONOMIC DEVELOPMENT & PLANNING).

Supervisors Quackenbush 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 #4, Other: Add-on RESOLUTION AUTHORIZING CHAIRMAN/AGREEMENT - NYS SNOWMOBILE TRAILS GRANT-IN-

AID PROGRAM - 2007-2008 SNOWMOBILE SEASON (ECONOMIC DEVELOPMENT AND PLANNING).

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

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

Chairman Johnson adjourned the Agriculture, Planning & Development Committee meeting at 7:58 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - PUBLIC SAFETY 7:00 PM, August 14, 2007

#### COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Strevy, Dybas, Cechnicki, Greco and Jonker. Absent was Supervisor Schumann.

Additional Supervisors present were Quackenbush, Paton, McMahon, Walters, Mancini and DiMezza. Absent were Supervisors Johnson and Stagliano.

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

- 1. Resolution Authorizing Chairman to Sign Renewal Agreement NYS Unified Court System (Sheriff)
- 2. Resolution Awarding Bid #13-07 Airboat (Sheriff)
- 3. Resolution Amending 2007 Operating Budget Airboat Costs (Sheriff)
- 4. Resolution Amending 2007 Operating Budget Restitution Monies (District Attorney)
- 5. Discussion regarding County Safety Officer Services to Towns, Villages
- 6. Other

Item #1: The Resolution was sponsored by Supervisors Dybas and Cechnicki, respectively, and moved to the full Board with a positive recommendation. There were no objections.

Item #2: Undersheriff Jeff Smith clarified the Resolution.

The Resolution was sponsored by Supervisors Strevy and Dybas, respectively, and moved to the full Board with a positive recommendation. There were no objections.

Chairman DiMezza stated that the Amsterdam Fire Dept. is interested in obtaining the used airboat. He stated that the AFD currently has a motorboat.

Chairman Thomas stated that once a formal request is received from the Amsterdam Fire Chief, the Board can perhaps act on it.

Undersheriff Smith stated that St. Johnsville Fire Dept, which is the primary water search and rescue dive team, have also requested the used airboat. They currently do not have a boat.

Item #3: The Resolution was sponsored by Supervisors Greco and Quackenbush, respectively, and moved to the full Board with a positive recommendation. There were no objections.

Item #4: The Resolution was sponsored by Supervisors Quackenbush and Dybas, respectively, and moved to the full Board with a positive recommendation. There were no objections.

Item #5 (formerly item #6, "Other"): Add-on RESOLUTION AWARDING BID 12-07 - SALE OF SURPLUS VEHICLES AND EQUIPMENT (PURCHASING). The Resolution was sponsored by Supervisors Jonker and Greco, respectively, and moved to the full Board with a positive recommendation. There were no objections.

Item #6 (formerly item #5, "Discussion regarding County Safety Officer Services to Towns, Villages"): Chairman Thomas stated that the towns and villages may be interested in utilizing the services of David Guiliano, the County Safety Officer. He stated that the County and NYMIR have been very happy with the job Dave is currently doing.

Supervisors Quackenbush and DiMezza spoke in support of the idea, if the Safety Officer has the time.

Chairman Thomas stated that he will continue to have discussions with Dave about plan and protocol, as the County is in support of shared services.

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

Chairman Thomas adjourned the Public Safety Committee meeting at 7:19 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - GENERAL SERVICES 7:10 PM, August 14, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:20 PM.

Roll call indicated Committee members present included Supervisors Quackenbush, Cechnicki, Paton, Greco and Strevy. Absent was Supervisor Stagliano.

Additional Supervisors present were McMahon, DiMezza, Mancini, Thomas, Dybas and Jonker. Absent were Supervisors Johnson and Schumann.

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

- 1. Resolution Authorizing Payment of MOSA Invoice Previously Decreased by Resolution 154 of 2007 (Board of Supervisors)
- Resolution Amending 2007 Operating Budget Beechnut Surcharges (Sanitary District)
- 3. Resolution urging the NYS Legislature to pass proposed legislation entitled the "Bigger, Better Bottle Bill"
- 4. Resolution Amending 2007 Operating Budget State/Federal Aid Emergency Disaster (DPW)
- 5. Resolution Awarding Bid 14-07 Crawler Dozer (DPW)
- 6. Resolution Setting up Capital Project Flood Damaged County Roads and Bridges (DPW)
- 7. Discussion Regarding Old Jail Demolition
- 8. Discussion Regarding Additional Parking Canal Way Trail
- 9. Discussion Regarding Establishing a Bus Transportation System in Montgomery County
- 10. Discussion Regarding Shared Services for Building Demolition between the County, the City of Amsterdam, the Towns and the Villages
- 11. Resolution Authorizing Distribution of Request for Proposals Lease/Purchase Agreement New County Office Building
- 12. Resolution Authorizing Distribution of Request for Proposals Lease/Purchase Agreement New DPW Building
- 13. Resolution Authorizing Chairman to Sign Agreement Professional Services for a Solid Waste Facility (Economic Development & Planning)
- 14. Discussion Regarding Flow Control
- 15. Other

(Clerk's note: Back up information for items #11, #12 & #13 were not available for packet mailing but were distributed to each Supervisor prior to the meeting.)

DPW Commissioner Paul Clayburn disseminated a multi-page document to the present Supervisors. The document, which provides backup information for several Resolutions being entertained in tonight's meeting, contained the following:

"Outstanding Projects FEMA - Completed Work",
"Outstanding Projects FEMA - Incomplete Work",
Crawler Dozer bids received,
Copy of letter from Commissioner Clayburn to NY DOT Michael Gelfuso, P.E., regarding a red structural flag on Hall Rd.
Reply letter from Mr. Gelfuso,
Reply letter from Mr. Edwin Twiss, Jr., P.E. (EarthTech),
Inspector John McMonagle's report of Hall Rd. Bridge, and
"Estimate Parking Lots for Canal Way Trail".

Item #1 (MOSA Invoice): 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 #2 (Beechnut): 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 #3 (Bottle Bill): 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 (State/Fed Aid): Supervisors DiMezza 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 #5 (Crawler Dozer): 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 #6 (Capital Project): Supervisors Quackenbush 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 (Old Jail Demolition): Commissioner Clayburn stated that the old jail is too unsafe to continue abatement operations, based on the recent collapse. A letter of condemnation is forthcoming, and the building must be demolished.

He stated that there is a conflict on what the contractor said was removed and what the monitoring firm said was removed, and a question on whether the asbestos is "friable" (i.e.. airborne). He also stated that he is getting estimates for the cost of demolition.

He stated that no money has been set aside for the demolition, but only for the asbestos abatement.

Chairman Di Mezza spoke in support of the quick demolition of the building.

Supervisors Quackenbush and DiMezza made a motion and seconded, respectively, to sponsor a draft Resolution (to move ahead with the project of demolishing the old jail) and move it to the full Board with a positive recommendation. There were no objections.

Item #8 (Parking Lots): Supervisor Quackenbush stated that there have been requests for adequate parking alongside the CanalWay bike trail in Montgomery County. He also stated that part of the trail in the St. Johnsville area is not paved, which is contrary to the rest of the trail.

Commissioner Clayburn stated that constructing large parking lots would also accommodate snowmobile trailers in the winter, and that the parking lot project could be started as early as September, if permits, funding and landowner permission is received in a timely manner.

Supervisor Strevy stated that the small, existing parking lot in Ft. Hunter could be expanded as well.

Supervisors Strevy and Quackenbush made a motion and seconded, respectively, to sponsor a draft Resolution (allowing for up to \$79,000 for construction of 4-5 parking lots, to be paid out of Contingency account) and move it to the full Board with a positive recommendation. There were no objections.

Chairman Walters asked Commissioner Clayburn to inquire if some grant funding is available from the NYS Parks and Recreation or other source. The Commissioner stated that funding is unlikely, but he will inquire.

Commissioner Clayburn stated that around 30 miles of the CanalWay Trail in the County is not paved. He has no estimates on how much it would cost to pave it completely.

Chairman DiMezza suggesting paving a few miles each year so the paving project could be completed in six or so years, as to not overwhelm the current County budget. He asked Commissioner Clayburn to come up with an estimate to pave five miles of trail for the next full Board meeting.

Supervisors DiMezza and Greco made a motion and seconded, respectively, to sponsor a draft Resolution (to proceed with the project to pave five miles of trail) and move it to the full Board with a positive recommendation. There were no objections.

Supervisor Paton stated that his constituents will probably be more concerned with the condition of County roads then the bike path.

Supervisor Cechnicki stated concern over using the Fund Balance for all the new projects.

Item #9 (Bus System): Doug Green, County Planner, disseminating a document to all present

Supervisors outlining bus system options. He stated that \$80,000 in state transportation fund grant money is available to use toward the service.

Chairman Walters discussed the bids received for the bus service. He stated that Browns have bid quite fairly and that Amsterdam Transit did not bid.

Mr. Green clarified the route options, and stated that the bus service should target regular employees as well as senior citizens and low-income residents. He stated that the annual County cost of the system should be reasonably offset by future grant opportunities.

Chairman Walters stated that Bob Brown once suggested that their school buses could be used during their down-time for public transportation, but the state won't allow it.

Mr. Green stated that a county-wide public transportation system is also a very good economic development tool.

Supervisors DiMezza and Strevy made a motion and seconded, respectively, to sponsor a draft Resolution (to proceed with the project) and move it to the full Board with a positive recommendation. There were no objections.

Supervisors DiMezza and Greco made a motion and seconded, respectively, to sponsor a draft Resolution (accepting the bid from Browns) and move it to the full Board with a positive recommendation. There were no objections.

Item #10 (Shared services): Supervisors DiMezza and Cechnicki made a motion and seconded, respectively, to sponsor a draft Resolution (accepting shared services) and move it to the full Board with a positive recommendation. There were no objections.

DPW Commissioner Clayburn stated that the excavator to be used for demolitions will need to be replaced.

(Clerk's note: A draft Resolution mirroring Resolution 150 of 2006, "RESOLUTION AUTHORIZING CHAIRMAN TO SIGN A CONTRACT FOR SHARED SERVICES ON BEHALF OF THE COUNTY OF MONTGOMERY", will be written for the full Board meeting as demolition specific.)

Item #11 (formerly item #12, "Resolution Authorizing Distribution of Request for Proposals - Lease/Purchase Agreement - New DPW Building"): Supervisors DiMezza and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution.

Chairman DiMezza clarified the packet disseminated to all Supervisors. He stated that the offices of Probation, Public Defender and Emergency Management would be moving to the new building, instead of moving up by the jail. He stated that the empty Annex building would be available for the offices of the Dept. of Motor Vehicles, County Clerk and Social Services to use while their Broadway St. building is being renovated. Then, the Annex building would be demolished.

Chairman DiMezza stated that the reason for removing the word "PURCHASE" from the Resolution has to do with negotiations that cannot be discussed publicly, so he strongly recommends removing the word "PURCHASE" from this Resolution and the following Resolution.

Supervisor Strevy expressed concern over the differing opinions on the space needs and wondered if the Dept. of Public Works needs to move at all. Chairman Walters stated that he supports moving DPW.

Supervisor Cechnicki cautioned the Supervisors that certain decisions need to be made prior to requesting RFPS, such as site location and lease vs. purchase options, so he cannot support either RFP Resolutions.

Responding to a query by Supervisor Dybas, Chairman DiMezza stated that the purpose of the RFP is to get a construction firm on board who can research the options for us, including lease and purchase options.

Chairman Walters spoke in support of the efforts of the Needs Assessment Committee.

Supervisor Strevy stated that more discussion is needed within the Board of Supervisors' realm prior to RFPing.

Supervisor Greco reminded the Board of the impact a move like this will have on the Town of Fonda.

The Resolution was moved to the full Board with no recommendation. Supervisor Cechnicki objected.

Item #12 (formerly item #11, "Resolution Authorizing Distribution of Request for Proposals - Lease/Purchase Agreement - New County Office Building"): Supervisors Di Mezza and Dybas made a motion and seconded, respectively, to sponsor the Resolution. Supervisor Cechnicki objected.

Supervisors Jonker, Mancini and Quackenbush exited Chamber at 8:38 PM.

Item #13 (Solid Waste Facility): Chairman Walters stated that the County needs to carefully

consider all options, and urged the Supervisors to retain an open mind.

Chairman Walters introduced Attorney William Helmer who will be managing the project which will investigate options for the County. Attorney Helmer stated that the timing is right to begin the project, based on changes in technology, the Carbone decision (flow control), and other issues. He stated that he will be returning to the Board in 10-12 weeks to neutrally discuss options.

Supervisor Dybas said that if the State is serious about recycling and landfills, then the County needs to take the bull by the horns and come up with a solution.

Supervisor McMahon stated that the County needs to create something like MOSA, or get into the business ourselves. He summarized the options that have been discussed over the several past years.

Supervisor Greco stated that there must be somewhere in the County where a landfill can be constructed which will offend no one, as that would be a logical option.

Chairman Walters stated that the State owns 4000 acres in Charlestown alone as Forest Preserve land, which is untouchable.

Supervisor Strevy suggested that the County consider the MOSA presentation, which will occur during the next full Board meeting.

Supervisor Dybas exited Chamber at 8:55 PM.

Supervisors Walters and Cechnicki stated that previous potential landfill locations chosen by MOSA in Root and Charlestown townships were wholly inappropriate and did not meet any needed criteria.

Supervisor Strevy mentioned that MOSA has the right of eminent domain.

Based on Committee roll call, the Resolution was not moved to the full Board.

Chairman DiMezza stated that he will be moving the Resolution to the full Board, but it will not be appearing on the agenda.

Item #14 (Flow control): (not discussed)

Item #15, Other: DPW Commissioner Paul Clayburn presented a draft RESOLUTION AWARDING TWO BRIDGE REHABILITATION CONTRACTS - MCEWAN ROAD B.I.N. 3309730 AND HALL ROAD B.I.N. 3309990 (PUBLIC WORKS).

Supervisors Greco and Cechnicki 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 Cechnicki and Greco, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Walters adjourned the General Services Committee meeting at 9:08 PM.

Respectfully submitted,

## PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY PUBLIC HEARING

6:55 PM, August 28, 2007

INTRODUCTORY LOCAL LAW #2 OF 2007 - A LOCAL LAW WHICH PROHIBITS THE CONSUMPTION OF ALCOHOLIC BEVERAGES BY MINORS ON PRIVATE PROPERTY

#### PUBLIC HEARING DISCUSSION

Chairman Di Mezza called the Public Hearing to order at 6:55 PM.

Present were Supervisors Quackenbush, Greco, Paton, McMahon, Strevy, Stagliano, Dybas, Cechnicki, Schumann, Walters, Thomas, Jonker, and Mancini.

Absent was Supervisor Johnson.

The following notice was read:

INTRODUCTORY LOCAL LAW #2 OF 2007 - A LOCAL LAW WHICH PROHIBITS THE COMSUMPTION OF ALCOHOLIC BEVERAGES BY MINORS ON PRIVATE PROPERTY

NOTICE IS HERE BY GIVEN, that the Board of Supervisors of the County of Montgomery will meet in the Supervisors' Chambers, County Office Building, Route 30A (Broadway), Fonda, New York at 6:55 p.m. on Tuesday, August 28, 2007 for the purpose of holding a public hearing on a Local Law stated above.

FURTHER NOTICE is hereby given that copies of said Local Law are available at the Montgomery County Board of Supervisors, 20 Park Street, Fonda, New York where they may be inspected or procured by any interested persons during business hours.

By order of the Board of Supervisors of Montgomery County.

Chairman Di Mezza asked if there were any speakers.

Evelyn Lindley, a resident of the Town of Root, spoke in support of the law.

A resident of the Town of Amsterdam stated that this kind of law should be coming from the state level, to better support law enforcement efforts.

There were no additional speakers.

Chairman DiMezza adjourned the public hearing at 6:57 PM.

Respectfully submitted,

## PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY REGULAR MEETING

7:00 PM, August 28, 2007

#### CALL TO ORDER

Chairman DiMezza called the Regular Meeting of the Montgomery County Board of Supervisors for August 28, 2007 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, Stagliano, Dybas, Cechnicki, Schumann, Walters, Thomas, Jonker, and Mancini were present.

#### PRIVILEGE OF THE FLOOR

#### A. Public Comment

Chairman Di Mezza asked if anyone wished to speak.

Evelyn Lindley, a resident of the Town of Root, stated that County money would be better spent on County roads then the Canal Way Trail and related parking lots.

There were no other speakers.

Chairman Di Mezza adjourned Public Comment at 7:01 PM.

#### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (July 24 - Aug. 14, 2007) by Supervisor Greco, seconded by Supervisor Walters, passed with Aye(1868).

#### APPROVAL OF BUDGETARY TRANSFER

Supervisor Dybas stated that the debit and credit columns were not clearly defined on the "report of transfer" list, and will vote "NAY".

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Greco, seconded by Supervisor Jonker, passed with Aye(1732). Supervisor Dybas voted Nay.

#### UNFINISHED BUSINESS

#### **NEW BUSINESS**

- A. Resolutions
- B. Other

#### **RESOLUTION NO.** 211 of 2007

**DATED:** August 28, 2007

RESOLUTION DETERMINING THE FUTURE USE OF THE SWIMMING POOL AT FULTON-MONTGOMERY COMMUNITY COLLEGE

Resolution by Supervisor: Cechni cki Seconded by Supervisor: Jonker

WHEREAS, it has been determined that the pool at Fulton-Montgomery Community College is in need of substantial repairs, and

WHEREAS, the possibility of finding other uses for the space has been suggested, and

WHEREAS, there is not a majority opinion between Montgomery County Board of Supervisors, Fulton County Board of Supervisors and Fulton-Montgomery Community College Board of Trustees of what path should be followed to make a decision on exactly how to proceed,

RESOLVED, that the Montgomery County Board of Supervisors hereby agrees to accept the joint opinion of the FMCC Board of Trustees and the Administration of FMCC as to the direction that shall be supported and,

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

RESOLUTION ADOPTED with Aye(1636). Supervisors Dybas and Stagliano voted Nay. (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 212 of 2007 **DATED:** August 28, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CONSTRUCTION ADMINISTRATION SERVICES - FRASER & ASSOCIATES - WASTEWATER TREATMENT PLANT PROJECT (FMCC)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Cechni cki

WHEREAS, Montgomery County Resolution 168 of 2006 endorsed the FMCC Wastewater Treatment Plant Renovation Project and its submittal to SUNY, and

WHEREAS, Montgomery County Resolution 285 of 2006 authorized an agreement with Fraser and Associates of Rensselaer, NY for engineering design services for the FMCC Wastewater Treatment Plan Upgrade Project, and

WHEREAS, Resolution 195 of 2007 authorized the solicitation of bids for said project, and

WHEREAS, it is necessary to enter into an agreement for construction administration services for said project with Fraser and Associates who completed final design plans and bid specifications 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 an agreement with Fraser & Associates of Rensselaer, NY for the provision of construction administration services for the Wastewater Treatment Plant Project at Fulton-Montgomery Community College, 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. (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 213 of 2007 **DATED:** August 28, 2007

RESOLUTION AWARDING BIDS - CONSTRUCTION CONTRACTS - STEPHEN MILLER GENERAL CONTRACTORS & FPI ELECTRIC - WASTEWATER TREATMENT PLANT PROJECT (FMCC)

Resolution by Supervisor: Johnson Seconded by Supervisor: Quackenbush

WHEREAS, Montgomery County Resolution 168 of 2006 endorsed the FMCC Wastewater Treatment Plant Renovation Project and its submittal to SUNY, and

WHEREAS, Montgomery County Resolution 285 of 2006 authorized an agreement with Fraser and Associates of Rensselaer, NY for engineering design services for the FMCC Wastewater Treatment Plan Upgrade Project, and

WHEREAS, Resolution 195 of 2007 authorized the solicitation of bids for said project, and

WHEREAS, said bids have been received, opened and reviewed and recommendation has been made to award contracts on said project,

RESOLVED, that the Wastewater Treatment Plant Project Bid shall be awarded as follows:

General Contraction:

Awarded to -

Stephen Miller General Contractors

Base Bid 1 \$288, 288. 00
Alt. Bid 1 \$10, 184. 00
Alt. Bid 3 \$5,744. 00

Electrical Contract:

Awarded to -

FPI Electric \$ 86, 200.00

\_\_\_\_\_\_

Total Contraction Contracts\$390, 416.00Total Funding Available\$351, 929.53

Deficit - \$ 38,486.47

, and

FURTHER RESOLVED that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign agreements with the above named contractors for said services listed, and

FURTHER RESOLVED, that the deficit for said project shall be funded from the FMCC Pool Liner/Gutter Replacement Project as previously budgeted in the 2007 Capital Projects and appropriated in the 2007 Operating Budget, which would allow for said project to proceed forward, and

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

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas voted Nay. (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 214, Supervisor Cechnicki stated that he feels there are technical problems with the Resolution. He stated that this Resolution is a duplicate entity, that no real change occurs, and high-wealth/low-need districts would be ultimately rewarded.

Supervisor Dybas stated that he supports the concept but feels the Resolution is meaningless.

Supervisor McMahon stated that, with this Resolution, the County is at least making a statement that the taxpayers need help.

### **RESOLUTION NO.** 214 of 2007 **DATED:** August 28, 2007

RESOLUTION URGING THE NYS LEGISLATURE TO PASS PROPOSED LEGISLATION ENTITLED 'THE NEW YORK STATE PROPERTY TAXPAYER PROTECTION ACT'

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Johnson

WHEREAS, the tremendously high property tax burden on New York families and businesses is the number one issue facing our community today, and the sheer cost of living in New York has forced many residents and businesses to leave, thus slowing the economic engine of the state, and

WHEREAS, Young people are finding it difficult to purchase homes, seniors are struggling to maintain their homes, and businesses are facing immense challenges to create and retain jobs, and

WHEREAS, New Yorkers face the highest property taxes in the nation, and when measured as a percentage of home value, nine of the top 10 property tax rates in the entire country belong to counties in New York; and the State must act now to thwart the detrimental effects that high property taxes are having on local governments, and

WHEREAS, Assembly Minority Members have introduced the "New York State Property Taxpayer Protection Act" (Assembly Bill 8775), which puts forth new and innovative ideas for property tax

reform that limit the amount school districts can raise annually through local tax levies to four percent or the rate of inflation, whichever is less; in addition the Act would relieve municipalities and school district of unfunded mandates, reduce county Medicaid costs, strengthen financial accountability over school tax dollars, promote local government efficiency, and encourage local option insurance pooling, and

WHEREAS, the "New York State Property Taxpayer Protection Act" will help fix New York's broken property tax system, providing homeowners, businesses and municipalities significant and lasting relief from the crushing burden of skyrocketing property taxes,

RESOLVED, that the Montgomery County Board of Supervisors pause in its deliberations to acknowledge New York State's property tax crisis and urge the immediate passage and chaptering of the "New York State Property Taxpayer Protection Act", which will help local governments reinvigorate New York's economy by providing incentives for people and businesses to move and stay here, and

FURTHER RESOLVED, that a copy of this resolution, suitably engrossed, be transmitted to the Governor of the State of New York, the Temporary President of the New York State Senate, the Speaker of the New York State Assembly, and to each member of the New York State Legislature.

RESOLUTION ADOPTED with Aye(1294). Supervisors Schumann, Dybas, Mancini, Cechnicki and Stagliano voted Nay. (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 215 of 2007 **DATED:** August 28, 2007

RESOLUTION SUPPORTING SUBMISSION OF FARMLAND PROTECTION GRANT PROJECT & CREATING A FARMLAND PROTECTION FUND ACCOUNT TO BE FUNDED ON AN ANNUAL BASIS & AMENDING 2007 OPERATING BUDGET FOR A LOCAL GRANT MATCH (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Strevy Seconded by Supervisor: McMahon

WHEREAS, the State of New York Department of Agriculture and Markets is requesting proposals for State Financial 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 support farmland protection and to explore ways to match state funds in grant applications to purchase development rights on existing farmland for preservation purposes, and

WHEREAS, Agriculture has a significant role in the County's economy, protection of the environment, open space and beauty, and

WHEREAS, Agriculture creates a county-wide revenue of \$61,240,000 per year,

RESOLVED, that the Board of Supervisors hereby supports submission by the County Economic Development Department of a Farmland Protection Grant Project, and

FURTHER RESOLVED, the Board of Supervisors hereby establishes an account that is to be funded \$50,000 on an annual basis for the purpose of supplying local matching funds for farmland protection grants in Montgomery County, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A599 Appropriated Fund Balance

TRANSFER TO:

A-01-4-8710-00-4571 Farmland Protection Program

RESOLUTION ADOPTED with Aye(1636). Supervisors Dybas and Stagliano voted Nay. (8/28/2007)

Douglas Landon Kimberly Sanborn
County Attorney Clerk, Board of Supervisors

**RESOLUTION NO.** 216 of 2007 **DATED:** August 28, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MOHAWK VALLEY SNOWMOBILE CLUBS, INC. (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Jonker

WHEREAS, the 2006-2007 snowmobile season was the fourth 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 Trial 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(1868). (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 217 of 2007 **DATED:** August 28, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION/AGREEMENT - NYS SNOWMOBILE TRAILS GRANT-IN-AID PROGRAM - 2007-2008 SNOWMOBILE SEASON (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Strevy

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation's Snowmobile Trails Grant-In-Aid program for the 2007-2008 snowmobile season is due September 1, 2007; 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 2007-2008 snowmobile season, 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 accepting the 2007-2008 Snowmobile Trails Grant from the Office of Parks, Recreation and Historic Preservation.

RESOLUTION ADOPTED with Aye(1868). (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 218, Supervisor Quackenbush stated that Access Transportation would like to bid, but has issues with the advertising that would go on the side of the bus. He asked if the County should go out for RFP without the advertising part.

Supervisor Walters stated that Access was approached in the Spring, and stated that they didn't have the fleet needed for the job.

County Attorney Doug Landon stated that Access should be considered prior to passing any related Resolutions.

Scott Surrento stated that, to the best of his knowledge, Access is not interested in bidding.

Supervisor Greco stated that it should be the responsibility of the interested bidder to pursue

submitting a bid, not the responsibility of the County to pursue the bidder.

Sheriff Mike Amato stated that he spoke to the owner of Access tonight, who has no interest in placing a bid, because of the advertising issue as well as the need to create bus stops.

RESOLUTION NO. 218 of 2007 **DATED:** August 28, 2007

RESOLUTION ESTABLISHING MONTGOMERY COUNTY BUS TRANSPORTATION SYSTEM (ECONOMIC DEVELOPMENT/PLANNING)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Strevy

WHEREAS, the Montgomery County Board of Supervisors supports establishing a County Bus System that will serve the transportation needs of the citizens of Montgomery County, and

WHEREAS, Resolution 40 of 2007 authorized the Chairman of the Board of Supervisors to execute a Jobs — Access and Reverse Commute Grant (JARC) with the New York State Department of Transportation (NYSDOT) who is also willing to provide significant funding through the State Operating Assistance Program (STOA) and Federal Section 5311 Program to assist with the operations of a Countywide Bus Transportation System and funding through the NYS Capital Purchase Grant Program is also available for assistance with the purchase of County-owned buses to run such a system,

RESOLVED, the Chairman of the Board of Supervisors, upon review and approval of the County attorney, is hereby authorized and directed to sign any all grant documents related to establishing a bus transportation system within Montgomery County, and

FURTHER RESOLVED, the Board of Supervisors hereby authorizes the Department of Economic Development and Planning to undertake all necessary means to establish said bus transportation system to serve the transportation needs of all Montgomery County citizens and to coordinate transportation services with other County Agencies and Bus Service providers, and

FURTHER RESOLVED, that the Chairman of the Board is authorized to establish a Transportation Committee that will be represented by relevant transportation stakeholders for the purpose of coordinating routes and operations, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget to provide for grant funding and necessary matching funds to allow for operation of said bus system and the purchase 2 County-owned buses as follows:

#### INCREASE REVENUES:

A-01-3-3594 A-01-3-4589 A-599	State Aid - Transportation Federal Aid - Other Transportation Appropriated Fund Balance	\$146, 636 \$144, 000 \$82, 461	
		\$373, 097	
ADD & INCREASE APPROPRIATIONS:			
A-01-4-5630-00-4404	County Transportation System	\$243, 097	
I NCREASE APPROPRI ATI ONS:			
A-01-4-5630-00-2230	Motor Vehicle Equipment	\$130,000	
		\$373, 097	

RESOLUTION ADOPTED with Aye(1360). Supervisors Schumann, Quackenbush, Jonker and Stagliano voted (8/28/2007)

Kimberly Sanborn Douglas Landon County Attorney Clerk, Board of Supervisors

RESOLUTION NO. 219 of 2007 **DATED:** August 28, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - THIRD PARTY PROVIDER - COUNTY BUS TRANSPORTATION SYSTEM & LEASING OF MOTOR VEHICLE EQUIPMENT - BROWN COACH, INC. (ECONOMIC DEVELOPMENT/PLANNING)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Greco

WHEREAS, by Resolution 218 of 2007, the Montgomery County Board of Supervisors have established the Montgomery County Bus Transportation System to serve the transportation needs of the citizens of Montgomery County, and

WHEREAS, Resolution 39 of 2007 authorized an RFP to solicit a bus operator for the proposed bus system, and

WHEREAS, bids have been received and accepted and reviewed by the Purchasing Agent and the Economic Development/Planning Department and recommendation has 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 execute a contract with Brown Coach, Inc of Amsterdam, NY to provide operation of a bus system for Montgomery County for a period not to exceed one year, at a cost not to exceed \$243,097, upon which a review will determine a contract extension, 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 lease agreement with Brown Coach, Inc. of Amsterdam NY, for the use of 2 County-owned buses to provide said operations to the citizens of Montgomery County.

RESOLUTION ADOPTED with Aye(1360). Supervisors Schumann, Quackenbush, Jonker and Stagliano voted Nay. (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 220, Supervisor McMahon stated that he will sponsor a Resolution when the time comes regarding the disposition of the old boat.

**RESOLUTION NO.** 220 of 2007 **DATED:** August 28, 2007

RESOLUTION AWARDING BID #13-07 - AIRBOAT (SHERIFF)

Resolution by Supervisor: Strevy Seconded by Supervisor: Greco

WHEREAS, the Purchasing Department was authorized to solicit bids for an Airboat for the Sheriff's Department, and

WHEREAS, said bids have been opened,

RESOLVED, that the Board of Supervisors hereby awards Bids No. 13-07 to Diamondback Manufacturing of Cocoa, Florida at a price not to exceed \$47,000.

RESOLUTION ADOPTED with Aye(1868). (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 221 of 2007 **DATED:** August 28, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - AIRBOAT COSTS (SHERIFF)

Resolution by Supervisor: Greco

Seconded by Supervisor: Quackenbush

WHEREAS, the Sheriff has requested amending the 2007 Operating Budget to realize increased revenues in Sheriff's Fees to be utilized for costs related to the purchase of the County's new Airboat.

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

INCREASE REVENUE:

A-15-3-1510 Sheri ff Fees \$12, 450

INCREASE APPROPRIATIONS:

A-15-4-3110-00-2266 Water & Boating Equipment \$12,000 A-15-4-3110-00-4422 Equip. Rental/Lease/Repai \$ 450

RESOLUTION ADOPTED with Aye(1868). (8/28/2007)

Douglas Landon Kimberly Sanborn

County Attorney Clerk, Board of Supervisors

**RESOLUTION NO.** 222 of 2007 **DATED:** August 28, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - NYS UNIFIED COURT SYSTEM (SHERIFF)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Cechni cki

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, 2007 and UCS has recommended a new period beginning April 1, 2007 through March 31, 2008, all terms and conditions to continue except that compensation shall be increased from a maximum of \$50,000 to a maximum of \$60,000,

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, 2007 through March 31, 2008 for a total reimbursement which shall not exceed \$60,000.

RESOLUTION ADOPTED with Aye(1868). (8/28/2007)

Douglas Landon Kimberly Sanborn
County Attorney Clerk, Board of Supervisors

**RESOLUTION NO.** 223 of 2007 **DATED:** August 28, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - RESTITUTION MONIES (DISTRICT ATTORNEY)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Dybas

WHEREAS, the District Attorney has received and deposited with the Montgomery County Treasurer restitution totaling \$25,082.00 from several drug related investigations and arrests conducted by local law enforcement agencies in Montgomery County, and

WHEREAS, the District Attorney would utilize said restitution monies to purchase necessary technical equipment, furniture, computer equipment and shelving for the Office of District Attorney as well as purchase necessary equipment for law enforcement agencies throughout Montgomery County, it is:

RESOLVED, that the Montgomery County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

INCREASE REVENUE:

A-25-3-2611 RESTIT. & REPARA PAYMTS \$25,082 INCREASE APPROPRIATIONS:

A-25-4-1165-00-2210	Office Furniture	\$ 1, 200
A-25-4-1165-00-2250	Technical Equipment	\$ 7,500
A-25-4-1165-00-2220	Office Equipment	\$ 300
A-25-4-1165-00-2259	Computer Equipment	\$ 7,000

A-25-4-1165-00-4409 Office Furniture \$ 1,000 A-25-4-1165-00-4422 DA/Law Enforcement Programs \$ 8,082

RESOLUTION ADOPTED with Aye(1868). (8/28/2007)

Douglas Landon

Kimberly Sanborn Clerk, Board of Supervisors County Attorney

RESOLUTION NO. 224 of 2007 **DATED:** August 28, 2007

RESOLUTION AWARDING TWO BRIDGE REHABILITATION CONTRACTS - MCEWAN ROAD B.I.N. 3309730 AND HALL ROAD B.I.N. 3309990 (PUBLIC WORKS)

Resolution by Supervisor: Greco Seconded by Supervisor: Cechni cki

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

RESOLVED that the Board of Supervisors hereby awards a contract to Ray L. Darling, Inc. of Cropseyville, NY, for the bridge replacement projects as follows:

McEwan Road, B.I.N. 3309730 and Hall Road, B.I.N. 3309990

, 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 Ray L. Darling, Inc. of Cropseyville, NY, and

FURTHER RESOLVED, that said contract shall provide for payment in an amount not to exceed \$181, 321.

RESOLUTION ADOPTED with Aye(1868). (8/28/2007)

Kimberly Sanborn Clerk, Board of Supervisors Douglas Landon County Attorney

### RESOLUTION NO. 225 of 2007 **DATED:** August 28, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - STATE/FEDERAL AID - EMERGENCY DISASTER (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Quackenbush

WHEREAS, the Public Works Commissioner has been notified that the State Emergency Management Office will be processing a payment to Montgomery in the amount of \$80,105.00 for Severe Storms and Flooding of April 14-18, 2007, and

WHEREAS, the Federal share is \$60,078.75 and the State share is \$20,026.25 for a total payment of \$80, 105. 00, and

WHEREAS, \$80,105.00 represents shoulder repairs on various County roads, and repairs to the Canal ways Trail;

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget as follows:

I NCREASE:

Revenue:

D-12-3-3960-00 State Aid Emergency Disaster \$20,026.25 Federal Aid Emergency Disaster D-12-3-4960-00 \$60,078.75

Appropri ati on:

D-12-4-5110-00. 4448 Const. Maint. Supplies \$80, 105.00 RESOLUTION ADOPTED with Aye(1868). (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 226 of 2007

**DATED:** August 28, 2007

RESOLUTION AWARDING BID 14-07 - CRAWLER DOZER (PUBLIC WORKS)

Resolution by Supervisor: McMahon Seconded by Supervisor: Jonker

WHEREAS, the Purchasing Department was authorized to solicit bids for a Crawler Dozer for the

Public Works Department, and

WHEREAS, said bids were opened on August 6, 2007,

RESOLVED, that the Board of Supervisors hereby awards Bids No. 14-07 to Anderson Equipment Co. of Buffalo, NY, in the amount of \$164,318.00.

RESOLUTION ADOPTED with Aye(1868). (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 227 of 2007 **DATED:** August 28, 2007

RESOLUTION SETTING UP CAPITAL PROJECT - FLOOD DAMAGED COUNTY ROADS AND BRIDGES ( PUBLIC WORKS)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Greco

WHEREAS, on several occasions, severe flooding has occurred in the County and has damaged various County roads and bridges, and

WHEREAS, Federal and State disaster assistance will fund these projects in the amount of \$744,450.00.

RESOLVED, the Board of Supervisors hereby approves this project and directs the County Treasurer to establish a capital project for the repairs to various County roads and bridges.

RESOLUTION ADOPTED with Aye(1868). (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 228, DPW Commissioner Paul Clayburn stated that work will commence within 10 days of the awardee receiving notification. Then, the area must be posted for 10 days stating that demolition is imminent. He stated that work should be complete by the middle of October, and that steel will be left in place for County disposal. He also stated that the County will be responsible for backfilling the foundation.

### **RESOLUTION NO.** 228 of 2007 **DATED:** August 28, 2007

RESOLUTION AWARDING CONTRACT - FORMER COUNTY CORRECTIONAL FACILITY - DEMOLITION (PUBLIC WORKS)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Di Mezza

WHEREAS, the Commissioner of Public Works has recommended that a contract be awarded to the low bidder on a demolition contract,

RESOLVED, that the Board of Supervisors hereby awards a contract to \_\_\_\_\_, of \_\_\_\_\_, for the demolition and removal of the Former County Correctional Facility, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to 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 McMahon in the RESOLVED and first FURTHER RESOLVED clauses, by replacing "  $\_$  of  $\_$  with "Jackson Demolition Service, Inc. of Schenectady, NY",

and in the second FURTHER RESOLVED clause, replacing "\$\_\_\_\_\_" with "\$239,000", passed with Aye(1729). Supervisor Schumann abstained. (8/28/2007)

RESOLUTION ADOPTED with Aye(1729). Supervisor Schumann abstained. (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 229, Supervisor Quackenbush asked County Treasurer Shawn Bowerman if the money used for this project is from a different pot of money that will be used for resurfacing roads within the County.

Treasurer Bowerman stated that it's all County money and if all the Resolutions are passed tonight, the Contingency Account will be reduced to zero.

Supervisor McMahon cautioned the Supervisors against using the vulnerable Contingency Account.

Supervisors Stagliano and Jonker stated that they would rather spend the money on County roads then the CanalWay Trail and related parking lots.

Supervisor Strevy stated that he is withdrawing his sponsorship. Supervisor Schumann stated that she will sponsor the Resolution, as she supports wholesome outdoor recreation.

Chairman DiMezza stated that the money can come from the Fund Balance instead of Contingency, if necessary.

### **RESOLUTION NO.** 229 of 2007

**DATED:** August 28, 2007

RESOLUTION APPROVING 2007 CAPITAL PROJECTS - PARKING LOT CONSTRUCTION - CANALWAY TRAIL (PUBLIC WORKS)

Resolution by Supervisor: Schumann Seconded by Supervisor: Quackenbush

WHEREAS, the Commissioner of Public Works has recommended constructing various parking lots along the Canalway Trail;

RESOLVED, that the Board of Supervisors hereby approves the construction of various parking lots as a 2007 Capital Project, at a cost not to exceed \$79,000.00;

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-01-1990-00-4400 Contingent Account \$79,000.00

TRANSFER TO:

a-06-4-9900-00-9950 Trans to Cap. Proj. \$79,000.00

RESOLUTION ADOPTED with Aye(1180). Supervisors McMahon, Strevy, Thomas, Paton, Jonker and Stagliano voted Nay. (8/28/2007)

Douglas Landon

County Attorney

Kimberly Sanborn

Clerk, Board of Supervisors

Regarding Resolution 230, Supervisor Cechnicki stated that this Resolution should be part of next year's budget process, since the project probably won't be started until then.

Supervisor McMahon cautioned the Supervisors that any blacktop will need constant maintenance, another monetary expense in the future.

Supervisor Greco stated that he is withdrawing his second sponsorship. Supervisor Schumann stated that she will second sponsor the Resolution.

**RESOLUTION NO.** 230 of 2007 **DATED:** August 28, 2007

RESOLUTION APPROVING 2007 CAPITAL PROJECTS - CANALWAY TRAIL RESURFACING (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Greco

WHEREAS, the Commissioner of Public Works has recommended resurfacing a 4.5 mile long portion of the Canalway Trail;

RESOLVED, that the Board of Supervisors hereby approves the resurfacing of a portion of the Canalway Trail as a 2007 Capital Project, at a cost not to exceed \$175,000.00;

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A599 Appropriated Fund Balance

TRANSFER TO:

A-06-4-9900-00-9950 Trans. to Cap. Proj. \$175,000.00

MOTION TO TABLE by Supervisor Strevy, seconded by Supervisor McMahon, was defeated with Aye(827). Supervisors Greco, McMahon, Walters, Strevy, Thomas, Paton, Cechnicki and Stagliano voted Aye. (8/28/2007)

MOTION TO CALL THE QUESTION by Supervisor McMahon, seconded by Supervisor Jonker, passed with Aye(1626). Supervisors Schumann and Strevy voted Nay. (8/28/2007)

RESOLUTION DEFEATED with Aye(796). Supervisors Johnson, Schumann, Di Mezza, McMahon and Quackenbush voted Aye. (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Supervisor Cechnicki stated that he will be happy to sponsor a similar Resolution as part of the budget process in 2008.

**RESOLUTION NO.** 231 of 2007 **DATED:** August 28, 2007

RESOLUTION AUTHORIZING PAYMENT OF MOSA INVOICE PREVIOUSLY DECREASED BY RESOLUTION 154 OF 2007

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Strevy

WHEREAS, by Resolution 154 of 2007, the Board of Supervisors authorized the Chairman of the Board of Supervisors to reduce the \$77,292 due to MOSA in its April Invoice by the amount of \$50,976, as MOSA had not issued checks to Montgomery County municipalities for funds due, and

WHEREAS, MOSA has since issued said checks to the municipalities and the \$50,976 is still an outstanding payable due to MOSA,

RESOLVED, that the Chairman of Board of Supervisors is hereby authorized and directed to make payment to the Montgomery-Otsego-Schoharie Solid Waste Authority in the amount of \$50,976 to be considered payment in full for its April invoice to Montgomery County.

RESOLUTION ADOPTED with Aye(1545). Supervisor Thomas voted Nay. Supervisors Dybas and Strevy abstained. (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 232 of 2007 **DATED:** August 28, 2007

RESOLUTION URGING THE NYS LEGISLATURE TO PASS PROPOSED LEGISLATION ENTITLED THE 'BIGGER, BETTER BOTTLE BILL'

Resolution by Supervisor: Strevy Seconded by Supervisor: Greco

WHEREAS, Montgomery County seeks to be environmentally responsible, to encourage recycling and to reduce the volume of waste which must be transported over great distances and disposed of at great expense, and

WHEREAS, the growth of bottled water, iced tea, sports drinks, juice and some other non-carbonated beverages in the 25 years since the adoption of the original returnable container law has created large volumes of containers that become mixed with other solid waste and are not successfully recycled like carbonated beverage containers, and

WHEREAS, NY State Senate Bill S.03434 known popularly as the "Bigger, Better Bottle Bill" has been sponsored by Senator Ken LaValle to expand the returnable container law to add bottled water, iced tea, sports drinks, juice and some other non-carbonated beverages to the returnable categories, and

WHEREAS, passage of this or similar legislation would produce benefits in the management of solid waste and protection of the environment,

RESOLVED, that the Montgomery County Board of Supervisors supports the passage of the "Bigger, Better Bottle Bill", NYS Senate Bill S.03434 or similar legislation and calls upon State legislative leaders to support such legislation.

RESOLUTION ADOPTED with Aye(1868). (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 233 of 2007 **DATED:** August 28, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - BEECHNUT SURCHARGES (SANITARY DISTRICT)

Resolution by Supervisor: McMahon Seconded by Supervisor: Quackenbush

WHEREAS, the Sanitary District Board has recommended that additional revenue from surcharges at BeechNut, due to a lack of pretreatment, be recognized in the 2007 Operating Budget to cover additional costs incurred by the District,

RESOLVED, the Montgomery County Board of Supervisors hereby authorizes and directs the County Treasurer to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

G-26-3-2120-00 BEECH NUT 0 & M / SURCHARGE \$ 51,900.00

TRANSFER TO:

G-26-4-8120-00-4438 MI SC. SUPPORTING SERVICES \$ 51, 900. 00

RESOLUTION ADOPTED with Aye(1868). (8/28/2007)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

**RESOLUTION NO.** 234 of 2007 **DATED:** August 28, 2007

RESOLUTION AWARDING BID 12-07 - SALE OF SURPLUS VEHICLES AND EQUIPMENT (PURCHASING)

Resolution by Supervisor: Jonker Seconded by Supervisor: Greco

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 July 30, 2007, and

WHEREAS, the Purchasing Agent, Commissioner of Department of Public Works, Sheriff, Director of Data Processing, Director of Real Property, and Director of Weights and Measures 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 12-07 as follows:

Awarded to Pro-Tech Scale Service of Amsterdam:

Item #13 - 20 Fifty-Pound Test Weights for \$220.00

Awarded to Dado's Inc. Truck & Equipment Sales of Broadalbin:

Item #2 - 1995 Larson Sander for \$2.00 Vin #95505

Awarded to Lawrence Hidde of Fort Hunter:

Awarded to Richard Mueller of Fort Plain:

Item #18 - Dell Optiplex GX200 for \$5.00

Item #19 - Dell Optiplex GX300 for \$5.00

Item #20 - Dell Optiplex GX400 for \$15.00

Item #30 - Dell Optiplex GX115 for \$5.00

Awarded to Dave Giovannone of St. Johnsville:

Item #8 - 1996 Dodge Ram Van for \$605.00
Vin #2B5WB35Y3TK155870

Awarded to Liberty Motors Inc. of Jersey City, NJ:

Item #7 - 2002 Ford Crown Victoria for \$807.99
 Vin #2FAFP71W62X128755

Item #31 - 2000 Ford Crown Victoria for \$507.99
 Vin #2FAFP71W6YX178922

Awarded to Corey Nellis of Fort Plain:

Item #4 - 1995 Ford Taurus for \$206.00 Vin #1FALP5243SA243245

Awarded to Apollo Northeast Sales & Service, Inc. of Johnstown:

Item #1 - 1995 International Dump for \$16,002.00
 Vin #1HTGGAUT1SH651603

Awarded to Greg Oliver:

Item #10 - Micro-Master 5xViewer fro \$10.00

Item #11 - Digitizer Calcomp for \$10.00

Item #17 - Dell Optiplex GX1 for \$5.00

Item #33 - Dell 17" Monitor for \$5.00

Awarded to Gary White:

Item #16 - Dell Optiplex GX1 for \$5.00

Item #32 - Dell 17" Monitor for \$5.00

, and

FURTHER RESOLVED, that New York State sales tax of 8% will be collected on all taxable items sold.

RESOLUTION ADOPTED with Aye(1868). (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 235, Supervisor McMahon wondered why a government entity would want to lease space for longterm use, instead of buying or building space.

Supervisor Cechnicki stated that the Board should make more careful consideration on this whole issue prior to passing Resolutions.

Supervisor Dybas wondered if the County's IDA could be utilized instead of an outside architect firm.

Supervisor Thomas stated that, on the plus side, any building owner that the County would lease from would be paying taxes to the County.

Supervisor Strevy stated that the Supervisors haven't made a decision on where to build, which should be the first step.

Chairman DiMezza spoke in support of the Resolution.

**RESOLUTION NO.** 235 of 2007 **DATED:** August 28, 2007

RESOLUTION AUTHORIZING DISTRIBUTION OF REQUEST FOR PROPOSALS - LEASE AGREEMENT - NEW COUNTY OFFICE BUILDING (PURCHASING)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Quackenbush

WHEREAS, Resolution 132 of 2004 and Resolution 133 of 2007 authorized the Chairman to sign an agreement with Teitsch-Kent-Fay Architects, P.C. for the provision of architectural services to assist with the decision to construct new county office buildings, and

WHEREAS, the Montgomery County Needs Assessment Committee has held numerous discussions, interviews and presentations regarding the construction of said buildings and has also reviewed building and site plans for a new County Office Building at another Location, and

WHEREAS, the Needs Assessment Committee, in conjunction with Teitsch-Kent-Fay, has recommended that the County seek proposals for a lease agreement for said building and an adequate site to house this building,

RESOLVED, that the Purchasing Agent, in cooperation with the Needs Assessment Committee, Montgomery County Board of Supervisors and the various affected Departments, hereby is authorized and directed to solicit proposals for a lease with a purchase option for a new County Office Building at an adequate site, as outlined in the attached RFP "Montgomery County Municipal Building Project".

RESOLUTION ADOPTED with Aye(1277). Supervisors Schumann, McMahon, Paton and Cechnicki voted

Nay. Supervisor Stagliano abstained. (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 236 of 2007 **DATED:** August 28, 2007

RESOLUTION AUTHORIZING DISTRIBUTION OF REQUEST FOR PROPOSALS - LEASE AGREEMENT - NEW DEPARTMENT OF PUBLIC WORKS FACILITY (PURCHASING)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Dybas

WHEREAS, Resolution 132 of 2004 and Resolution 133 of 2007 authorized the Chairman to sign an agreement with Teitsch-Kent-Fay Architects, P.C. for the provision of architectural services to assist with the decision to construct new county office buildings, and

WHEREAS, the Montgomery County Needs Assessment Committee has held numerous discussions, interviews and presentations regarding the construction of said buildings and has also reviewed building and site plans for a new DPW Building at another location, and

WHEREAS, the Needs Assessment Committee, in conjunction with Teitsch-Kent-Fay, has recommended that the County seek proposals for a lease agreement for said building and an adequate site to house these building,

RESOLVED, that the Purchasing Agent, in cooperation with the Needs Assessment Committee, Montgomery County Board of Supervisors and the various affected Departments, hereby is authorized and directed to solicit proposals for a lease with a purchase option for a new County Office Building at an adequate site, as outlined in the attached RFP "Montgomery County Department of Public Works Project".

RESOLUTION ADOPTED with Aye(1174). Supervisors Schumann, McMahon, Strevy, Paton and Cechnicki voted Nay. Supervisor Stagliano abstained. (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 237, Supervisor Jonker wondered if an unsuspecting landowner or landlord be held guilty, so he doesn't support the Resolution.

Chairman DiMezza stated that if a landowner has intent or knowledge of the situation, he would be held liable, but that each situation would be evaluated by the responding law enforcement agent. He also stated that this Resolution is ideal for parents who don't or can't say "no" to their children who want a drinking party hosted at the home.

Supervisor Cechnicki stated that he strongly supports the Resolution for personal reasons.

Supervisor Walters stated that he has faith in the police officers making the right decision.

### **RESOLUTION NO.** 237 of 2007 **DATED:** August 28, 2007

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW #2 OF 2007 - A LOCAL LAW WHICH PROHIBITS THE CONSUMPTION OF ALCOHOLIC BEVERAGES BY MINORS ON PRIVATE PROPERTY

Resolution by Supervisor: Schumann Seconded by Supervisor: Thomas

WHEREAS, on July 24, 2007 a proposed Local Law for the County of Montgomery County which prohibits the consumption of alcoholic beverages by minors on private property was presented to the Board of Supervisors for consideration, and

WHEREAS, on July 24, 2007, Resolution 198 of 2007 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 28th day of August, 2007 at the time and place appointed, and

WHEREAS, said public hearing has been held,

RESOLVED, that Introductory Local Law No. 2 of 2007 which prohibits the consumption of alcoholic beverages by minors on private property hereby is adopted and is incorporated as follows:

BE IT ENACTED, by the County of Montgomery, New York, as follows:

Sec. 1. Prohibition against consumption of alcoholic beverages by minors on private property.

(a) Legislative Intent.

It is the purpose of this section to protect the public interest, welfare, health and safety within the County of Montgomery by prohibiting the services to and consumption of alcoholic beverages and drugs by persons under the age of twenty-one (21) at private premises located in the County. The Montgomery County Board of Supervisors finds that the occurrence of social gatherings at private premises where alcoholic beverages or drugs are served to or consumed by persons under the age of twenty-one (21) is harmful to such persons themselves and a threat to public welfare, health and safety. The Montgomery County Board of Supervisors finds further that persons under the age of twenty-one (21) often obtain alcoholic beverages or drugs at such gatherings and that persons who are in control of such premises know or have reason to know of such service and/or consumption and will be more likely to ensure that alcoholic beverages and drugs are neither served to nor consumed by persons under the age of twenty-one (21) at these gatherings.

(b) Definitions.

For the purpose of this section, the following terms shall be defined as follows:

Alcoholic beverage means any liquor, wine, beer, spirits, cider or other liquid or solid, patented or not, composed of or containing alcohol or spirits, whether or not brewed, fermented or distilled, and capable of being consumed by a person; except that confectionary containing alcohol as provided in Subsection 12 or 200 Agriculture and Markets Law shall not be considered alcoholic beverage within the meaning of this section.

Control means the authority and ability to regulate, direct of dominate.

Drug means and includes any substance listed in Section 3306 of the Public Health Law.

Minor means any person under the age of twenty-one (21).

Open House Party means a social gathering at a residence or other private property with minors present.

Person means a human being and where appropriate, a public or private corporation, an unincorporated association, a partnership, a government or a governmental instrumentality.

Premises means any home, apartment, condominium, co-operative unit or other dwelling unit of any kind, including yards and open areas adjacent thereto.

(c) Prohi bi ti on.

No person having control of any premises shall allow an open house party to take place at said residence if such person knows or has reason to know that any alcoholic beverage or drug is being unlawfully possessed, served to or consumed by a minor at said residence.

(d) Exceptions.

The provisions of this section shall not apply to:

- (1) the possession or consumption of an alcoholic beverage by persons lawfully permitted to do so pursuant to Section 65-c of the New York State Alcohol Beverage Control Law, or any other applicable law; or
- (2) The possession or consumption of a drug for which the individual has a current, valid prescription or as otherwise permitted by any other applicable law.
- (e) Inconsistency with Other Laws.
- (1) If any part or provision of this section is inconsistent with any federal or sate statute, law, rule or regulation, then such statute, law, rule or regulation shall prevail.
- (2) If any part or provision of this section or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this section, or the application thereof to other persons or circumstances.
- (f) Penal ti es.

Failure to comply with subsection (c) above shall constitute a violation, punishable by a fine which shall not exceed two hundred fifty dollars (\$250.00), or imprisonment not exceeding fifteen (15) days or a combination of such fine and imprisonment as shall be fixed by the court."

Section 2. This Local Law shall take effect immediately.

, 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(1499). Supervisors Dybas, Mancini and Stagliano voted Nay. (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Supervisor Walters clarified Resolution 238.

Chairman Di Mezza stated his support of the Resolution.

**RESOLUTION NO.** 238 of 2007 **DATED:** August 28, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN A CONTRACT FOR SHARED SERVICES RELATED TO DEMOLITION OF BUILDINGS WITHIN MONTGOMERY COUNTY MUNICIPALITIES

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Cechni cki

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 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, by Resolution 150 of 2006, the Montgomery County Board of Supervisors authorized entering into agreements with other municipalities in Montgomery County for the purpose of sharing services, 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, there are several buildings throughout Montgomery County that require demolition by the municipalities in which said buildings are located, and

WHEREAS, in order to further save the taxpayers money, it has been recommended that the same approval be given to the Chairman for contracts with other municipalities related to the demolition these buildings,

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 related to the demolition of buildings throughout Montgomery County, and

WHEREAS, a standard contract 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, contracts with any or all of the municipalities located within Montgomery County for the purpose of sharing services related to demolition projects throughout the County.

RESOLUTION ADOPTED with Aye(1868). (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Chairman Di Mezza stated that he is withdrawing Resolution 239 and returning it to General Services Committee for further consideration. There were no objections.

**RESOLUTION NO.** 239 of 2007 **DATED:** August 28, 2007

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

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GREEN & SEIFTER, ATTORNEYS, PLLC - SOLID WASTE MANAGEMENT PLANNING (BOARD OF SUPERVISORS)

Resolution by Supervisor: Wal ters Seconded by Supervisor: Di Mezza

WHEREAS, Montgomery County recommends the hiring of a law firm to advise and consult with the Board with respect to solid waste management planning, including analysis of applicable federal and state requirements and assessment of potential strategies for management of the County's generated solid waste stream from and after the time when the arrangements currently in place have ceased to apply.

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 to provide said services as delineated in Attachment A hereto with Green & Seifter Attorneys, PLLC of Albany, NY and be it

FURTHER RESOLVED, that payment of services in said agreement shall not exceed \$25,000, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingent

TRANSFER TO:

A-01-4-1010-00-4431 Professional Services

RESOLUTION WITHDRAWN BY SPONSOR (8/28/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### CHAIRMAN'S COMMENT

Chairman Di Mezza stated that, at the request of Supervisor Dybas, all members of the Ethics Board will receive a letter asking them to meet and asking for nominations for the Board's Chairman.

### **ADJOURNMENT**

MOTION TO ADJOURN by Supervisor Cechnicki, seconded by Supervisor Jonker, passed with Aye(1868).

Chairman Di Mezza adjourned the meeting at 8:20 PM.

Respectfully submitted,

## PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - EDUCATION/GOVERNMENT

7:00 PM, September 4, 2007

### COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Paton, Johnson, and Jonker. Absent were Supervisors Cechnicki, Schumann and Stagliano.

Additional Supervisors present was Supervisor DiMezza. Absent were Supervisors Greco, Strevy, Quackenbush, Mancini, Thomas, Dybas and Walters.

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

- Resolution Authorizing Chairman to Sign Change Order #1 and Closeout Contract - David Jablonski Construction Corporation, Inc. - Student Services Building Roof Replacement Project (FMCC)
- 2. Resolution Authorizing Chairman to Sign Change Orders #1 FPI Mechanical, Inc. Steam System Upgrades/MEP Project (FMCC)
- 3. Resolution Approving 2008 Capital Project Phase I Mechanical System Upgrades Classroom Building Renovation Project (FMCC)
- 4. Resolution Authorizing Chairman to Sign Agreement Phillips Associates - Design Plans and Bid Specifications - Phase I Mechanical System Upgrades - Classroom Building Renovation Project (FMCC)
- 5. Resolution Authorizing Chairman to Sign Amended Agreement C.T. Male Associates Air Monitoring and Laboratory Services Steam System Upgrade/MEP Project (FMCC)
- Resolution Supporting FMS Workforce Development Board, Inc. in Applying for a Regional Grant Entitled "Regional Economic Transformation Strategies through a Sector of Cluster Based Approach" (RFP #13-N)
- 7. Other

(Clerk's note: Attorney Doug Landon was not present for tonight's meeting.)

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

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

Item #3: Supervisors Johnson and Paton made a motion and seconded, respectively, to sponsor the Resolution.

Chairman McMahon clarified the Resolution, stating that an early start is needed on the design of the project so it can be done in one session, and the Resolution should be moved to the Finance Committee for review. There were no objections.

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

(Clerk's note: Agenda item #4 is contingent on item #3 passing through Finance Committee.)

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

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

Item #7, Other: FMCC President Dr. Dusty Swanger stated that he would like to present to the Board

(prior to the next Full Board meeting) an update on the Capital Plan. There were no objections.

(Clerk's note: President Swanger will contact the office of the Board of Supervisors with meeting details.)

He also stated that he would like to have a meeting with the Montgomery Board of Supervisors and the Fulton Board of Supervisors for additional discussion regarding the pool situation.

Supervisor Jonker stated that Resolution 211, passed last month, clearly states this Board's position on the pool.

 $\hbox{\it Chairman Di\,Mezza stated that he supports a meeting between FMCC, the Fulton County Board of Supervisors and the Montgomery County Board of Supervisors.}$ 

President Swanger invited the Supervisors to tour the College, so that they can see for themselves the repairs needed around the college.

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

Chairman McMahon adjourned the Education/Government Committee meeting at 7:14 PM.

Respectfully submitted,

## PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE OF THE WHOLE

6:15 PM, September 11, 2007

### COMMITTEE MEETING DISCUSSION

Chairman Di Mezza presided over the meeting commencing at 6:17 PM.

Roll call indicated that Supervisors Quackenbush, Johnson, Greco, Paton, McMahon, Strevy, Stagliano, Dybas, Cechnicki, Thomas, Jonker, Mancini were present.

Absent were Supervisors Walters and Schumann.

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

6:15 PM - Presentation Tim Bratton - Gershman, Brickner & Bratton, Inc.
 Erin Crotty - The Crotty Group

"Phase I Report - Findings and Recommendations concerning the Montgomery-Otsego-Schoharie Solid Waste Management Authority"

Item #1: Olga Podmajersky stated that MOSA has entered into a planning process to determine options available post-2010. She said that MOSA is reaching out to the County for input into long-range planning so the best services will be provided.

She introduced MOSA Board of Trustees Chairman Ed Wesnofske. He stated that October 13 will be the household hazardous waste collection day.

He stated that last Saturday, the Montgomery County Water Quality Coordinating Committee held a volunteer clean-up day of North Chuctanunda Creek. He said they collected 3160 pounds of litter in the Creek, which flows in and around the park in the City of Amsterdam. He also stated that it would be a show of support if the Board of Supervisors sent a letter of appreciation to the leaders of the effort.

 ${\tt Mr.}$  Wesnofske spoke in support of the Initial Planning Consultants and Subcontractors who were hired for this phase.

Tim Bratton (of Gershman, Brickner & Bratton, Inc.) briefly spoke on the Phase 1 Study's findings and recommendations. He stated there are 4 key areas of needed improvement: resource allocation (i.e. financial resources, skilled personnel, equipment), communication (i.e. with County, haulers, general public), planning (i.e. long range, strategic) and government (i.e. organization within the Board of Trustees).

Supervisor Walters entered Chamber at 6:30 PM.

Mr. Bratton stated that there is a need for updating or enacting Local Laws (i.e. Supreme Court's decision on flow control) and cited the lack of designating MOSA in the hauler contracts.

Erin Crotty (of the Crotty Group) summarized the multi-paged document titled "Phase 1 Report of Findings and Recommendations Concerning MOSA", particularly the strategic recommendations, including:

a more meaningful and productive dialog within the Board of Trustees, outreaching to the Board of Supervisors, and moving into Phase 2;

the hiring of more staff (incl. A Financial Analyst) as needed;

creating a flow control law within MOSA counties (incl. licensing and enforcing components);

advising the County to utilize Attorney Mike Cahill, who is an expert on Flow Control Law, having argued it to the Supreme Court;

improving communications that would include the ability to speak to operators at the transfer stations;

an annual self-evaluation by each Board member to determine if the Board and various committees are functioning as needed;

and the development of guidelines for appointments to the MOSA Board of Trustees.

An annual joint strategic planning retreat (to include the Board of Supervisors, Board of Trustees

and MOSA staff;

the development of plain language document explaining the Reserve Funds;

and a Phase 2 study to explore the alternatives in the future.

When queried by Supervisor Stagliano, Mr. Bratton stated that some alternatives may include a regional landfill or hauling some of the waste out of the service area.

Supervisor Walters stated that one alternative would be for an outside person/business to come in and take over MOSA and run it like a business. Also, he stated that MOSA should pursue other money making opportunities.

Supervisor Thomas stated that MOSA is no longer affordable, and neither are the alternatives.

Chairman Di Mezza stated that MOSA have put several small haulers right out of business, as they cannot afford to take the waste to MOSA.

He spoke in support of the draft Resolution to be entertained in tonight's General Services Committee meeting (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GREEN & SEIFTER, ATTORNEYS, PLLC - SOLID WASTE MANAGEMENT PLANNING), which would hire an objective firm to represent the needs of Montgomery County.

Chairman DiMezza reminded Mr. Bratton of an email he sent him outlining a plan that MOSA rejected, which would have saved the County \$1,000,000.

In consideration of time, Supervisors Dybas and Stagliano made a motion and seconded, respectively, to adjourn the Committee of the Whole Meeting. There were no objections.

Chairman Di Mezza adjourned the Meeting at 7:22 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - PUBLIC SAFETY 7:00 PM, September 11, 2007

### COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 7:22 PM.

Roll call indicated Committee members present included Supervisors Strevy, Dybas, Cechnicki, Greco and Jonker. Absent was Supervisor Schumann.

Additional Supervisors present were Quackenbush, Johnson, Paton, McMahon, Stagliano, Walters, Mancini and DiMezza.

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

- Resolution Amending 2007 Operating Budget Radio Equipment Repair (Emergency Management)
- 2. Resolution Amending 2007 Operating Budget Medical Fees (Coroner)
- 3. Discussion Regarding Safety Issues and NYMIR Recommendations
- 4. Other

Item #1: The Resolution was sponsored by Supervisors Walters and Jonker, respectively, and moved to the full Board with a positive recommendation. There were no objections.

When queried by Supervisor Stagliano, County Treasurer Shawn Bowerman stated that the Contingent Account is below \$100,000.

Item #2: The Resolution was sponsored by Supervisors Dybas and Strevy, respectively, and moved to the full Board with a positive recommendation. There were no objections.

Item #3: Safety Officer David Guiliano disseminated a multi-paged document titled "Montgomery County NYMIR Loss Control Survey Recommendations Report". He asked all the present Supervisors to review it in their spare time. He stated that the recommendations are seriously being worked on by the carriers.

He stated that the "Sexual Harassment" training is finished, and the "Violence in the Workplace" training is upcoming.

Chairman Thomas stated that he would like to see the training offered to the Towns and Villages where appropriate. There were no objections.

Item #4, Other: There were no other discussion items.

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

Chairman Thomas adjourned the Public Safety Committee meeting at 7:27 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - HEALTH & HUMAN SERVICES 7:05 PM, September 11, 2007

### COMMITTEE MEETING DISCUSSION

Chairman Jonker presided over the meeting commencing at 7:28 PM.

Roll call indicated Committee members present included Supervisors Quackenbush, Dybas, Strevy, Paton, Mancini and Thomas.

Additional Supervisors present were Johnson, Greco, McMahon, Stagliano, Cechnicki, Walters, and DiMezza. Absent was Supervisor Schumann.

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

- 1. Resolution in Opposition to the State Imposing Local Cost to Counties for the replacement of Connections Computers (Social Services)
- Resolution Authorizing Chairman to Sign Agreement Fulmont Community Action Agency, Inc. - Home Energy Assistance Outreach Services (Social Services)
- 3. Other

Item #1: Social Services Commissioner William Cranker clarified the Resolution.

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.

Supervisor Dybas commented that the State should reimburse the County. Commissioner Cranker agreed.

Item #2: Social Services Commissioner William Cranker clarified the Resolution.

Supervisors Strevy 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.

Motion was made and seconded by Supervisors DiMezza and Dybas, respectively, to adjourn the Committee meeting.

Chairman Jonker adjourned the Health & Human Services Committee meeting at 7:31 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - GENERAL SERVICES 7:10 PM, September 11, 2007

### COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:31 PM.

Roll call indicated Committee members present included Supervisors Quackenbush, Stagliano, Cechnicki, Paton, Greco and Strevy.

Additional Supervisors present were Johnson, McMahon, Di Mezza, Mancini, Thomas, Dybas and Jonker. Absent was Supervisor Schumann.

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

- Resolution Authorizing Chairman to Sign Agreement Green & Seifter, Attorneys, PLLC - Solid Waste Management Planning
- 2. Other

Item #1: Supervisors DiMezza and Thomas made a motion and seconded, respectively, to sponsor the Resolution.

Chairman DiMezza stated that this is the time to move forward, and spoke in support of the Resolution.

In answering a query by Supervisor Quackenbush, Attorney William Helmer (from Green & Seifter) stated that legally, counties are the preferred entities for managing solid waste in NYS, and spoke in support of utilizing Consultant Paul Buzash.

Supervisor Jonker stated that he believes the Resolution (and related study) is premature.

Supervisor Stagliano spoke in support of potentially using a landfill.

Supervisor Strevy spoke in support of letting them (GBB and the Crotty Group) do their jobs first prior to pursuing another firm.

Chairman Walters stated that the County must move forward now, but the Board of Supervisors can't agree on what should be done after 2014. He also stated that Montgomery County doesn't have the power to sway the MOSA Board of Trustees.

Supervisor Thomas stated that there is no guarantee that MOSA will take the GBB study seriously.

Supervisor Quackenbush stated that he trusts Erin Crotty's unbiased opinion, based on his Town's past dealings with her.

The Resolution was moved to the full Board with a positive recommendation. Supervisor Cechnicki objected.

Item #2, Other: Chairman Walters stated that a Saturday Committee Meeting of the Whole (to be scheduled by the Board of Supervisor's office) could continue the dialog that was started earlier with Crotty Group and GBB, if the Board desires. There were no objections.

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

Chairman Walters adjourned the General Services Committee meeting at 8:04 PM.

Respectfully submitted,

## PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - PERSONNEL

7:00 PM, September 17, 2007

### COMMITTEE MEETING DISCUSSION

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

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

Additional Supervisors present were Paton, Stagliano, Thomas, Jonker, and Dybas. Absent were Supervisors Strevy, Cechnicki and Schumann.

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

- Resolution Authorizing Chairman to Sign Agreement Culture Index, Inc. - Employment Pre-screening Application (Personnel)
- 2. Resolution Reappointing Commissioner of Social Services
- 3. Resolution Adopting Montgomery County Workplace Violence Policy
- 4. Other

Chairman Quackenbush stated that today is Supervisor Paton and Supervisor Mancini's birthday.

Item #1: Supervisors Johnson and DiMezza made a motion and seconded, respectively, to sponsor the Resolution.

When queried by Supervisor Stagliano, Personnel Officer Rich Baia clarified the pre-screening measure.

Supervisor Greco stated that the local hospital has something similar to this and if all the Department Heads embrace this, it will be a good management tool. Chairman Quackenbush concurred.

Supervisor Johnson spoke her support of the Resolution.

Supervisor McMahon stated that a Department Manager would be making any final hiring decision, irregardless of the pre-screening results.

Following roll call, the Committee chose to move the Resolution to the full Board with no recommendation. Chairman Quackenbush and Supervisor McMahon objected moving the Resolution out of Committee.

Item #2: Previously sponsored and seconded by Supervisors DiMezza and Mancini, respectively, the Resolution was moved to the full Board with a positive recommendation. There were no objections.

Item #3: Rich Baia disseminated the new "Workplace Violence Prevention Plan" to all present Supervisors. He stated that it is mandatory that all employees be trained in violence prevention in 2007.

Supervisors Johnson and Thomas made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Dybas objected that the policy wasn't available for reviewing prior to this Committee meeting.

Chairman DiMezza spoke in support of the Resolution, asking that it be a Full Board Resolution.

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

Item #4, Other: Add-on RESOLUTION AMENDING 2007 OPERATING BUDGET - ENHANCED CPS STAFFING FUNDS (SOCIAL SERVICES).

When queried by Supervisor Jonker, Social Services Commissioner William Cranker clarified the Resolution (and related funding).

Supervisors DiMezza and McMahon made a motion and seconded, respectively, to sponsor the Resolution.

Chairman DiMezza stated that he supports the Resolution and stated that the County will continue to support CPS program at budget time if additional personnel is needed.

CPS Department Head Cheryl Baumes stated that the average caseload per caseworker in Montgomery County is 70. The recommended caseload is no more than 12-15. Commissioner Cranker stated that the common average is 20-25 per CPS social worker.

The Committee chose to move the Resolution 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 Quackenbush adjourned the Finance Committee meeting at 7:26 pm.

Respectfully submitted,

## PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - FINANCE

7:15 PM, September 17, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Greco presided over the meeting commencing at 7:27 PM.

Roll call indicated Committee members present are Supervisors Quackenbush, Johnson, McMahon, Walters, Mancini and Jonker.

Additional Supervisors present were Thomas, DiMezza, Dybas, Paton and Stagliano. Absent were Supervisors Strevy, Schumann, and Cechnicki.

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

- Resolution Approving 2008 Capital Project Phase I Mechanical System Upgrades - Classroom Building Renovation Project (FMCC)
- Resolution Authorizing Chairman to Sign Agreement Phillips Associates - Design Plans and Bid Specifications - Phase I Mechanical System Upgrades - Classroom Building Renovation Project (FMCC)
- 3. Discussion Regarding 2008 Budget
- 4. Other

Item #1: Supervisor McMahon clarified the Resolution and spoke of the timeliness of the project.

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

County Treasurer Shawn Bowerman stated that since we're between a \$4.5-5M gap now, this may have to be bonded. He said that the County share of the project for 2009 and 2010 is close to \$1M per year per county.

He stated that the state will pay 50% of the project costs, and each county must pay 25% (the remainder). He stated that Montgomery County must be prepared to pay 50%, should Fulton County falter.

FMCC President Dusty Swanger spoke in support of the Resolution. He stated that, to the best of his knowledge, Fulton County is moving forward with this Resolution as well as the two Water infiltration projects, for a total local share of \$738K.

Chairman DiMezza spoke in support of bonding.

Supervisor Jonker stated that the Resolution should be contingent on Fulton County's support also.

Supervisor Quackenbush spoke in support of a meeting with the Treasurer and Finance Committee Chair or Board Chair with their Fulton County counterparts to discover Fulton County's agenda.

Chairman DiMezza stated that there will be a joint meeting on October 15 at  $7:00\,$  PM for the College Trustees, FC and MC Boards to iron out the pool problem and any other issues.

The Committee chose to move the Resolution 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: Chairman Greco stated that the October procedure will be as follows:

By Monday, October 1st, Treasurer Bowerman will submit his "2008 Tentative Budget and 5-Year Capital Plan" to the Board. The Finance Committee meetings with Department Heads will commence the following week, using the same guidelines as last year, with completion of meetings by October 20th.

Supervisor Quackenbush spoke in support of beginning the meetings immediately after receiving the Treasurer's budget.

Chairman Greco suggested that the meetings occur on October 3rd, 4th, 8th, 9th, 10th, and 11th, starting at 6:30PM.

Supervisor Stagliano questioned the rush to have the meetings since the budget isn't formally due

until December, and asked that the Fund Balance be included in the printouts.

Supervisor Dybas asked that everyone have an understanding of the potential increase of the tax rate at each request level, similar to last year. There were no objections.

Item #4: There were no other discussion items.

Supervisors Jonker and Walters made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Greco adjourned the Finance Committee meeting at 7:58 PM.

Respectfully submitted,

## PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY REGULAR MEETING

7:00 PM, September 25, 2007

### CALL TO ORDER

Chairman Di Mezza called the Regular Meeting of the Montgomery County Board of Supervisors for September 25, 2007 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, Stagliano, Dybas, Cechnicki, Schumann, Walters, Thomas, Jonker, and Mancini were present.

### PRIVILEGE OF THE FLOOR

### A. Public Comment

Chairman Di Mezza asked if anyone wished to speak.

Steve Hellman, resident of the Village of Fultonville and Secretary of "Citizens Against Local Landfills", spoke against local landfills and burn plants, stating there is no economic advantage.

There were no other speakers.

Chairman Di Mezza adjourned Public Comment at 7:07 PM.

### MOTION TO AMEND THE AGENDA

MOTION TO AMEND AGENDA by Supervisor McMahon, seconded by Supervisor Dybas, to add RESOLUTION 256 ("RESOLUTION OF THE BOARD OF SUPERVISORS MONTGOMERY COUNTY, INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE NYS TAX LAW") at the end of NEW BUSINESS, passed with Aye(1868).

### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (Aug. 28 - Sept. 17, 2007) by Supervisor Mancini, seconded by Supervisor Quackenbush, passed with Aye(1868).

### APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Quackenbush, seconded by Supervisor Johnson, passed with Aye(1732). Supervisor Dybas abstained.

### **UNFINISHED BUSINESS**

### **NEW BUSINESS**

- A. Resolutions
- B. Other

### **RESOLUTION NO.** 240 of 2007

**DATED:** September 25, 2007

RESOLUTION APPROVING 2008 CAPITAL PROJECT - PHASE I - MECHANICAL SYSTEM UPGRADES - CLASSROOM BUILDING RENOVATION PROJECT (FMCC)

Resolution by Supervisor: Johnson Seconded by Supervisor: Paton

WHEREAS, Resolution 164 of 2007 authorized a contract with Phillips Associates, of Saratoga Springs, NY to prepare an implementation schedule and updated cost estimates for the mechanical, electrical and plumbing projects identified in the 2005 Master Plan for the Classroom Building for a proposed 2008 Capital Project, and

WHEREAS, Phillips Associates has completed said report and determined that upgrades are necessary to the Mechanical System in the Classroom Building as the existing HVAC system is deteriorating quickly, and

WHEREAS, said project would include replacing the existing system including some upgrades for temperature control and selected asbestos abatement, and

WHEREAS, it is also recommended that the project be set up in such a way that it is completed over a single summer season (2008) spanning the normal spring HVAC system shutdown in May and the system startup in October, and

WHEREAS, said project cost is estimated at \$2,330,000, which would require a commitment from Montgomery County in the 2008 Budget of \$582,500.

RESOLVED, that the Montgomery County Board of Supervisors hereby approves the Phase I - Mechanical System Upgrades as part of the Classroom Building Renovation Project which will be completed in 2008 at an estimated cost of \$2,330,000, and requires a commitment from Montgomery County in the 2008 Budget of \$582,500.

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. (9/25/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 241 of 2007 **DATED:** September 25, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PHILLIPS ASSOCIATES - DESIGN PLANS AND BID SPECIFICATIONS - PHASE 1 MECHANICAL SYSTEM UPGRADES - CLASSROOM BUILDING RENOVATION PROJECT (FMCC)

Resolution by Supervisor: Jonker Seconded by Supervisor: Di Mezza

WHEREAS, by Resolution 240 of 2007, the Board of Supervisors authorized a capital project at Fulton-Montgomery Community College entitled - Phase I Mechanical System Upgrades - Classroom Building Renovation Project, and

WHEREAS, Phillips Associates has reviewed this proposed project and recommended that it be implemented between the completion of the spring 2008 and startup of the fall 2008 semesters, and

WHEREAS, in order for this project to be ready for construction in May of 2008, Phillips Associates has recommended that Fulton and Montgomery Counties immediately commence the design work on this project, and

WHEREAS, given Phillips Associates' background work on this project, it has been recommended that this firm would be in the best position to prepare the design plans and bid specifications for this project,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign an agreement with Phillips Associates of Saratoga, NY to prepare design plans and bid specifications for the Classroom Building Renovation Project - Phase I Mechanical System Upgrades at Fulton-Montgomery Community College at a cost not to exceed \$80,250, and

FURTHER RESOLVED, that monies for Montgomery County's share of this contract shall be paid out of the 2008 Budget as approved by Resolution 240 of 2007 for the Classroom Building Renovation Project - Phase I Mechanical System Upgrades, 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. (9/25/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 242 of 2007 **DATED:** September 25, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - C.T. MALE ASSOCIATES - AIR MONITORING AND LABORATORY SERVICES - STEAM SYSTEM UPGRADE/MEP PROJECT (FMCC)

Resolution by Supervisor: Paton Seconded by Supervisor: Johnson

WHEREAS, Resolution 171 of 2007 authorized an agreement with C.T. Male Associates for Air Monitoring and Laboratory Services of the abatement contractor on the Steam System Upgrade/MEP Project at Fulton-Montgomery Community College at a cost not to exceed \$7,000, and

WHEREAS, the \$7,000 contract amount was based upon an estimated amount of time that would be performed by C.T. Male to provide air monitoring and laboratory services and the contract stipulated that the actual schedule of the roofing contractor would dictate the number of hours of time C.T. Male would have be on the site to perform air monitoring services as well as determine the number of samples that would require laboratory testing, and

WHEREAS, the actual amount of time and laboratory samples that needed to be tested exceeded what was originally estimated in the contract, and

WHEREAS, it has been recommended that Amendment No. 1 to C.T. Male's contract be approved in the amount of \$700

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 C.T. Male Associates at a cost not to exceed \$7,700, and

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

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas abstained. (9/25/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 243 of 2007

**DATED:** September 25, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDERS #1 - FPI MECHANICAL, INC. - STEAM SYSTEM UPGRADES/MEP PROJECT (FMCC)

Resolution by Supervisor: Jonker Seconded by Supervisor: Di Mezza

WHEREAS, the approved 2007 Capital Projects at FMCC include a project entitled Steam System Upgrades/MEP Project, and

WHEREAS, Resolution 30 of 2007 authorized a contract with Phillips Associates of Saratoga Springs, NY, for engineering design services and bid specifications for said project, and

WHEREAS, advertising was completed and bids were received for said projects and Resolution 169 authorized an agreement with FPI Mechanical, Inc. for a Base Bid at \$248,000, an Alterante Bid for Asbestos Abatement at \$52,850, an Alteranate Bid for Replacement of Roof Exhaust Fans on the PE Bldg at \$21,300, and Alternate Bid to Install Condensate Pipe in the Gym \$12,000 and an Alternate Bid to Replace Exhaust Fans in College Union at \$13,400, for a total contract of \$323,550, and

WHEREAS, Several issues have arisen during the course of the FMCC M-E-P (Steam Systems Upgrade Project) that have required authorization be given to FPI Mechanical to perform additional work, and

WHEREAS, Each of these items have been reviewed by Phillips Associates, the consulting engineer providing construction administration services on behalf of Fulton and Montgomery Counties for this project and in all instances, Phillips Associates has recommended that the additional work was needed and it be completed at an additional cost to the contract, and

WHEREAS, a Change Order is required to be approved relative to the additional work that FPI Mechanical has been directed to perform,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign Change Order #1 with FPI Mechanical, Inc. on the Steam System Upgrade Project as follows:

 Encapsulation of Asbestos on Deaerator Tank in PE Building Mechanical Room: \$ 2,508.08

2) Clothes Dryer Vent in PE Building:

\$ 4,502.88

3) New Check Valves at Deaerator Tank in PE Building Mechanical Room:

\$ 661.00

4) New Pumps for Condensate Tank in PE Building Mechanical Room:

\$ 4,712.00

Total Change Orders No. 1:

\$12, 383. 96

ORI GI NAL CONTRACT AMOUNT: \$323,550.00 CHANGE ORDER NO. 1: (+)\$ 12,383.96 REVI SED CONTRACT AMOUNT: \$335,933.96

(The cost of Change Order No. 1 would be charged to the FMCC M-E-P Renovation — Contingency Account)

FURTHER RESOLVED, that this resolution shall be contingent upon passage of a similar resolution by the Fulton County Board of Supervisors

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas voted Nay. (9/25/2007)

Douglas Landon County Attorney Kimberly Sanborn

Clerk, Board of Supervisors

**RESOLUTION NO.** 244 of 2007 **DATED:** September 25, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER #1 AND CLOSEOUT CONTRACT - DAVID JABLONSKI CONSTRUCTION CORPORATION, INC. - STUDENT SERVICES BUILDING ROOF REPLACEMENT PROJECT (FMCC)

Resolution by Supervisor: Paton Seconded by Supervisor: Johnson

WHEREAS, Resolution 447 of 2006 authorized a contract with Steven E. Smith, P.E. to prepare plans and specifications for the Student Services Building Roof Replacement Project, and

WHEREAS, Resolution 113 of 2007 authorized advertising for bids for this project and bids were received on May 23, 2007, and

WHEREAS, Resolution 167 of 2007 awarded said bid to David Jablonski Construction Corporation, Inc. for replacement of the Student Services Building Roof at a cost not to exceed \$142,740, and

WHEREAS, said contract included an allowance of \$3,000 for additional work to the mechanical mansard for \$1,450, and

WHEREAS, said additional work will need to be authorized in a change order and the remaining \$1,550 to be credited back to Fulton and Montgomery Counties to close out the 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 Change Order #1 with David Jablonski Construction Corporation, Inc. and close out said contract as follows:

Original Contract Amount: \$142,740.00
Change Order #1: (-) \$ 1,550.00
Revised Contract Amount: \$141,190.00
Less Amount Paid to Date: \$78,812.00
Bal ance Due: \$62,378.00

A 5% retainage (\$7,042.00) will be withheld until all punchlist work is completed.

, and

FURTHER RESOLVED, that this resolution is contingent upon passage of a similar resolution by the

Ful ton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1732). Supervisor Dybas voted Nay. (9/25/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Supervisor Dybas clarified Resolution 245, explaining the related salary increases. He stated that he's signed the Memorandum of Understanding and also encourages the Chairman to sign.

### **RESOLUTION NO.** 245 of 2007

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

**DATED:** September 19, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - UNION AGREEMENT - FACULTY ASSOCIATION OF COLLEGE EDUCATORS (FMCC)

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, During the 2006-07 Academic Year, representatives from Fulton-Montgomery Community College Administration, the Fulton County Board of Supervisors, the Montgomery County Board of Supervisors, and the FMCC Board of Trustees, and members of the Faculty Association of College Educators (FACE) were involved in contract negotiations, and

WHEREAS, after several months of discussion and mediation, the two negotiating teams came to a four-year agreement between the College and FACE, and

WHEREAS, the FMCC Board of Trustees has accepted and ratified modifications to the agreement between Fulton-Montgomery Community College and the FACE, and

WHEREAS, The FMCC Board recommends that the Fulton County and Montgomery County Boards of Supervisors ratify these modifications as well,

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

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

RESOLUTION ADOPTED with Aye(1868). (9/25/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 246 of 2007 **DATED:** September 25, 2007

RESOLUTION SUPPORTING FMS WORKFORCE DEVELOPMENT BOARD, INC. IN APPLYING FOR A REGIONAL GRANT ENTITLED 'REGIONAL ECONOMIC TRANSFORMATION STRATEGIES THROUGH A SECTOR OF CLUSTER BASED APPROACH' (RFP #13-N)

Resolution by Supervisor: Johnson Seconded by Supervisor: Di Mezza

WHEREAS, the FMS Workforce Development Board Inc. is in discussions regionally with Saratoga, Washington, Warren; Capital District, and Columbia-Greene WIBs to apply for a regional grant entitled "Regional Economic Transformation Strategies through a Sector of Cluster Based Approach" (RFP #13-N), and

WHEREAS, the FMS Workforce Development Board, Inc. has a long history of working with these Workforce Investment Boards to provide regional workforce summits and other workforce initiatives, and

WHEREAS, In addition to a short-term planning grant of \$50,000, there is a one-year, \$500,000 grant, renewable for an additional two years which could bring over \$1.5 million into our region to help improve our region's competitive advantage by improving the supply and quality of our workforce, and

WHEREAS, the focus of the grant would be to develop a general technology platform that would support developing careers in Advanced Manufacturing, Nanotechnology, Biotechnology, Energy, and Construction.

RESOLVED, that the Montgomery County Board of Supervisors does hereby support the Fulton, Montgomery, and Schoharie Counties Workforce Development Board, Inc. in its efforts to establish a partnership with other Local Workforce Investment Areas of the capital region, as well as a broad based coalition of business leaders, economic developers, educational organizations, and community based organizations, to address regional training needs related to emerging technologies through a Request for Proposals entitled "Regional Economic Strategies through a Sector or Cluster Based Approach."

RESOLUTION ADOPTED with Aye(1868). (9/25/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Supervisor Dybas stated that, regarding Resolution 247, the County isn't siting a landfill, contrary to public opinion.

Supervisor Stagliano confirmed that Environmental Conservation Law requires that we have a solid waste management plan in place.

Supervisor Strevy stated that he previously did not support the Resolution because the Phase 1 report would not have be available in a timely manner. But that issue has been resolved, and he now supports the Resolution.

Supervisor Walters stated that he also supports the Resolution.

### RESOLUTION NO. 247 of 2007

**DATED:** September 25, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GREEN & SEIFTER, ATTORNEYS, PLLC - SOLID WASTE MANAGEMENT PLANNING

Resolution by Supervisor: Full Board

Seconded by Supervisor:

TRANSFER TO:

WHEREAS, Montgomery County recommends the hiring of a law firm to advise and consult with the Board with respect to solid waste management planning, including analysis of applicable federal and state requirements and assessment of potential strategies for management of the County's generated solid waste stream from and after the time when the arrangements currently in place have ceased to apply.

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 to provide said services as delineated in Attachment A hereto with Green & Seifter Attorneys, PLLC of Albany, NY and be it

FURTHER RESOLVED, that payment of services in said agreement shall not exceed \$25,000, and

FURTHER RESOLVED that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingent \_\_

\_\_\_\_

A-01-4-1010-00-4431 Professi onal Servi ces \_\_\_\_\_

MOTION TO AMEND by Supervisor Greco, seconded by Supervisor Johnson as follows:

by inserting at the end of the first FURTHER RESOLVED clause "cost for said services will be incorporated in the 2008 budget.",  $\,$ 

and striking the last FURTHER RESOLVED clause passed with Aye(1868). (9/25/2007)

RESOLUTION ADOPTED with Aye(1663). Supervisors Schumann and Cechnicki voted Nay. (9/25/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 248 of 2007 **DATED:** September 25, 2007

MANAGEMENT)

Resolution by Supervisor: Wal ters Seconded by Supervisor: Jonker

WHEREAS, the radio equipment at Amsterdam Memorial Hospital has stopped transmitting, and

WHEREAS, this radio equipment is necessary to activate emergency personnel to any call in the eastern part of Montgomery County, and

WHEREAS, 3 quotes were received with the lowest quote being \$5,218.00 by Pittsfield Communications, and

WHEREAS, money needs to be transferred to cover the cost of this equipment,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00. 4400 Contin

Contingent Account

Contractual Expenses

\$5, 218. 00

TRANSFER TO:

A-02-4-3020-00. 2250

Public Safety Comm System

Technical Equipment

\$5, 218. 00

RESOLUTION ADOPTED with Aye(1868). (9/25/2007)

Douglas Landon

Kimberly Sanborn

County Attorney

Clerk, Board of Supervisors

**RESOLUTION NO.** 249 of 2007 **DATED:** September 25, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - MEDICAL FEES (CORONER)

Resolution by Supervisor: Dybas Seconded by Supervisor: Strevy

WHEREAS, it is necessary to transfer funds into the medical fees appropriation line to cover expenses in the Coroner's Budget for the remainder of the fiscal year,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400

Contingent Account

\$6,000

TRANSFER TO:

A-29-4-1185-00-4436

Medical Fees

\$6,000

RESOLUTION ADOPTED with Aye(1710). Supervisor Quackenbush abstained. (9/25/2007)

Douglas Landon County Attorney Kimberly Sanborn

Clerk, Board of Supervisors

**RESOLUTION NO.** 250 of 2007 **DATED:** September 25, 2007

RESOLUTION REAPPOINTING COMMISSIONER OF SOCIAL SERVICES

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, the term of the Commissioner of Social Services expires on December 31, 2007, and

WHEREAS, it has been recommended that the incumbent be reappointed to a five-year term,

RESOLVED, that, in accordance with NYS Social Service Law - Article 3/Title 7-B(Section 116), William M. Cranker hereby is reappointed Commissioner of Social Services, for a five-year term expiring on December 31, 2012 at an annual base salary of \$58,205, and

FURTHER RESOLVED, that said reappointment is effective January 1, 2008.

RESOLUTION ADOPTED with Aye(1868). (9/25/2007)

Douglas Landon County Attorney Kimberly Sanborn

Clerk, Board of Supervisors

RESOLUTION NO. 251 of 2007 **DATED:** September 25, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - ENHANCED CPS STAFFING FUNDS (SOCIAL SERVICES)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: McMahon

WHEREAS, the Commissioner of Social Services has received notification of \$19,725 funding allocated for enhanced CPS staffing for salary and fringes for one Caseworker in Child Protective Services starting in October 2007, expenditures must be made by March 31, 2008,

WHEREAS, the Commissioner is requesting that the 2007 Budget be amended to provide funding for one Caseworker,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

INCREASE REVENUE:

State Aid DSS Admin. A-18-3-3610-00 \$6,970

INCREASE APPROPRIATION:

A-18-4-6010-00. 1110 (505) Caseworker \$6,970

RESOLUTION ADOPTED with Aye(1868). (9/25/2007)

Douglas Landon Kimberly Sanborn

County Attorney Clerk, Board of Supervisors

RESOLUTION NO. 252 of 2007 **DATED:** September 25, 2007

RESOLTUION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FULMONT COMMUNITY ACTION AGENCY, INC. - HOME ENERGY ASSISTANCE OUTREACH SERVICES (SOCIAL SERVICES)

Resolution by Supervisor: Strevy Seconded by Supervisor: McMahon

WHEREAS, the Home Energy Assistance Program (HEAP) is a federally funded program for energy services supplied to vendors for consumers who are eligible for HEAP benefits, and

WHEREAS, the Commissioner of Social Services has made recommendation to contract with Fulmont Community Action Agency, Inc. to provide outreach services to the elderly people of Montgomery County,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized and directed to sign an agreement with Fulmont Community Action Agency, Inc. for the provision of Home Energy Assistance Outreach Services.

RESOLUTION ADOPTED with Aye(1868). (9/25/2007)

Douglas Landon Kimberly Sanborn County Attorney Clerk, Board of Supervisors

RESOLUTION NO. 253 of 2007 **DATED:** September 25, 2007 RESOLUTION IN OPPOSITION TO THE STATE IMPOSING LOCAL COST TO COUNTIES FOR THE REPLACEMENT OF CONNECTIONS COMPUTERS

Resolution by Supervisor: Dybas Seconded by Supervisor: Paton

WHEREAS, CONNECTIONS is the child welfare component of the welfare management system that is the responsibility of the state per Social Services Law Section 21 (7) (a), which says that "The full cost of expenditures by the state for the design, development and implementation of the welfare management system shall be borne by the state, utilizing any federal funds made available for such purposes.", and

WHEREAS, Commissioners of Local departments of social services received a Letter from the New York State Office of Children & Family Services (OCFS) on July 3, 2007. This Letter indicated that the state would no longer pay for child welfare computer equipment and that they would drastically reduce training and field support. Local commissioners were informed that all computers will need to be replaced within the next two years because the operating system will be out-of-date and will no longer support the program, and that counties are expected to pay approximately \$1,100 local dollars for each computer needed (23 in Montgomery County), and

WHEREAS, New York State's latest plan for CONNECTIONS was not approved by the Federal Administration for Children and Families due to financial, operational and technical concerns, and state reimbursement from the federal government was cut as a result, and

WHEREAS, CONNECTIONS has served as New York State's method for reporting adoption and foster care data to the federal government. Local districts are required to use the state's system in spite of the persistent problems and the burden it has placed on caseworkers who struggle to spend more time with children and families, and

WHEREAS, It is an unfunded mandate to transfer the costs of these computers onto counties and onto the voluntary providers that they contract with for services,

RESOLVED, Montgomery County Board of Supervisors agree that The CONNECTIONS computer system is the state's fiscal responsibility and that New York State must be held responsible for the infrastructure of the state's automated case management system for child welfare as required under Social Services Law Section 21 (7) (a), which says that "The full cost of expenditures by the state for the design, development and implementation of the welfare management system shall be borne by the state, utilizing any federal funds made available for such purposes", and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors request the Governor, the NYS Department of Budget and the NYS Office of Children and Family Services to reconsider their demand for county fiscal responsibility for this matter and that New York State follow the above referenced state law eliminating this unfunded mandate by taking responsibility as directed by law.

RESOLUTION ADOPTED with Aye(1868). (9/25/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

When queried by Supervisor Dybas, Personnel Officer Rich Baia stated that the policy referenced in Resolution 254 is a requirement of signed legislation which took effect on July 1st.

**RESOLUTION NO.** 254 of 2007

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

**DATED:** September 25, 2007

Lebeson Lohnson

RESOLUTION ADOPTING MONTGOMERY COUNTY WORKPLACE VIOLENCE POLICY

Resolution by Supervisor: Johnson Seconded by Supervisor: Thomas

WHEREAS, NYS Labor Law, Article 2, Section 27-B states that the duty of public employers is to develop and implement programs to prevent workplace violence to ensure that the risk of workplace assaults and homicides is evaluated by affected public employers and their employees and that such employers design and implement workplace violence protection programs to prevent and minimize the hazard of workplace violence to public employees, and

WHEREAS, said law requires every employer evaluate its workplace or workplaces to determine the presence of factors or situations in such workplace or workplaces that might place employees at risk of occupational assaults and homicides, and

WHEREAS, said law further requires that every employer with at least twenty full time permanent employees shall develop and implement a written workplace violence prevention program for its workplace or workplaces, and

WHEREAS, the Personnel Officer, in conjunction with the Safety Officer, has compiled a recommended policy to comply with said law,

RESOLVED, that the Montgomery County Board of Supervisors hereby adopts the Montgomery County Workplace Violence Policy attached hereto and made part of this resolution.

RESOLUTION ADOPTED with Aye(1868). (9/25/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Supervisor Johnson spoke in support of Resolution 255 as a cost-saving measure.

Supervisor Quackenbush asked how the survey could be of use, when extensive hiring procedures are already in place.

Chairman DiMezza asked for a roll call vote. The Resolution failed.

**RESOLUTION NO.** 255 of 2007

**DATED:** September 25, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CULTURE INDEX, INC. - EMPLOYMENT PRE-SCREENING APPLICATION (PERSONNEL)

Resolution by Supervisor: Johnson Seconded by Supervisor: Di Mezza

WHEREAS, to help enhance the recruitment of quality employees and also to ensure the retention of those employees, there needs to be an additional effective pre-screening measure for those candidates being considered for hiring, and

WHEREAS, besides using Civil Service eligible lists, contacting former employers, personal references and going through the probationary period, the use of the Cultural Index Survey is another tool that gives the appointing authority a further, in-depth, glimpse of the personality, work habits, and social structure for that candidate which helps aid the appointing authority in making a quality recruitment decision, and

RESOLVED, that the Montgomery County Personnel Department be permitted to purchase the Cultural Index program for 2007-2008 at a base price of \$8,000.00 and \$1,800.00 per person for training, and

FURTHER RESOLVED, that the following personnel will be trained: Personnel Officer, Personnel Associate, Sheriff, Commissioner of Social Services, Commissioner of Public Works, and further cost including management workshops, utilization programs fees, utilization training, and travel expenses, which the total cost will not exceed \$19,800.00 for the first year from 10/1/07 through 9/30/08, and

FURTHER RESOLVED, that the \$19,800.00 fee be expensed from A-10-4-1430-00-4438 (Miscellaneous Support), 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 Culture Index, Inc. for services rendered for one (1) year effective 10/1/07 through 9/30/08.

RESOLUTION DEFEATED with Aye (356). Supervisors Johnson and Di Mezza voted Aye. (9/25/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

County Attorney Doug Landon clarified Resolution 256. He stated that this is the County's formal enactment to impose the 1% sales tax. He stated that the distribution agreement is already in place.

When queried by Supervisor Schumann, Treasurer Shawn Bowerman stated that the 1% will help stabilize taxes for the years to come, and that we are facing a \$4M gap.

Supervisors Walters, Jonker and Thomas spoke in support of the Resolution.

Supervisor Cechnicki noted the lack of public interest in attending meetings where any dissention could be voiced.

**RESOLUTION NO.** 256 of 2007

**DATED:** September 25, 2007

RESOLUTION OF THE BOARD OF SUPERVISORS MONTGOMERY COUNTY, INCREASING TAXES ON SALES AND

USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE NYS TAX LAW

Resolution by Supervisor: Greco Seconded by Supervisor: Strevy

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

SECTION 1. Section 4-A of Resolution No. 311, enacted by the Board of Supervisors of the County of Montgomery on December 5, 1967, and amended by Resolution 116 of 2003 and Resolution 235 of 2005, imposing sales and compensating use taxes, is amended to read as follows:

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

Pursuant to the authority of Section 1210 of the Tax Law, in addition to the sales and compensating use taxes imposed by Sections 2 and 4 of this resolution, there is hereby imposed and there shall be paid an additional one percent rate of such sales and compensating use taxes, for the period beginning June 1, 2003, and ending November 30, 2009. Such additional taxes shall be identical to the taxes imposed by such Sections 2 and 4 and shall be administered and collected in the same manner as such taxes. All of the provisions of this resolution relating to or applicable to the administration and collection of the taxes imposed by such Sections 2 and 4 shall apply to the additional taxes imposed by this section, including the applicable transitional provisions, limitations, special provisions, exemptions, exclusions, refunds and credits as are set forth in this resolution, with the same force and effect as if those provisions had been incorporated in full into this section and had expressly referred to the additional taxes imposed by this section.

- SECTION 2. Paragraph (B) of subdivision (1) of Section 11 of Resolution No. 311 enacted by the Board of Supervisors of the County of Montgomery on December 5, 1967, and as amended by Resolution 116 of 2003 and Resolution 235 of 2005, imposing sales and use taxes, is amended to read as follows:
  - (B) With respect to the additional tax of one percent imposed for the period beginning June 1, 2003, and ending November 30, 2009, in respect to the use of property used by the purchaser in this County prior to June 1, 2003.

Section 3. Subdivision (b) of section 14 of Resolution No. 311 enacted by the Board of Supervisors of the County of Montgomery on December 5, 1967 and as amended by Resolution 116 of 2003 and Resolution 235 of 2005, imposing sales and use taxes, is amended to read as follows:

- (b) Notwithstanding subdivision (a) of this section, pursuant to section 1262 of the New York Tax Law and Resolution No. 61 of 2006 adopted by the Board of Supervisors on January 24, 2006, for the period December 1, 2006, through June 30, 2009:
- (1) Fifty percent of net collections from the county's taxes imposed by this resolution at a rate of three percent shall be set aside for the county purposes. Fifteen percent of the net collections from such taxes imposed at the rate of three percent shall continue to be allocated and paid monthly to the city of Amsterdam. The remaining thirty-five percent of net collections from such taxes imposed at the rate of three percent shall continue to be allocated and paid quarterly to the area of the county outside such city; that is, to the towns and villages in such area. Such allocations and payments to the city and to the towns and villages shall be made in the manner that they have been made under the agreement between the county and the city entered into pursuant to the authority of section 1262 ( c ) of the New York Tax Law that runs through June 30, 2009.
- (2) Ninety percent of net collection from the county's additional one percent rate of taxes imposed by this Resolution shall be set aside for county purposes. The remaining ten percent of net collections from such taxes imposed at the additional rate of one percent shall continue to be allocated and paid monthly to the city of Amsterdam. Such allocations and payments to the city shall be made in the manner that they have been made under the agreement between the county and city entered into pursuant to the authority of section 1262(c) of the New York Tax Law that runs through June 30, 2009.

Section 4. This enactment shall take effect December 1, 2007.

RESOLUTION ADOPTED with Aye(1663). Supervisors Schumann and Cechnicki voted Nay. (9/25/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor Mancini, passed with Aye(1868). Chairman DiMezza adjourned the meeting at 7:38 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - AGRICULTURE, PLANNING & DEVELOPMENT 7:00 PM, October 2, 2007

### COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Strevy, Dybas, Thomas and Jonker. Absent were Supervisors Schumann and Walters.

Additionally present were Supervisors Greco, Paton and DiMezza. Supervisors Quackenbush, McMahon, Mancini, Cechnicki and Stagliano were absent.

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

- Presentation Jonathan Raser Tetra Tech Pre-Disaster Mitigation Project Update
- 2. Resolution Authorizing Chairman to Sign Agreement Memorandum of Understanding Canajoharie Tourism Booth
- 3. 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
- 4. Resolution Authorizing Chairman to Sign Amended Agreement Mohawk Valley Snowmobile Clubs, Inc. (Economic Development and Planning)
- 5. Other

Item #1: Doug Greene, Senior Planner, disseminated a one page "Letter of Intent" to all present Supervisors. The letter outlines a particular town or village's interest in committing to participate in the development of the All Hazards Disaster Mitigation Plan.

Jonathan Raser (Tetra Tech) stated that FEMA requires that all local governments have a plan in place (a plan approved by FEMA and adopted by the County's municipalities) for a municipality to be eligible to apply for and receive funding that's available from grants. He stated that the funding (\$100M, which is available from outside sources under different grants) could be used for property buy-outs, storm water maintenance & improvements, etc.

He stated that an interested community must first do a risk assessment, then create an action plan.

He stated that municipalities must submit a Letter of Intent to the County, attend informational meetings, and write an action plan, which is under a specific timeline. He asked that the Letter of Intent should be submitted to EOD as soon as possible.

He stated that the County will have a Steering Committee in place that will be available to assist the municipalities.

I tem #2: Chairman Johnson clarified the Resolution. Supervisor Dybas questioned the need for the Resolution.

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

Item #3: Supervisors Dybas 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 #4: Supervisors DiMezza 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 #5, Other: There was no other discussion.

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

Chairman Johnson adjourned the Agriculture, Planning & Development Committee meeting at 7:24 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - EDUCATION/GOVERNMENT 7:15 PM, October 2, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 7:24 PM in Chairman McMahon's stead.

Roll call indicated Committee members present included Supervisors Johker, Johnson and Paton. Absent were Supervisors McMahon, Cechnicki, Schumann and Stagliano.

Additional Supervisors present were Supervisors Greco, Strevy, Thomas, and Dybas. Absent were Supervisors Quackenbush, Mancini and Walters.

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

- 1. Resolution Awarding Bid Steven Miller Contracting Electrical Vault Water Leak Remediation Project (FMCC)
- 2. Resolution Authorizing Chairman to Sign Agreement Phillips Associates - Construction Administration Services - Electrical Vault Water Leak Remediation Project (FMCC)
- 3. Resolution Authorizing Chairman to Sign Change Order #2 FPI Mechanical, Inc. Steam System Upgrades/MEP Project (FMCC)
- 4. Resolution Authorizing Distribution of RFP 2008 Capital Projects College Union & Library Building Water Infiltration Projects (FMCC)
- 5. Resolution Amending 2007 Operating Budget Special Election Costs (Board of Elections)
- 6. Other

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

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

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

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

I tem #5: Supervisors Dybas and Strevy made a motion and seconded, respectively, to sponsor the Resolution.

Chairman DiMezza wondered where the \$33,000 figure came from, and asked the Clerk to send a letter to the Board of Elections asking for clarification.

The Resolution was moved to the Finance Committee for further consideration. There were no objections.

Item #6, Other: There was no other discussion.

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

Chairman DiMezza adjourned the Education/Government Committee meeting at 7:30 PM.

Respectfully submitted,

#### PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISOR'S CHAMBERS **COMMITTEE MEETING - FINANCE** 6:30 PM, October 3, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Greco presided over the meeting commencing at 6:35 PM.

Roll call indicated Committee members present are Supervisors Quackenbush, Johnson, McMahon, Walters and Mancini Absent was Supervisor Jonker.

Additional Supervisors present were Dybas, Paton and Stagliano. Absent were Supervisors Strevy, Schumann, and Cechnicki, Thomas and DiMezza.

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

1. 2008 Tentative Operating Budget Workshop - The Finance Committee will be holding Departmental Reviews as listed below.

Cooperative Extension 6: 30 PM History and Archives Public Health 6:40 PM

6:50 PM

7:00 PM Treasurer

7:10 PM Board of Supervisors

7:20 PM Coroner

(These times are approximate; the next scheduled department will follow at the conclusion of each.)

#### 0ther

To all present Supervisors, Chairman Greco disseminated a budget "score sheet" to help ease the budget process.

At the request of Supervisor Dybas, Treasurer Shawn Bowerman will provide an up-to-date list of revenues/expenditures figures per department.

Supervisor Stagliano cautioned the Supervisors regarding the overuse of the Fund Balance.

Chairman Greco recommended that the department review of the Board of Supervisors be moved to the last night of the budget workshop (Oct. 16), and be the last item on the agenda for that night. There were no objections.

Chairman Greco asked that Administrative Aide Jacki Meola send to memo all Supervisors indicating the change in the agenda for the October 16 budget workshop.

#### Item #1:

Cooperative Extension - Director Marilyn Smith requested a 5% increase from both counties (\$7,700) for operational expenses. She stated that Fulton County Economic Development Committee has approved the request. She highlighted the ongoing and new projects taking place within the Cooperative Extension, including the "Harvest Map".

She also requested that the \$15,000 Economic Development contract (which was added to this line item last year) be removed from the base, to prevent future confusion. There were no objections to Treasurer Bowerman creating a separate line item for that contract. There were no objections

History & Archives- Historian/Records Management Officer Kelly Farquhar disseminated a document to all present Supervisors outlining the 2006 budget variances. She also requested an IP address for a public-use computer, which can potentially create a revenue of 10-15%.

She also requested upgrading a current Clerk and hiring a new part-time Senior Clerk Typist, due to the increase in workload.

Public Health - Director Kim Conboy disseminated a multi-page document outlining the 2006 variance analysis as previously requested. She stated that the 3-5 Program is the largest draw on the budget. She stated that the Department may be approximately \$220,000 under budget this year due to a shift in CPS services.

She stated that grants are being used to offset salaries, which leaves a lack of funds for office supplies. She also stated the cost for Early Intervention medical evaluations is increasing, as are the costs of vaccines and mileage.

At the request of Supervisor Stagliano, the PH Department will be sending a memo to the Committee justifying the need for the increase to \$3,500 for mileage (line item #4471) and medical (line item #4445) supplies in the 4010 account.

Treasurer - Treasurer Shawn Bowerman disseminated a multi-page document to all present Supervisors outlining the departmental requests. He stated that, for revenues, he'll better know in 2 weeks how the sales tax figures will be. He also stated that the County is receiving 5% interest ("Interest & Earnings" line item) on the Fund Balance money.

Supervisor Stagliano stated that there are \$3.2M in expenditures over and above the County's revenue, and again cautioned the overuse of the Fund Balance.

Treasurer Bowerman spoke in support of an increase in the Deputy Treasurer's salary by 4.5%.

Supervisor Quackenbush stated that the Personnel Committee still needs to digest the information that will be forthcoming from the salary study as a whole, instead of making any salary decisions now. He suggested setting aside a certain amount of money for the budget in case increases are needed.

Treasurer Bowerman stated that a new printer is needed in the department.

Supervisor Johnson exited Chamber at 8:20 PM.

Coroner - Coroner Joe Riley estimated that medical fees will be greater than \$22,000 and may require transfers from the Contingency Fund. He stated that the need for Coroner services are on the rise.

Item #2, Other: There were no other discussion items.

Supervisors Quackenbush and Walters made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Greco adjourned the Finance Committee meeting at 8:31 PM.

Respectfully submitted,

#### PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISOR'S CHAMBERS **COMMITTEE MEETING - FINANCE** 6:30 PM, October 4, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Greco presided over the meeting commencing at 6:30 PM.

Roll call indicated Committee members present are Supervisors Quackenbush and Jonker. Absent were Supervisors Mancini, McMahon, Johnson and Walters.

Additional Supervisors present were Strevy and Paton. Absent were Supervisors Stagliano, Dybas, Cechnicki, Schumann, Thomas and Di Mezza.

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

- 2008 Tentative Operating Budget Workshop The Finance Committee will be holding Departmental Reviews as listed below.
  - 6:30 PM Audi tor 6:40 PM
  - Purchasing Economic Opportunity & Development Board of Elections 6:50 PM
  - 7:00 PM
  - 7:10 PM Weights and Measures Real Property
  - 7:20 PM
  - 7:30 PM Sheri ff

(These times are approximate; the next scheduled department will follow at the conclusion of each.)

#### 2. 0ther

Chairman Greco stated that he may alter the order of the agenda items based on the participation of Department Heads.

#### Item #1:

Purchasing - Purchasing Agent Scott Surento stated that he concurs with the Treasurer's recommendations and has no issues.

Auditor - Auditor Marco Zumbolo stated that a printer is needed in the department and is in agreement with the Treasurer's figures.

Supervisor Stagliano entered Chamber at 6:40 PM.

Board of Elections - Election Commissioner Joan Grainer stated that the State/Federal Aid is reduced because some funds have arrived earlier than anticipated.

She also stated that there is a possibility that the Dept. of Justice may require the Board of Elections to put a handicap access polling device in all 33 polling sites in the County, which will be to considerable cost.

Chairman Walters entered Chamber at 6:46 PM.

Economic Opportunity & Development - Director Ken Rose stated that a Program Assistant will be upgraded to a Specialist position, whereby eliminating a position. Other than that, he feels the budget is on target.

Supervisor Stagliano stated that the County should be more pro-economic development, providing setaside funds for anticipated future projects. Chairman Greco stated that further discussion on this very subject will take place at the next regular Finance Committee meeting on October 16. There were no objections.

Weights & Measures - Director Nicholas Bartosik stated that there is a new inspection and fining procedure on the books, and he's not sure how that will affect the revenue in 2008.

Real Property - Director Flo Stanton disseminated a document to all present Supervisors highlighting the 2006 budget variances. She stated that a grant has been received to offset Computer costs for software and supporting services, but has no other significant changes to the budget.

Sheriff - Sheriff Mike Amato stated that the main changes are salary increases related to the contract. He stated that an additional Deputy is needed due to increased workload. He also stated there won't be much change in revenue.

Replying to a query by Supervisor Quackenbush, Sheriff Amato stated that two Deputies have left due to low salaries.

The Sheriff expressed dismay at the lack of action to the non-bargaining salary issue.

He also stated that in the Civil Office, the Senior Civil Account Clerk is being replaced by a Chief Civil Account Coordinator. He also stated that it's time to replace one of the jail-use cars.

Item #2, Other: There were no other discussion items.

Supervisors Quackenbush and Jonker made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Greco adjourned the Finance Committee meeting at 7:56 PM.

Respectfully submitted,

#### PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - FINANCE 6:30 PM, October 9, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Greco presided over the meeting commencing at 5:30 PM.

Roll call indicated Committee members present was Supervisor Quackenbush. Absent were Supervisors Johnson, McMahon, Walters, Mancini and Jonker.

Additional Supervisors present were Thomas, Strevy and Dybas. Absent were Supervisors Di Mezza, Paton and Stagliano, Schumann, and Cechnicki

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

- 2008 Tentative Operating Budget Workshop The Finance Committee will be holding Departmental Reviews as listed below.
  - 5:30 PM Veterans
  - County Clerk Probation 5:40 PM
  - 5:50 PM
  - 6: 15 PM Data Processing
  - 6:30 PM Office for the Aging
  - 6:40 PM County Attorney
  - 6: 45 PM Personnel
  - 7:00 PM **Emergency Management**

(These times are approximate; the next scheduled department will follow at the conclusion of each.)

#### 0ther 2.

Chairman Greco stated that the order of the agenda will be determined by the attendance of the corresponding Department Heads.

Item #1: Veterans - Director William Mullarkey stated that his department is working with Social Services to solve transportation issues within both departments. He's asking for the restoration of \$4,000 in line item 57 (PT MV Operator).

Supervisor Quackenbush suggested that if Social Services help pay for part of the 4,000, that part could be recouped from other funding sources.

County Clerk - Clerk Helen Bartone stated that due to the Mortgage tax issue, the revenue will probably be decreased back down to \$650,000.

Supervisors Mancini and Johnson entered Chamber at 5:46 PM.

Probation - Director Lucille Sitterly stated that the Probation Department would like to lease a vehicle (line item #4422), which would thereby reduce the mileage line item. She also stated that the overtime line item has increased due to needed after-hours work of the Probation Officers.

Supervisor Stagliano entered Chamber at 5:57 PM.

Emergency Management - Director Gary Nestle stated, in summary, that there are only minor increases to the budget such as equipment repair, fire investigation supplies and upcoming fire investigation training travel costs. He stated that on the request by DPW Commissioner Paul Clayburn, his Department will need to come up with some money for fuel to heat the garage which houses trucks.

Director Nestle also stated that mileage allocation for EMS classes (line item #4471) could be reduced to \$500.

He stated that he's applied for a grant of \$108,000 from Homeland Security, and also that the State will be funneling money received from the Federal Government for Fire Management to the County at some point.

Supervisor McMahon entered Chamber at 6:11 PM.

Director Nestle stated that the radio system in the County is getting very old and parts are difficult to replace, which is an issue needing to be addressed in the near future. He stated that he is working with Sheriff Mike Amato on this issue as well as the microwave communication system i ssue.

County Attorney - Attorney Doug Landon stated that there are no significant changes to his budget.

Chairman Greco stated that Data Processing Director Deb Bain will not be able to attend tonight's meeting, so that department will be added to the October 15 Finance Committee agenda.

Office of the Aging - Exec. Director Eileen Broyles stated that the Department is pursuing grants to replace a couple of Meals on Wheels vehicles which are getting old.

Supervisor Jonker entered Chamber at 6:30 PM.

Supervisor Paton entered Chamber at 6:37 PM.

Personnel - Officer Rich Baia disseminated documents titled "Health Insurance Projections" and "2008 Dept. Succession Plan". He states that he is requesting the shifting of positions within the Personnel Department, which is reflected in the 2008 Departmental budget.

Chairman Di Mezza entered Chamber at 7:00 PM.

He also stated that line item #8850 (Fringe Benefits) should be reduced to \$4,800,000 for Health Insurance, based on his projections.

Replying to a query by Supervisor Stagliano, Treasurer Bowerman stated that the A Fund line is a true Health Insurance cost to the County (as seen in the back-up paperwork on page 50 of the Tentative Budget book).

Chairman Greco cautioned that any funds not allowed for in the budget for Health Insurance will need to be made up from the Fund Balance.

Replying to a query by Chairman Greco, Treasurer Bowerman stated that his estimated figure for the Fund Balance at year end is \$13,500,000.

Item #2, Other: Supervisor Quackenbush stated that the Personnel Study has been completed, and would like the info presented to the Finance Committee after the Public Safety and Health and Human Services Committees have adjourned. There were no objections to reconvening the Finance Committee after the other two committees have adjourned.

Supervisors Quackenbush and Greco made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Greco adjourned the Finance Committee meeting at 7:24 PM.

Chairman Greco presided over the meeting reconvening at 7:54 PM.

Roll call indicated Committee members present were Supervisors Quackenbush, Mancini, McMahon and Johnson. Absent was Supervisor Walters.

Additional Supervisors present were Thomas, Strevy, DiMezza, Paton, Stagliano and Dybas. Absent were Supervisors Schumann and Cechnicki.

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

- 1. County Comparison Analysis Study
- 2. Other

Item #1: Personnel Officer Rich Baia disseminated a document outlining various County Comparison Analysis of salaries.

Rich Baia and Administrative Aide Jacki Meola clarified the document.

Chairman DiMezza stated that the County would need to spend approximately \$32,000 to adjust the positions as listed in the shaded areas. He suggested that each Supervisor go through the list and decide who should receive a raise and submit that list to the Personnel Committee for further consideration.

Supervisor Quackenbush stated that the County could spend up to \$116,000 in a worst-case scenario.

Chairman Greco thanked the Special Committee for their work on the project.

Chairman Greco adjourned the reconvened Finance Committee meeting at 8:19 PM. There were no objections.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - PUBLIC SAFETY 7:15 PM, October 9, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 7:25 PM.

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

Additional Supervisors present were Quackenbush, Johnson, Paton, McMahon, Stagliano, Mancini and Di Mezza. Absent was Supervisor Walters.

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

- 1. Resolution 2008 Stop DWI Plan
- 2. Resolution Authorizing Chairman to Sign Grant Agreement NYS DOS Local Enhanced Wireless 911 Program (Sheriff)
- 3. Other

Item #1: The Resolution was sponsored and seconded by Supervisors Jonker and DiMezza, respectively, and moved to the full Board with a positive recommendation. There were no objections.

Item #2: The Resolution was sponsored and seconded by Supervisors Dybas and Strevy, respectively, and moved to the full Board with a positive recommendation. There were no objections.

Item #3, Other: Add-on RESOLUTION IN OPPOSITION TO GOVERNOR SPITZER'S PROPOSAL TO REMOVE THE TEMPORARY VISITOR LEGEND FROM NYS DRIVERS LICENSES FOR ALL FOREIGN VISITORS IN THE COUNTRY ON TEMPORARY VISAS.

The add-on Resolution was sponsored and seconded by Supervisors Greco and DiMezza, respectively.

Chairman DiMezza clarified and spoke in support of the Resolution and stated that the Governor's proposal is very unpopular among his constituents.

County Clerk Helen Bartone also clarified the Resolution and clarified the related NYS Driver's Licensing laws.

Supervisor Dybas stated that he does not support the Resolution because it is a restatement of existing laws.

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

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

Chairman Thomas adjourned the Public Safety Committee meeting at 7:34 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - HEALTH & HUMAN SERVICES 7:20 PM, October 9, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Jonker presided over the meeting commencing at 7:35 PM.

Roll call indicated Committee members present included Supervisors Quackenbush, Dybas, Strevy, Paton, Mancini and Thomas.

Additional Supervisors present were Johnson, Greco, McMahon, Stagliano and DiMezza. Absent were Supervisors Cechnicki, Walters and Schumann.

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

- Resolution Establishing a Public Hearing on Introductory Local Law #3
   of 2007 A Local Law which Establishes a Real Property Tax Exemption
   for Cold War Veterans
- Other

Item #1: Supervisors Quackenbush and McMahon made a motion and seconded, respectively, to sponsor the Resolution.

From a query by Supervisor Dybas, Attorney Doug Landon stated that there could be two Local Laws indicating both percentages, which would give the public an option during the Public Hearing to indicate their preference.

Supervisor McMahon spoke in support of the Board making the percentage decision and presenting it in Public Hearing.

After some debate, the Committee chose to move the Resolution to the full Board (indicating 15% and \$40,000 caps) with a positive recommendation. There were no objections.

Item #2. Other: Add-on RESOLUTION APPROVING ADDITIONAL CELL PHONE (VETERANS).

Supervisors Dybas and Quackenbush made a motion and seconded, respectively, to sponsor the add-on Resolution and move it to the full Board with a positive recommendation. There were no objections.

Item #3, Other: Supervisor Quackenbush stated that Veteran Director Mullarkey has written a transportation policy and would like to present it to the Board at the next Health & Human Services Committee meeting. There were no objections to adding the policy as a discussion item on the agenda.

When asked by Supervisor Mancini, Director Mullarkey stated that there is no safety procedure in place for providing transportation to Veterans with large oxygen tanks, which could potentially become a harmful projectile. The suggestion was made to utilize the Safety Officer's expertise in solving this dilemma.

Item #4, Other: Supervisor Quackenbush reminded the Board that Chairman Greco will be reconvening the Finance Committee immediately following this meeting. There were no objections.

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

Chairman Jonker adjourned the Health & Human Services Committee meeting at 7:54 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISOR'S CHAMBERS COMMITTEE MEETING - FINANCE 6:30 PM, October 10, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Greco presided over the meeting commencing at 6:35 PM.

Roll call indicated Committee members present are Supervisors Quackenbush, McMahon, and Mancini. Absent were Supervisors Jonker, Johnson and Walters.

Additional Supervisors present were DiMezza, Dybas, Paton and Strevy. Absent were Supervisors Stagliano, Schumann, Thomas, and Cechnicki.

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

 2008 Tentative Operating Budget Workshop - The Finance Committee will be holding Departmental Reviews as listed below.

6:30 PM Public Defender 6:40 PM District Attorney 6:50 PM Mental Health 7:00 PM Youth Bureau/ACSD 7:15 PM Public Works 7:30 PM Social Services

(These times are approximate; the next scheduled department will follow at the conclusion of each.)

#### Other

Chairman Greco stated that he will call on the Department Heads based on their presence in the Chamber.

Item #1: District Attorney - DA Jed Conboy stated that there are only minor changes to the budget, except for an addition of a Senior Clerk Typist.

Supervisor Stagliano entered Chamber at 6:38 PM.

Youth Bureau/ACSD - Director Jen Petteys stated that the changes are minor with the exception of line item #4559 (Outreach Program), which is a mini-grant program (programs too small to receive any state or federal programs, i.e. summer recreation, library programs, etc.).

She also stated that the DWI budget has no significant changes.

Public Defender - Chairman of the Board of Supervisors Thomas DiMezza spoke in William Martuscello's stead. He stated that the part-time "Account Clerk Typist" was increased to full time and changed to "Senior Clerk Typist" with a salary of \$24,591, which was incorrectly stated in the budget book (as "Account Clerk Typist"), and will be changed.

Supervisor Walters entered Chamber at 6:56 PM.

Mental Health - Director Jim Gumaer stated that the court-ordered services costs are unpredictable (line item #4433). He stated that the "Other Programs" line item (#4460) is to help staff a Psychiatric Nurse from St. Mary's Hospital who would be helping inmates at the County Jail. He stated that the state does not reimburse costs of court-ordered services or jail services.

When queried by Supervisor Dybas, he stated that he unaware if any of the Federal prisoners currently housed at the jail are receiving mental health services. If so, Federal funding may be available. Director Gumaer stated that he will look into the possibility of applying for Federal funding for that service.

He also stated that the state has advised Fulton and Albany Counties that there must be an inhouse Psychiatrist at their respective County Jails. He stated that 5% of the jail population are clinically mentally ill, and should be in state mental hospitals. However, the hospitals are closing state-wide, and releasing the mentally ill population into the general public, which produces some conflict. Hence, the 5% figure.

Public Works - Commissioner Paul Clayburn stated that the "A" Fund (Buildings & Grounds) budget figures reflects the need for building repairs and necessary equipment upgrades, but overall agrees with the County Treasurer's figures.

He stated that the "Electronics Technician" (line item #1190) is a title change from a supervisory

position within the "Hourly Employees" line item (#149), so there is no change in the bottom line.

Referring to the Road Fund, Commissioner Clayburn stated that road striping costs are increasing dramatically (line item #4465), but may be partially offset by CHIPS funding.

He stated that there is one added "Highway Laborer" position (line item #144). He also stated that the increase requested in the "preventative road and bridge maintenance costs" line item (#4448) will help with the needed bridge repairs on Bridge Street in St. Johnsville.

When queried, he stated that the Treasurer's cuts will definitely effect how and when roads can be repaired, and would like the cuts reconsidered.

Chairman Di Mezza exited Chamber at 7:31 PM.

Supervisor Stagliano suggested that the Bridge Street Bridge be added to the Capital Plan, so that it could be bonded and the money managed. Commissioner Clayburn stated that, as a general time frame, more promising bids are received earlier in the year than later.

Regarding the Road Machinery Fund, he stated that additional fuel use is anticipated for the current year, so the 2007 fuel expenditures will continue to increase. He also asked the Committee to reconsider the related line item #4441 reductions that the Treasurer has submitted, as the cost of fuel will continue to increase into 2008.

Social Services - Commissioner William Cranker disseminated several documents to all present Supervisors. He stated that the position of "Medical Audit Clerk" (line item #471) has been upgraded to "Sr. Medical Audit Clerk" (line item #1196).

He stated that due to several personnel vacancies, more money is needed to pay temporary employees. He also stated that computer equipment within the Department will need upgrading, as well as miscellaneous office furniture.

Supervisor Dybas asked that a chart showing the match between State/Fed revenue to their related programs be submitted to the Finance Committee for ease of comparison, if possible. There were no objections.

Supervisor Dybas exited Chamber at 8:07 PM.

When queried by Supervisor Stagliano, Commissioner Cranker stated that salaries for the additional needed CPS Case Workers (as discussed in the September Personnel Committee Meeting) are not in the 2008 budget. Supervisor Quackenbush asked that Commissioner Cranker supply the necessary salary figures to Treasurer Bowerman at or before the Oct. 15th Finance Meeting, for budgetary consideration. There were no objections.

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

Chairman Greco adjourned the Finance Committee meeting at 8:17 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISOR'S CHAMBERS COMMITTEE MEETING - FINANCE 6:30 PM, October 15, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Greco presided over the meeting commencing at 6:30 PM.

Roll call indicated Committee members present are Supervisors Jonker, Quackenbush, McMahon and Johnson. Absent were Supervisors Mancini and Walters.

Additional Supervisors present were Thomas, DiMezza, Dybas, Strevy, Paton and Stagliano. Absent were Supervisors Schumann and Cechnicki.

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

- 1. 2008 Tentative Operating Budget Workshop -
  - 6:30 PM Data Processing 6:45 PM Board of Supervisors
- 2. Finance Committee Recommendations to Board of Supervisors
- Other

#### Item #1:

Data Processing - Director Deb Bain stated that she is in agreement with the Budget Officer's figures. She also stated that new equipment is needed (a folder stuffer, a plate maker and a color copier/printer). That equipment would be reflected in line item #2259 ("Computer Equipment"), and the prices may change.

Supervisor Dybas encouraged Director Bain to consider leasing the needed equipment, so that there would be no down time should the equipment malfunction.

Director Bain stated that several departments don't allow for PC replacement in their budgets, so the Data Processing/Printing budget must pick up the monetary slack.

She stated that she would like to hire a Micro Computer Technician floater, who would be available to handle issues within Departments not housed at the Annex Building.

She stated that the drop in Shared Services is due to the "housecleaning" with Public Health.

Board of Supervisors - Chairman Greco stated that there are a couple of potential changes.

Supervisor Quackenbush supported increasing the salaries of the Board members to \$10,000 per year. Supervisor Stagliano stated there hasn't been a salary change since 2001. Supervisor Strevy stated that he supports the higher figure.

Chairman DiMezza stated that he encourages any Supervisor to submit a Resolution indicating an increase, so that all Supervisors can voice their opinion prior to the Public Hearing.

Responding to a query by Supervisor Dybas, Treasurer Shawn Bowerman stated that no Supervisor has turned in a mileage voucher in the past three years.

The Finance Committee members present, when polled, stated that they support the increase in Board of Supervisors salaries as well as the salary for the Chairman of the Board.

Regarding the Administrative Aide position, Supervisor Quackenbush questioned if legally a Budget Officer can reduce any salary at will. If not, there's no legal change, and no need to bring an unnecessary Resolution. He stated that the Board of Supervisors created this unique position, which hasn't changed over the years.

Treasurer Bowerman stated that of the seven counties, there were two similar positions of a much lower salary.

Item #2 (formerly item #3, Other): Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - SALES TAX DISTRIBUTION - CITY OF AMSTERDAM (BOARD OF SUPERVISORS).

This Resolution is sponsored and seconded by Supervisors DiMezza and Johnson, respectively.

Chairman DiMezza clarified and spoke in support of the Resolution. He stated that the Resolution would result in an additional \$300,000 sales tax revenue to the City of Amsterdam yearly.

He stated that future development is imminent in the Town of Amsterdam along Rte. 30 and that a reliable water system is paramount. He said that the Dept. of Health will not let the project proceed unless an agreement is in place with the City that allows for an increase in the water usage per day from 200,000 to 350,000. He said it's crucial to advise the Department of Transportation that the water line could be extended at the same time DOT will be improving the road. He said the Town will be spending \$3.5M to expand the water line to the Perth town line.

Amsterdam Mayor Joseph Emmanuel appeared before the Committee, stating that he has appreciated working with the Board of Supervisors over the years.

He also stated that the City is happy to support the water expansion project and increasing the water distribution to the Town by 150,000 gallons per day for said project.

He said the City is hoping to see an increase in the sales tax distribution to compensate this support. He stated that any growth in the Towns of Amsterdam and Florida will benefit the County in sales tax revenue.

Supervisor Strevy exited Chamber at 7:34 PM.

Supervisor Stagliano stated that he doesn't support the Resolution as it is pitting the towns against the city.

Supervisor McMahon stated that more thought is needed to consider this Resolution.

Chairman DiMezza stated that if the Resolution is not moved forward in the Finance Committee then another option would be for the Economic Development Committee to consider reviewing this resolution.

Chairman Greco asked if it's possible to hold a special meeting between EOD, the Finance Committee and the City of Amsterdam to further discuss the issue.

Chairman DiMezza stated that he is moving the Resolution to the full Board meeting for next week, with no recommendation.

Chairman Di Mezza exited Chamber at 7:48 PM.

Mayor Emmanuelle stated that he's going to ask the Council to table their Resolution for now, and exited the Chamber.

Supervisor Quackenbush stated that no rash decision should be made regarding the sales tax. He stated that if the Resolution won't be supported, options should be considered to help the City.

Supervisor Johnson asked that the Resolution be moved to the EOD Committee for consideration.

A Gazette reporter, upon entering Chamber, stated that the City Council have tabled the Resolution.

When polled, the Committee chose to table the Resolution. There were no objections.

Item #3 (formerly item agenda item #2, "Finance Committee Recommendations to Board of Supervisors"): Chairman Greco stated that he is sponsoring an add-on RESOLUTION AMENDING 2008 TENTATIVE OPERATING BUDGET - CORRECTIVE ADJUSTMENTS outlining the typos and errors ("housekeeping") which Treasurer Bowerman disseminated to the present Supervisors. Supervisor Johnson seconded the Resolution. The draft Resolution was moved to the full Board with a positive recommendation. There were no objections.

Treasurer Bowerman disseminated a two-page document titled "Recommendations by Chairman of Finance Committee". He clarified the changes outlined in said document. He also disseminated a document titled "Fund Balance Estimate".

Supervisor Johnson stated that she would like the Board to re-entertain the idea of hiring an Assistant Planner.

Chairman Greco stated that the salary recommendations on page two of the handout are based on the Personnel study. He stated that he would like to see the salary inequities split within the next two years (50%-50%).

Supervisor Quackenbush spoke in support of upgrading the salaries fully, effective 1/1/08.

Supervisor Stagliano stated that in the Corporate world, salaries are based on performance.

Chairman Greco stated that without a performance procedure in place, it's not the duty of the Board of Supervisors to evaluate the employees performances.

Supervisor Quackenbush stated that the intent of the study was to return their findings to Personnel Committee. At that point, the Personnel Committee would evaluate the findings and present them to the full Board. He stated that he feels that the study is only half-done, but that

funds (\$150,000) should be set aside in Contingency to accommodate the potential increases. He stated that he feels the Resolutions presented were premature.

Supervisors Stagliano and Dybas exited Chamber at 9:02 PM.

Chairman Greco stated that he will be presenting recommendations to the Finance Committee tomorrow. He said he will be adding the salaries and adding it to the Contingency Account under one lump sum. The Committee will then decide how the lump sum will be paid out.

Supervisors Quackenbush and Jonker made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Greco adjourned the Finance Committee meeting at 9:04 PM.

Respectfully submitted,

## PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - FINANCE

7:00 PM, October 16, 2007

#### COMMITTEE MEETING DISCUSSION

At 7:08 PM, Chairman Greco stated that he would like to address the Finance Committee to discuss the "Recommendations by Chairman of Finance Committee" spreadsheet. He stated that he would like to place these recommendations in his report to be submitted to the Board of Supervisor's Office. He stated that any adjustments can be made at the Special Meeting.

Supervisor Quackenbush stated that he approves of the recommendations as there is not an increase in taxes. He stated that the goal is to complete the budget project in November, and encourages that goal in the years to come.

Chairman DiMezza stated that in the Special Meeting he'll recommend hiring a new CPS Senior Case Worker for Social Services.

Chairman Greco stated that the Special Meeting will be on Saturday, Nov. 3 at 8:00 AM. He stated that Supervisors may submit by Resolution any changes to the tentative budget and that Resolutions must be submitted to the Board of Supervisor's Office by Oct. 26. There were no objections.

Chairman Greco disseminated an Excel spreadsheet that the Supervisors can use to make changes and be able to see the impact of the figures immediately. He stated that the spreadsheet will be emailed to the Supervisors for their use.

Chairman Greco presided over the Finance Committee meeting commencing at 7:15 PM.

Roll call indicated Committee members present are Supervisors Quackenbush, Johnson, McMahon, Walters, Mancini and Jonker.

Additional Supervisors present were Thomas, DiMezza, Dybas, Paton and Strevy. Absent were Supervisors Stagliano, Schumann, and Cechnicki.

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

- Resolution Authorizing Chairman to Sign Amended Agreement Jo Ann Clear - Accounting and Fiscal Consulting Services and Amending 2007 Operating Budget (Mental Health)
- 2. Resolution Amending 2007 Operating Budget Special Election Costs (Board of Elections)
- 3. Resolution Establishing A Public Hearing on the 2008 Tentative Operating Budget
- 4. Other

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 Dybas and Strevy had made a motion and seconded, respectively, to sponsor the Resolution previously. The Resolution was moved it to the full Board with a positive recommendation. There were no objections.

Item #3: Supervisors Quackenbush 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.

Chairman Greco stated that the agenda for the Full Board Meeting will state a commencing time of 7:15 PM in Chamber. There were no objections.

Item #4, Other: Mental Health Director Jim Gumaer stated that he has been billed by NYS OMRDD for \$74,451.30 for the care and housing of an adolescent in a mental retardation facility. He stated that the County will be billed additional, significant funds, and is requesting a transfer from the Contingency Account \$152,481.12 + \$30,086 (for services rendered/to be rendered in 2007 and 2008).

Chairman DiMezza stated that Director Gumaer should consult with Social Services Director William Cranker on the possibility of recouping some or all of the funds prior to submitting a Resolution amending both the 2007 and 2008 budgets.

Item #5, Other: Chairman DiMezza stated that he would like to take the RESOLUTION AUTHORIZING

CHAIRMAN TO SIGN AMENDED AGREEMENT - SALES TAX DISTRIBUTION - CITY OF AMSTERDAM (BOARD OF Supervisors) off the table so it can be moved to the Full Board for consideration.

Supervisors Mancini and Johnson made a motion and seconded, respectively, to remove the Resolution from the table. There were no objections. The Resolution was moved to the Full Board with no recommendation.

Item #6, Other: Add-on RESOLUTION AUTHORIZING CHAIMAN TO SIGN AGREEMENT - CAREMARK DISCOUNT PROGRAM - COUNTY WIDE DRUG CARD. Chairman DiMezza clarified the Resolution, explaining the available prescription discount service that will be available hopefully by Dec. 15, 2007.

Supervisors DiMezza 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.

Chairman DiMezza stated that a copy of the agreement will be available prior to the Full Board Meeting for the Supervisors to look at.

Item #7, Other: Chairman Greco stated that every Supervisor will receive a copy of his 2008 Budget report along with the back-up material and number adjustments.

Item #8, Other: Pursuant to Section 105 (h) of NYS Open Meeting Law, the motion was made and seconded by Supervisors Dybas and Johnson, respectively, to enter into Executive Session to discuss the proposed acquisition, sale or lease of real property. Executive Session commenced at 7:40 PM.

Motion to adjourn the Executive Session at 8:32 PM was made and seconded by Supervisors DiMezza and Dybas, respectively.

Executive Session was adjourned at 8:32 PM.

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

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

Chairman Greco adjourned the Finance Committee meeting at 8:33 PM.

Respectfully submitted,

## PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY REGULAR MEETING

7:00 PM, October 23, 2007

#### CALL TO ORDER

Chairman Di Mezza called the Regular Meeting of the Montgomery County Board of Supervisors for October 23, 2007 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, Dybas, Schumann, Walters, Thomas, Jonker, and Mancini were present. Supervisors Cechnicki and Stagliano were absent.

Supervisor Cechnicki entered Chamber at 7:05 PM.

#### PRIVILEGE OF THE FLOOR

A. Proclamation - Marilyn Terwilleger Tallman

Montgomery County Office for the Aging
Caregiver of the Year

Caregiver Case Manager Steve Prohaska from the Office for the Aging accepted the Proclamation in Mrs. Tallman's stead, congratulating her for her dedication and devotion to caring for her husband. Chairman DiMezza stated that their 60th wedding anniversary will be on January 10, 2008

#### B. Public Comment

Chairman DiMezza asked if anyone wished to speak.

Arthur lannuzi, a City of Amsterdam resident of the 3rd Ward and former City Councilman, spoke in support of Resolution 272.

Chairman Di Mezza welcomed the many students present from Amsterdam High School representing the school's "Student Government" club.

There were no other speakers.

Chairman Di Mezza adjourned Public Comment at 7:06 PM.

#### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (Sept. 17 - Oct. 16, 2007) by Supervisor Greco, seconded by Supervisor Quackenbush, passed with Aye(1772). Supervisor Stagliano was absent.

#### APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Quackenbush, seconded by Supervisor Jonker, passed with Aye(1772). Supervisor Stagliano was absent.

#### MOTION TO AMEND THE AGENDA

MOTION TO AMEND AGENDA by Supervisor Dybas, seconded by Supervisor McMahon, by adding the following Resolution to the end of the NEW BUSINESS section:

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - POOL FEASIBILITY STUDY - JOY, MCCOOLA & ZILCH & ALSO RESCINDING RESOLUTION 172 OF 2007 - A RESOLUTION IN SUPPORT OF KEEPING & MAINTAINING THE POOL AT FMCC,

passed with Aye(1772). Supervisor Stagliano was absent.

#### **UNFINISHED BUSINESS**

#### **NEW BUSINESS**

A. Resolutions

B. Other

**RESOLUTION NO.** 257 of 2007 **DATED:** October 23, 2007

RESOLUTION AWARDING BID - STEVEN MILLER CONTRACTING - ELECTRICAL VAULT WATER LEAK REMEDIATION PROJECT (FMCC)

Resolution by Supervisor: Paton Seconded by Supervisor: Jonker

WHEREAS, Resolution 446 of 2006 named the FMCC Electrical Vault Water Remediation Project as part of the 2007 Capital Projects, and

WHEREAS, Resolution 351 of 2006 approved a contract with Phillips Associates, of Saratoga Springs, to prepare an engineering and cost evaluation study to identify alternatives to using the Electrical Vault at Fulton-Montgomery Community College, and

WHEREAS, as part of said evaluation, Phillips Associates recommended retaining the Electrical Vault and have further identified a proposed project to deal with the water infiltration into the Electrical Vault and the code violation that FMCC has been cited for regarding this water infiltration, and

WHEREAS, Resolution 166 of 2007 authorized the hiring of Phillips Associates to prepare design plans and bid specifications for the FMCC Electrical Vault Water Leak Remediation Project and for the Fulton County Purchasing Agent to put such project out to bid, and

WHEREAS, bids have been received and reviewed and recommendation has been made to award by Phillips Associates,

RESOLVED, that the Electrical Vault Water Leak Remediation Project Bid shall be awarded to Stephen Miller General Contractor, Inc. as follows:

Base Bid 1 \$39,930 Alt. Bid 1 \$6,384 ------\$46,314

, 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 agreement with Stephen Miller General Contracting, Inc. for the Electrical Vault Water Leak Remediation Project at Fulton-Montgomery Community College in an amount not to exceed \$46,314, and

FURTHER RESOLVED, that this resolution shall be contingent upon a similar resolution of the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1636). Supervisor Dybas voted Nay. Supervisor Stagliano was absent. (10/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 258 of 2007 **DATED:** October 23, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PHILLIPS ASSOCIATES - CONSTRUCTION ADMINISTRATION SERVICES - ELECTRICAL VAULT WATER LEAK REMEDIATION PROJECT (FMCC)

Resolution by Supervisor: Paton Seconded by Supervisor: Johnson

WHEREAS, Resolution 446 of 2006 named the FMCC Electrical Vault Water Remediation Project as part of the 2007 Capital Projects, and

WHEREAS, Resolution 351 of 2006 approved a contract with Phillips Associates, of Saratoga Springs, to prepare an engineering and cost evaluation study to identify alternatives to using

the Electrical Vault at Fulton-Montgomery Community College, and

WHEREAS, as part of said evaluation, Phillips Associates recommended retaining the Electrical Vault and have further identified a proposed project to deal with the water infiltration into the Electrical Vault and the code violation that FMCC has been cited for regarding this water infiltration, and

WHEREAS, Resolution 166 of 2007 authorized the hiring of Phillips Associates to prepare design plans and bid specifications for the FMCC Electrical Vault Water Leak Remediation Project and for the Fulton County Purchasing Agent to put such project out to bid, and

WHEREAS, Resolution 257 of 2007 awarded the bidding of said contract to Stephen Miller General Contracting, Inc., and

WHEREAS, it is necessary to retain construction administration services for oversight of said project,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign an agreement Phillips Associates to provide Construction Administration Services at a total cost not to exceed \$3,000, and

FURTHER RESOLVED, that this resolution shall be contingent upon a similar resolution of the Fulton County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1636). Supervisor Dybas voted Nay. Supervisor Stagliano was absent. (10/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 259 of 2007 **DATED:** October 23, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER #2 - FPI MECHANICAL, INC. - STEAM SYSTEM UPGRADES/MEP PROJECT (FMCC)

Resolution by Supervisor: Johker Seconded by Supervisor: Johnson

WHEREAS, the approved 2007 Capital Projects at FMCC include a project entitled Steam System Upgrades/MEP Project, and

WHEREAS, Resolution 30 of 2007 authorized a contract with Phillips Associates of Saratoga Springs, NY, for engineering design services and bid specifications for said project, and

WHEREAS, advertising was completed and bids were received for said projects and Resolution 169 authorized an agreement with FPI Mechanical, Inc. for a Base Bid at \$248,000, an Alternate Bid for Asbestos Abatement at \$52,850, an Alternate Bid for Replacement of Roof Exhaust Fans on the PE Bldg at \$21,300, and Alternate Bid to Install Condensate Pipe in the Gym \$12,000 and an Alternate Bid to Replace Exhaust Fans in College Union at \$13,400, for a total contract of \$323,550, and

WHEREAS, Resolution 243 of 2007 approved Change Order No. 1 with FPI Mechanical in the amount of 12,383.96, and

WHEREAS, FPI Mechanical discovered the steam supply piping to two (2) Air Handling Units to not be functioning properly and after reviewing this matter, FMCC, Phillips Associates and FPI Mechanical all agreed that this situation should be corrected,

RESOLVED, that the chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign Change Order #2 with FPI Mechanical, Inc. on the Steam System Upgrade/MEP Project at FMCC at a cost not to exceed \$1,072, and

FURTHER RESOLVED, that this resolution shall be contingent upon passage of a similar resolution by the Fulton County Board of Supervisors

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (10/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 260 of 2007 **DATED:** October 23, 2007

RESOLUTION AUTHORIZING DISTRIBUTION OF REQUEST FOR PROPOSALS FOR DESIGN PLANS AND SPECIFICATIONS FOR VARIOUS 2008 CAPITAL PROJECTS (FMCC)

Resolution by Supervisor: Paton Seconded by Supervisor: Johnson

WHEREAS, the tentative 2008 Capital Plan for Fulton-Montgomery Community College includes the following (2) Capital Projects:

College Union Water Infiltration Project : \$163,680
 Library Building Water Infiltration Project : \$164,968

, and

WHEREAS, it is recommended that a Request for Proposals be distributed to engineering firms to obtain cost proposals to prepare design plans and bid specifications for these two (2) 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 capital projects:

College Union Water Infiltration Project Library Building Water Infiltration Project

, 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(1772). Supervisor Stagliano was absent. (10/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 261 of 2007 **DATED:** October 23, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - SPECIAL ELECTION COSTS (BOARD OF ELECTIONS)

Resolution by Supervisor: Dybas Seconded by Supervisor: Strevy

WHEREAS, it is necessary to transfer money to pay upcoming expenses in certain accounts that were expended from the July 31, 2007 Special Election, and

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-11-4-1450-00-1110(736) Voting Machine Election Coord \$26,676 A-11-4-1450-00-1110(737) Voting Machine Election Coord \$10,524

TRANSFER TO:

A-11-4-1450-00-4421 Property Rental/Lease Repair \$33,000 A-11-4-1450-00-4452 Printing \$4,200

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (10/23/2007)

Douglas Landon
County Attorney

Ki mberl y Sanborn
Clerk, Board of Supervisors

**RESOLUTION NO.** 262 of 2007 **DATED:** October 23, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF UNDERSTANDING - CANAJOHARIE TOURISM BOOTH

Resolution by Supervisor: Strevy Seconded by Supervisor: Jonker

WHEREAS, Representatives from the Village of Canajoharie, the Canajoharie/Palatine Bridge Chamber of Commerce, the Montgomery County Chamber of Commerce and the Montgomery County Board of Supervisors have met to discuss the operation of the Canajoharie Tourism Booth, and

WHEREAS, it has been recommended that the roles and responsibilities of the Canajoharie Tourism Booth be defined in a Memorandum of Understanding so that there is no confusion,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney is hereby authorized and directed to sign a Memorandum of Agreement with the Village of Canajoharie, and the Canajoharie/Palatine Bridge Chamber of Commerce, the Montgomery County Chamber of Commerce which accurately outlines the roles and responsibilities of the operation of the Canajoharie Tourism Booth.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (10/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 263 of 2007 **DATED:** October 23, 2007

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: Di Mezza

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, 2007 and continues through June 30, 2008, 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(1772). Supervisor Stagliano was absent. (10/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 264 of 2007 **DATED:** October 23, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - MOHAWK VALLEY SNOWMOBILE CLUBS, INC. (ECONOMIC DEVELOPMENT AND PLANNING )

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Strevy

WHEREAS, Resolution 216 of 2007 authorized the Chairman to sign a one-year agreement with the Mohawk Valley Snowmobile Clubs, Inc. for the use and maintenance of the New York State Canal Way trail within Montgomery County, and

WHEREAS, that the portion of said trail located in the Village of Canajoharie was excluded from

said agreement, and

WHEREAS, the Village of Canajoharie has since authorized the usage of the certain portions of the Village by snowmobilers, thereby changing the terms of the previously signed agreement,

RESOLVED, that the Chairman of the Board of Supervisors, upon approval of the County Attorney, hereby is authorized and directed to sign an amended one-year agreement with the Mohawk Valley Snowmobile Clubs, Inc. for the use and maintenance of the New York State Canal Way trail within Montgomery County, and

FURTHER RESOLVED, that said amended agreement shall provide for usage of the portions of the trail located in the Village of Canajoharie in accordance with the resolution adopted by the Canajoharie Village Board.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (10/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 265 of 2007 **DATED:** October 23, 2007

RESOLUTION ADOPTING 2008 STOP-DWI PLAN (STOP DWI)

Resolution by Supervisor: Jonker Seconded by Supervisor: Di Mezza

WHEREAS, the Stop DWI Coordinator has submitted the 2008 Stop DWI plan, and

RESOLVED, that the Board of Supervisors hereby adopts said plan, and

FURTHER RESOLVED, that no funds for said plan should be appropriated from general revenue of the County of Montgomery.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (10/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 266 of 2007 **DATED:** October 23, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DOS - LOCAL ENHANCED WIRELESS 911 PROGRAM (SHERIFF)

Resolution by Supervisor: Dybas Seconded by Supervisor: Strevy

WHEREAS, the Sheriff has been notified by the NYS Department of State that the County is eligible for reimbursement of certain costs associated with the provision of Wireless 911 Services in the amount of \$28,376,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign a grant agreement with the NYS Department of State in the amount of \$28,376 for reimbursement for certain costs associated with the provision of Wireless 911 services.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (10/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 267, Supervisor Schumann stated that the Governor's proposal will put approximately 4,000,000 people will now be able to get a driver's license and will be traceable. Therefore, she urges all Supervisors to vote NAY on the Resolution.

Supervisor Cechnicki stated that he doesn't support the Resolution.

Chairman DiMezza stated that 60% of NY residents are opposed to the Governor's initiative.

**RESOLUTION NO.** 267 of 2007 **DATED:** October 23, 2007

RESOLUTION IN OPPOSITION TO GOVERNOR SPITZER'S PROPOSAL TO REMOVE THE TEMPORARY VISITOR LEGEND FROM NYS DRIVERS LICENSES FOR ALL FOREIGN VISITORS IN THE COUNTRY ON TEMPORARY VISAS

Resolution by Supervisor: Greco Seconded by Supervisor: Di Mezza

WHEREAS, Section 502 (1) of the New York State Vehicle & Traffic Law requires applicants for drivers licenses to provide a valid Social Security Number, in addition to proof of fitness, age and identity; and

WHEREAS, the NYS Department of Motor Vehicles promulgated a regulation to allow legal residents who are ineligible for a Social Security Number to provide proof of ineligibility to satisfy the SSN requirement; and

WHEREAS, the NYS Department of Motor Vehicles, in accordance with the 9/11 Commission report, adopted a policy requiring documentation of the Social Security Administration statement of ineligibility for a SSN, which was upheld by the state's highest court, the Court of Appeals; and

WHEREAS, on September 21, 2007, Governor Spitzer and his DMV Commissioner announced that they will no longer require illegal aliens to submit proof of a valid SSN or illegibility for the same and will not inquire into an illegal alien's immigration status before issuing that illegal alien a driver's license; and

WHEREAS, on September 24, 2007, Governor Spitzer and his DMV Commissioner, without notice to County Clerks or the public, removed the Temporary Visitor Legend from NYS Drivers licenses for all foreign visitors in the country on temporary visas; and

WHEREAS, the Governor's policy changes are contrary to the clear statutory direction provided by the Legislature and effectively re-write both the existing statute and regulation, without consultation with the Legislature or the public; and

WHEREAS, the Governor's actions reward those who have violated U.S. immigration law and grants them a privilege formerly accorded only to law abiding residents of the state; and

WHEREAS, the Governor's actions compromise our state's and our nation's security by providing a driver's license, which is the most commonly accepted form of identification for entry into government facilities, boarding of domestic aircraft, gaining employment, accessing our financial institutions and participating in our elections, to persons who have not been screened by the INS or the Department of Homeland Security and who could have criminal records here or in their native lands; and

WHEREAS, the Governor's policies are in direct conflict with the federal Real ID Act, which was overwhelming approved by both houses in Congress as a means of providing real security for state driver's licenses; and

WHEREAS, the Governor's policies would devalue the NYS Driver's License so that it would no longer be accepted as a valid form of identification for federal purposes once the Real ID Act is fully implemented and would require lawful residents of New York State to secure passports or some other federally approved form of identification to board domestic aircraft or to enter federal facilities; now, therefore,

BE IT RESOLVED, that the Montgomery County Board of Supervisors hereby finds that the Governor's policy that would allow illegal immigrants to secure NYS Driver's licenses without providing a valid SSN and without providing documents submitted to the SSA demonstrating the applicant's ineligibility for a SSN is ill conceived, compromises the security of the residents of Montgomery County, the residents of our state and the residents of our country; and be it further

RESOLVED, that this legislative body urges Governor Spitzer and his DMV Commissioner to cease and desist from the implementation of, and to forthwith rescind, these ill conceived policies and we further urge the Governor to work with our elected state representatives and county officials before pronouncing any similar policy directives; and be it further

RESOLVED, that a copy of this resolution be communicated to Governor Eliot Spitzer, DMV Commissioner David Swarts, Attorney General Andrew Cuomo, and the members of the New York State Senate and Assembly.

RESOLUTION ADOPTED with Aye(1316). Supervisors Schumann, Dybas, Jonker and Cechnicki voted Nay. Supervisor Stagliano was absent. (10/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors **RESOLUTION NO.** 268 of 2007 **DATED:** October 23, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - JO-ANN CLEAR - ACCOUNTING AND FISCAL CONSULTING SERVICES AND AMENDING 2007 OPERATING BUDGET (MENTAL HEALTH)

Resolution by Supervisor: Dybas Seconded by Supervisor: Manci ni

WHEREAS, by Resolution 145 of 2006, the Board of Supervisors authorized the Chairman to sign an agreement with Ms. Jo-Ann Clear of Gloversville, New York for accounting and fiscal consulting services in the County's Mental Health Department 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, the Montgomery County Mental Health Department has qualified for additional Federal Salary Sharing funding and the Director of Community Services has recommended that said funding be utilized for more accounting and financial record keeping services.

RESOLVED that the Chairman of the Board of Supervisors is hereby authorized and directed to sign an amended amendment to the contract between the County and Ms. Jo-Ann Clear, Accountant, Gloversville, New York as below:

1) The face value of the contract shall be increased from \$4,100 to \$12,548.

, 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 2007 Operating Budget as follows:

I NCREASE:

Revenue

A-17-3-4490 Federal Salary Sharing \$8,558

Appropri ati ons

A-17-4-4310-00-4431 Professi onal Servi ces \$8,558

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (10/23/2007)

Douglas Landon Kimberly Sanborn

County Attorney Clerk, Board of Supervisors

**RESOLUTION NO.** 269 of 2007 **DATED:** October 23, 2007

RESOLUTION ESTABLISHING A PUBLIC HEARING ON INTRODUCTORY LOCAL LAW #3 OF 2007 - A LOCAL LAW WHICH ESTABLISHES A REAL PROPERTY TAX EXEMPTION FOR COLD WAR VETERANS

Resolution by Supervisor: Quackenbush Seconded by Supervisor: McMahon

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 3 of 2007, a Local Law which establishes a real property tax exemption for Cold War veterans,

RESOLVED, that Introductory Local Law No. 3 of 2007 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing as follows:

BE IT ENACTED, by the County of Montgomery, New York, as follows:

SECTION 1. PURPOSE. The General purpose of this Local law is to establish a real property tax exemption for Cold War veterans; provide exemption from taxation and to provide additional exemptions for service-connected disability or death. This local law has been authorized by

enabling legislation of an amendment to the Real Property Tax Law of the State of New York, which added a new Section 458-b. The State Legislature and the Governor approved this act in memorandum — No 48 Chapter 655 filed with Senate Bill Number 4697 entitled: "An Act to amend the real property tax law, in relation to authorizing a real property tax exemption for Cold War Veterans"

SECTION 2. JUSTIFICATION: This Local Law addresses perceived inequity by granting a partial Real property tax exemption to "Cold War Veterans" who served for more than one year on active duty in the United States armed forces between September 2, 1945 and December 26, 1991, who were discharged or released under honorable conditions, and who have been awarded the federal "Cold War Recognition Certificate."

#### SECTION 3. EXEMPTION SCHEDULE:

- 1. Fifteen percent of the assessed value of such property; provided however, that such exemption shall not exceed twelve thousand dollars or the product of twelve thousand dollars multiplied by the latest state equalization rate of the assessing unit, or, in the case of a special assessing unit, the latest class ration, whichever is less.
- B. In addition to the exemption provided by paragraph (a) of this subdivision, where the Cold War veteran received a compensation rating from the United States veterans affairs or from the United States Department of Defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty percent of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed forty thousand dollars, or the product of forty thousand dollars multiplied by the latest state equalization rate for the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.
- C. The exemption provided by paragraph (a) of this Local Law shall be granted for a period of ten years. The commencement of such ten-year period shall be governed pursuant to this subparagraph. Where a qualified owner owns qualifying residential real property on the effective date of this section such ten-year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring on or after the effective date of this section. Where a qualified owner does not own qualifying residential real property on the effective date of this section, such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring at least sixty days after the date of purchase of qualifying residential real property; provided, however, that should the veteran apply for and be granted an exemption on the assessment roll prepared pursuant to a taxable status date occurring within sixty days after the date of purchase of residential real property, such ten year period shall be measured from the first assessment roll in which the exemption occurs. If, before the expiration of such ten-year period, such exempt property is sold and replaced with other residential real property, such exemption may be granted pursuant to this subdivision for the unexpired portion of the ten-year exemption period
- SECTION 4. LIMITATIONS. If a Cold War veteran receives the exemption under Section 458 or 458-a of the New York State Real Property Tax Law, the Cold War veteran shall not be eligible to receive this exemption.

#### SECTION 5. ELIGIBILITY FOR EXEMPTION:

- A. "Cold War veteran" means a person, male or female, who served on Active duty for a period of more than three hundred sixty-five days in The United States armed forces, during the time period from September Second, nineteen hundred forty-five to December twenty-sixth, nineteen Hundred ninety-one, was discharged or released there from under honorable Conditions and has been awarded the Cold War recognition certificate as Authorized under Public Law 105-85, the 1998 national Defense Authorization Act.
- B. "Armed forces" means the United States Army, Navy, Marine Corps, Air force, and Coast Guard.
- C. "Active duty" means full-time duty in the United States armed forces, other than active duty for training.
- D. "Service connected" means, with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in line of duty on Active military, naval or air service.
- E. "Qualified owner" means a Cold War veteran, the spouse of a Cold War veteran, or the unremarried surviving spouse of a deceased Cold War Veteran. Where more than one qualified owner owns property, the exemption to which each is entitled may be combined. Where a veteran is also the unremarried surviving spouse of a veteran, such person may also receive any exemption to which the deceased spouse was entitled.
- F. "Qualified residential real property" means property owned by a qualified owner which is used exclusively for residential purposes; provided, however, that in the event that any portion of such property is not used exclusively for residential purposes, but is used for other purposes, such portion shall be subject to taxation and only the remaining portion used exclusively for residential purposes shall be subject to the exemption provided by this section.

Such property shall be the primary residence of the Cold War veteran or the unremarried surviving spouse of a Cold War veteran; unless the Cold War veteran or unremarried surviving spouse is absent from the property due to medical reasons or institutionalization for up to five years.

- G. "Latest state equalization rate" means the latest final equalization rate established by the state board pursuant to article twelve of this chapter.
- H. "Latest class ratio" means the latest final class ratio established by the state board pursuant to title one of article twelve of this chapter for use in a special assessing unit as defined in section eighteen hundred one of this chapter.
- SECTION 6. PROCESS: The owner, or all of the owners, of the property on a form prescribed by the state board, shall make application for exemption. The owner or owners shall file the completed form in the assessor's office on or before the first appropriate taxable status date. The owner or owners of the property shall be required to refile each year. Applicants shall refile on or before the appropriate taxable status date. Any applicant convicted of willfully making any false statement in the application for such exemption shall be subject to the penalties prescribed in the penal law.
- SECTION 7. SAVING CLAUSE: If any court of competent jurisdiction shall adjudge any clause, sentence or paragraph of this Local Law to be invalid, such judgment, decree or order shall affect, impair or invalidate the remainder of the Local Law, which shall as to such remainder remain in effect.

SECTION 8. EFFECTIVE DATE:

This act shall take effect January 3, 2008 and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after such date.

, and

FURTHER RESOLVED, that said public hearing shall be held Tuesday, November 27, 2007 at 6:55 pm in the County Courthouse, 58 Broadway, Fonda, New York, and

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

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (10/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 270 of 2007 **DATED:** October 23, 2007

RESOLUTION APPROVING ADDITIONAL CELL PHONE (VETERANS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, Resolution 337 of 2006 authorized the signing of a state contract with NEXTEL for a county-wide cell phone service which is currently overseen and paid for by the County's Department of Public Works, and

WHEREAS, the Veterans Director has recommended that an additional cell phone be purchased to be utilized by the Veterans Van that is run on each Wednesday to support its shared service program with the Department of Social Services,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the Department of Public Works to provide for the addition of a cell phone to the Montgomery County Cell Phone contract for the Veterans Service Agency, 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 such documents necessary to provide for said addition, and

FURTHER RESOLVED, that costs relating to said addition shall come from the current DPW budget that provides the cell phone usage for Montgomery County.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (10/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors made available for the Supervisors to read yet. There were no objections to add the Resolution to the agenda of the November 3rd Special Meeting.

**RESOLUTION NO.** 271 of 2007 **DATED:** October 23, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CAREMARK DISCOUNT PROGRAM - COUNTY-WIDE DRUG CARD

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Johnson

WHEREAS, Caremark Discount Program Prescription Drug Card will be offered to all residents of Montgomery County, and

WHEREAS, there is no cost to the residents to obtain this prescription drug card, and no cost to the County to offer this prescription durg card, and

RESOLVED, that the Chairman of the Board of Supervisors be authorized to sign an agreement with Caremark for a discount drug card for all of the residents of Montgomery County.

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Walters, passed with Aye(1772). Supervisor Stagliano was absent. (10/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Chairman Quackenbush stated that he would like to make a motion to amend Resolution 272 by lumping the 3% and 1% together from 1/1/09-6/30/2012. He stated that this amendment would remove inequity.

Supervisor Johnson seconded the motion to amend. She stated that this amendment should satisfy everyone.

When queried by Supervisor Strevy, Treasurer Shawn Bowerman stated that the amendment will cost the County a 10% drop in sales tax revenue, equaling \$2,400,000. He stated that to cover the loss, taxes would need to increase by 8-9%.

Supervisor McMahon stated that changes shouldn't be made at this point in time.

Supervisor Schumann stated that she doesn't support the amendment as the County can't afford to be giving money away at this point.

Supervisor Walters stated that he doesn't support the amendment or the Resolution, and everything should remain as is.

Supervisor Jonker stated that this is the wrong Resolution at the wrong time for the wrong purpose.

(Clerk's note: Upon Roll Call, the amendment failed.)

Supervisor Cechnicki stated that when communities have been faced with severe difficulties (such as the Town of Root's devastating Town Barn fire), they didn't ask the County for money. He stated he supports growth, but doesn't support the Resolution.

Supervisor Greco advised everyone to look at the economic growth that will be occurring in the Town of Amsterdam which will result in increases in housing, jobs and people. He stated that the County will more than recoup the sales tax with more people moving into the area.

Supervisor Schumann stated that the Town of Amsterdam should be the payer of the \$300,000, as they will be benefiting the most. She also stated that the City of Amsterdam hasn't passed their own Resolution yet in support of the Resolution.

Supervisor Strevy stated that the sales tax shouldn't be used as a bargaining chip.

Supervisor Quackenbush stated that he supports the Sales Tax Committee Looking at the issue further with the City of Amsterdam.

Supervisor McMahon stated that his town is losing revenue and assessed value. He feels that the Town of Amsterdam should be charged a user charge.

Supervisor Walters stated that his County tax is decreasing. He stated that the City Assessor hasn't done a good job, and should be assessing at 100%. He stated that we shouldn't be using the sales tax as a tool this way.

Chairman DiMezza stated that this deal was agreed on by the Mayor and Aldermen, and the \$300,000

spent will have a much greater return for the County.

### **RESOLUTION NO.** 272 of 2007 **DATED:** October 23, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - SALES TAX DISTRIBUTION - CITY OF AMSTERDAM (BOARD OF SUPERVISORS)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Johnson

WHEREAS, the current agreement related to the distribution of sales tax in Montgomery County which is in place through June 30, 2009 is as follows:

On the first 3% --50% retained by the County 15% to the City of Amsterdam 35% to the Towns and Villages by assessed valuation

On the additional 1% --90% retained by the County 10% to the City of Amsterdam

, and

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, it has been recommended that the Board of Supervisors amend the current agreement with the City of Amsterdam to provide for an increase in the allocation to the City and extend said proposed sales tax distribution formula through June 30, 2014,

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 -- 85% retained by the County 15% to the City of Amsterdam

, and

FURTHER RESOLVED, that said Agreement shall be for the period December 1, 2007 through June 30, 2014.

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Johnson as follows:

to strike the third WHEREAS, RESOLVED and FURTHER RESOLVED clauses and replace with the following:

"WHEREAS, it has been recommended that the Board of Supervisors amend the current agreement with the City of Amsterdam to provide for a change in the allocation to the City and Towns and Villages and extend said proposed sales tax distribution formula through June 30, 2012,

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 entire 4% --50% retained by the County 15% to the City of Amsterdam 35% to the Towns and Villages by assessed valuation

, and

FURTHER RESOLVED, that said Agreement shall be for the period December 1, 2007 through June 30, 2012."

, was defeated with Aye(766). Supervisors Johnson, Mancini, DiMezza, Quackenbush and Jonker voted Aye. Supervisor Stagliano was absent. (10/23/2007)

RESOLUTION DEFEATED with Aye(632). Supervisors Greco, Johnson, Mancini and DiMezza voted Aye. Supervisor Stagliano was absent. (10/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 273 of 2007 **DATED:** October 23, 2007

#### RESOLUTION ESTABLISHING A PUBLIC HEARING ON THE 2008 TENTATIVE OPERATING BUDGET

Resolution by Supervisor: Manci ni Seconded by Supervisor: Quackenbush

RESOLVED, that pursuant to Section 359 of County Law, the Montgomery County Board of Supervisors shall hold a Public Hearing on the 2008 Tentative Operating Budget at the Montgomery County Court House, 58 Broadway, Fonda, New York at 7:00 pm on Tuesday, November 27, 2007, 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 2008 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(1772). Supervisor Stagliano was absent. (10/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 274 of 2007 **DATED:** October 23, 2007

#### RESOLUTION AMENDING 2008 TENTATIVE OPERATING BUDGET - CORRECTIVE ADJUSTMENTS

Resolution by Supervisor: Greco Seconded by Supervisor: Johnson

RESOLVED, that the 2008 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change Increase To: (Decreased)
A-01-4-8160-00-4438	Refuse & Garbage-Misc Svcs	\$850,000	\$861, 327 \$ 11, 327
A-01-4-8710-00-4571	Farmland Protection Program	\$ 0	\$ 50,000 \$ 50,000
A-01-4-8751-00-4438	Co-op Ext - Misc Svcs	\$ 0	\$ 15,000 \$ 15,000
A-01-4-8751-00-4575	Cooperative Extention (Oper)	\$169,000	\$154,000 (\$ 15,000)
A-11-3-3089	State Aid, Other	\$ 49, 344	\$ 31,663 (\$ 17,681)
A-11-4-1450-00-4449	Special Supplies & Materials	\$ 31,633	\$ 31,663 \$ 30
A-16-3-3401	State Aid - Public Health	\$444,008	\$443,681 (\$ 327)
A-16-4-4010-00-1120(3	15) Physician - P/T	\$ 4,507	\$ 4,180 (\$ 327)
A-16-4-4010-00-4445	Medical Supplies	\$ 22, 455	\$ 24,455 \$ 2,000
A-16-4-4010-00-4471	Mileage Allocations	\$ 8,000	\$ 9,500 \$ 1,500
A-18-4-6010-00-1110 (	461) Homemaker	\$ 25, 492	\$ - (\$ 25, 492)
A-18-4-6010-00-1110 (	471) Medical Audit Clerk	\$ 0	\$ 25, 492 \$ 25, 492
A-28-4-1170-00-1110 (	1186) Sr. Clerk Typist	\$ 23,533	\$ 24,591 \$ 1,058

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (10/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 275 of 2007 **DATED:** October 23, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - POOL FEASIBILITY STUDY - JOY, MCCOOLA & ZILCH & ALSO RESCINDING RESOLUTION 172 OF 2007 - A RESOLUTION IN SUPPORT OF KEEPING & MAINTAINING THE POOL AT FMCC

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Jonker

WHEREAS, Resolution 172 of 2007 supported the upkeep and maintenance of the pool at Fulton-Montgomery Community College and whatever renovations necessary to keep the pool in good working condition for use by the students and the public, and

WHEREAS, such position has since been reconsidered, in that proceeding with a proposal to look at the option of closing the pool, what other options the space could be used for and what it could cost to convert the pool space to other uses would provide quality information that would help everyone make a more informed decision,

RESOLVED, that Resolution 172 of 2007 is hereby rescinded, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign an agreement with Joy, McCoola & Zilch, of Glens Falls for the provision of a feasibility study of the options available to pursue related to the opening or closing of the pool at Fulton-Montgomery Community College at a cost not to exceed \$9,700, and

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

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (10/23/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor Thomas, passed with Aye(1772). Supervisor Stagliano was absent.

Chairman Di Mezza adjourned the meeting at 7:48 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS ROOM 214, MONTGOMERY COUNTY ANNEX BLDG, 20 PARK STREET, FONDA, NY COMMITTEE MEETING - PERSONNEL 2:00 PM, October 24, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 2:00 PM.

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

Additional Supervisors present was Supervisor Strevy. Absent were Supervisors Dybas, Cechnicki, Schumann, Paton, Stagliano, Thomas, and Jonker.

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

- Continued Discussions Regarding the Non-Bargaining Personnel Salary Study
- 2. Recommendations for the November 3rd Special Meeting to Amend the 2008 Tentative Operating Budget Related to the Non-Bargaining Personnel Salary Study
- 3. Other

Item #1 & #2: Chairman Quackenbush summarized the Non-Bargaining Personnel Study (as compiled by a taskforce consisting of Treasurer Shawn Bowerman, Administrative Aide Jacki Meola and Personnel Officer Rich Baia) including it's creation, research techniques and tentative conclusions. He disseminated the one-page salary study comparison sheet to everyone present.

Supervisor Dybas entered the meeting at 2:07 PM.

Chairman Quackenbush stated that his recommendation is that the County set aside funds in the 2008 budget to cover the necessary salary changes when the study is complete.

Supervisor McMahon stated that there are three classes of employees: Elected Officials, Supervisory employees and regular employees. He stated that there is no "average" employee, and supports looking at each employee individually. He stated that he supports evaluating employees based on performance, but asks how do you evaluate a person if you don't work with them on a day to day basis.

Chairman Quackenbush stated that an evaluation is necessary not only on job performance but on job duties as well.

Supervisor Thomas stated that he supports a continuation of the study. He stated that most if not all of the employees positions are affiliated with an Association, and that the association could provide useful insight and information on average salaries and duties of said position. He stated that the criteria used for selecting the similar seven counties might not be the only way to go.

Chairman Quackenbush reminded the Committee that the taskforce wasn't directed to look outside the seven counties, or to pursue other means (i.e.. Associations) to obtain more information. He stated that a timeframe should be given to the taskforce, and that he looks at the recommended salaries as a baseline only, not performance-driven.

Supervisor Greco stated that he supports making adjustments as of Jan 1, 2008, if salary recommendations are solid and have been well-researched. Regarding employee performance evaluations, the Dept. Heads and Personnel Dept. should be responsible for that.

Chairman Quackenbush stated that some positions are unique, and were created specifically for the benefit of the County, such as the Administrative Aide position.

Supervisor Thomas stated that any previous exit interviews might provide good information that the study could use.

Supervisor McMahon stated that he would like to give everyone a good faith 2% increase across the board while the taskforce is continuing their study.

Treasurer Bowerman stated that the 2008 budget already contains a 4.5% salary increase for the year, and that any percentages discussed would be above and beyond that figure.

Supervisors Thomas and Dybas stated that they support a 2 or 3% increase above the 4.5% increase already in the tentative budget, setting aside funds in a special account to cover the extra increase.

Supervisor Greco reminded the Committee that the 2008 budget hasn't been approved yet. He stated that the next step should be to give equity to those positions that are far below the average salary. Then, the taskforce can continue their study.

Supervisor Dybas stated that he supports the taskforce continuing their study, looking carefully at job content.

Supervisor Mancini stated that he supports giving a 3% increase in good faith, and setting aside the funds in the 2008 budget to cover that extra increase.

Supervisors McMahon and Greco stated that they would like to wait on a recommendation until the November 3rd meeting.

Chairman Quackenbush asked the Committee if they would agree to directing the taskforce to give an updated report on December 20, with a progress report given at the next Personnel Committee meeting.

Administrative Aide Meola stated that the taskforce at times needs to make certain assumptions about a position, and asked the Committee how the taskforce should proceed when an opinion or assumption is needed.

Chairman Quackenbush replied that the entire Board has agreed that when a roadblock is met, the taskforce should come to the Personnel Committee for direction, but that all avenues should be explored prior to coming before the Committee.

Treasurer Bowerman stated that for a comprehensive study, more time would be needed then the recommended December 20 date.

Personnel Officer Baia asked the Committee how detailed the study should be in regards to the comparison of benefits, perks, etc.

Supervisor Thomas replied that a percentage figure would be easier to comprehend and work with then a monetary figure.

Supervisor Strevy stated that this study could continue for a long time. Regarding those positions that are severely below the average salary range, 50% of the difference be given to them, then the study can continue. He stated that in the 2009 budget, the remaining deficit, if any, can be made up.

Supervisor Dybas urged the Committee to be cautious, as you can't take money back if you discover that someone is overpaid.

Supervisor McMahon stated that the time has come for the Board of Supervisors to make judgment on the study as it stands, instead of continuing.

Supervisor Dybas stated that he supports a 3% increase above and beyond the 4.5%, put money into a reserve account to cover the rest, and complete the study. He also stated that he'll vote NAY to any salary based Resolutions put forth at this time, as the taskforce needs to continue their work.

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

Chairman Quackenbush adjourned the Finance Committee meeting at 3:05 pm.

Respectfully submitted,

## PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY SPECIAL MEETING

8:00 AM, November 3, 2007

#### CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for November 3, 2007 was called to order at 8:00 AM by Chairman Greco.

#### SALUTE TO THE FLAG

Chairman Di Mezza led the salute to the flag.

#### **ROLL CALL**

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

Supervisor Walters entered Chamber at 8:22 AM.

Supervisor Stagliano exited Chamber at 10:09 AM.

Supervisor Strevy exited Chamber at 10:09 AM.

Chairman Di Mezza exited Chamber at 10:45 AM.

#### UNFINISHED BUSINESS

(Clerk's Note: Draft Resolutions were submitted to the present Board members at the start of the meeting and also Resolutions were written from the floor. The order in which these Resolutions were entertained was at the Chairman's discretion.)

A. RESOLUTION 271 OF 2007 - RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CAREMARK DISCOUNT PROGRAM - COUNTY-WIDE DRUG CARD

Regarding Resolution 271, Chairman DiMezza summarized the 3-year contract, stating that there is no cost to the County and the discount card will offer them (the 10,000 residents who don't currently have a drug discount card) a way to save money at the pharmacy.

Attorney Doug Landon stated that this is an exclusive contract, but he would like to see in writing that there is no cost to the County.

Supervisor Dybas stated that the contract does not include an "opt-out" option for the County.

Attorney Landon stated that he's willing to contact the company to discuss "opt-out" options and any other concerns the Supervisors might have.

Supervisor McMahon stated that the County should take it (the contract) or leave it, and that the company may chose not to offer the discount card in the County if the County demands changes to the contract.

Chairman DiMezza stated that there are 30 Counties across the state that utilize this card.

#### RESOLUTION NO. 271 of 2007

**DATED:** October 23, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CAREMARK DISCOUNT PROGRAM - COUNTY-WIDE DRUG CARD

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Johnson

WHEREAS, Caremark Discount Program Prescription Drug Card will be offered to all residents of Montgomery County, and

WHEREAS, there is no cost to the residents to obtain this prescription drug card, and no cost to the County to offer this prescription durg card, and

RESOLVED, that the Chairman of the Board of Supervisors be authorized to sign an agreement with Caremark for a discount drug card for all of the residents of Montgomery County.

(11/3/2007)

MOTION TO TABLE by Supervisor DiMezza, seconded by Supervisor Walters, passed with Aye(1772). Supervisor Stagliano was absent. (10/23/2007)

MOTION TO REMOVE FROM TABLE by Supervisor Dybas, seconded by Supervisor Jonker, passed with Aye(1477). Supervisors Schumann, Mancini, Walters and Cechnicki were absent. (11/3/2007)

MOTION TO AMEND by Supervisor Jonker, seconded by Supervisor Dybas to insert the following in the RESOLVED clause after the word "Supervisors":

", upon review and approval of the County Attorney,", passed with Aye(978). Supervisors Johnson, DiMezza and McMahon voted Nay. Supervisors Schumann, Mancini, Walters and Cechnicki were absent. (11/3/2007)

RESOLUTION DEFEATED with Aye(820). Supervisors Greco, Dybas, Strevy, Thomas, Paton, Jonker and Stagliano voted Aye. Supervisors Schumann, Mancini, Walters and Cechnicki were absent. (11/3/2007)

MOTION TO RECONSIDER by Supervisor Quackenbush, seconded by Supervisor McMahon, passed with Aye(1044). Supervisors Dybas, Strevy, Paton and Stagliano voted Nay. Supervisors Schumann, Mancini and Cechnicki were absent. (11/3/2007)

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor McMahon to remove the above stated amendment ("to insert the following in the RESOLVED clause after the word "Supervisors":

", upon review and approval of the County Attorney,""),

passed with Aye(1142). Supervisors Dybas, Strevy and Stagliano voted Nay. Supervisor Walters abstained. Supervisors Schumann, Mancini and Cechnicki were absent. (11/3/2007)

RESOLUTION DEFEATED with Aye(929). Supervisors Greco, Johnson, DiMezza, McMahon, Walters, Thomas and Quackenbush voted Aye. Supervisors Schumann, Mancini and Cechnicki were absent. (11/3/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### STATEMENT OF PURPOSE OF MEETING

Statement of Purpose of Meeting

- A. RESOLUTION APPOINTING MONTGOMERY COUNTY ETHICS BOARD MEMBER
- B. RESOLUTIONS AMENDING THE 2008 TENTATIVE OPERATING BUDGET
- C. OTHER

#### **RESOLUTION NO.** 276 of 2007

**DATED:** November 3, 2007

#### RESOLUTION APPOINTING MONTGOMERY COUNTY ETHICS BOARD MEMBER

Resolution by Supervisor: Di Mezza

Seconded by Supervisor:

WHEREAS, Resolution 140 of 2007 appointed the first members of the Ethics Advisory Board in accordance with Local Law #1 of 2007, and

WHEREAS, in said resolution, the Chairman of the Board of Supervisors recommended and the Board of Supervisors approved the following appointments:

Robert F. Sitterly of 277 Main St., Ft. Plain registered in the Conservative political party, whose appointment shall end on December 31, 2007

Paul Parillo of 79 Minaville St., Amsterdam registered in the Democrat political party, whose appointment shall end on December 31, 2008

Dominick Megna, Sr. of 16 Pershing Rd., Amsterdam registered in the

Republican political party, whose appointment shall end on December 31, 2009

. and

WHEREAS, Paul Parillo has since resigned from said appointment and it is necessary to fill such vacancy, and

WHEREAS, In accordance with Section 202 of the Montgomery County Ethics Law, 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, which is by the Chair of the Board of Supervisors, with the advice and consent of the Board of Supervisors,

WHEREAS, the Chairman of the Board has recommended the following individuals for appointment to the Montgomery County Ethics Board:

Clarence Hamm of 43 Fairmont Avenue, Amsterdam registered in the Democrat political party, whose appointment shall end on December 31, 2008

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

FURTHER RESOLVED, that said 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 adopted by the Board of Supervisors, and

FURTHER RESOLVED, the said member of the Ethics Board shall not receive compensation but shall be reimbursed for reasonable expenses incurred in the performance of their official duties.

RESOLUTION ADOPTED with Aye(1389). Supervisor Johnson abstained. Supervisors Schumann, Mancini and Cechnicki were absent. (11/3/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Chairman Greco stated that Resolution 277 decreases the tax levy by (-3.6%). He stated that this Resolution has been broken down into individual Resolutions amending the 2008 Operating Budget, which the Supervisors will find on their desks.

He stated the intent is to get the tax levy down so that there will be no increase throughout the County, with a small use of the Fund Balance to pick up the slack to balance the budget.

Supervisor Stagliano stated that if this Resolution was voted on intact, it would use \$3,411,000 of the Fund Balance.

Supervisor Dybas stated that these Resolutions put in place will decrease the Fund Balance number by \$221,000 more than what it is in the tentative budget, resulting in a figure of \$12.1M by the end of 2007.

Supervisor Quackenbush stated that he doesn't support this Resolution because the Task Force is still working on the personnel study.

Chairman DiMezza clarified by stating that this Resolution that was broken down into several amended Resolutions, sponsored by Greco. He stated that any amendments desired by any Supervisors are within that new group of Resolutions and sponsored by that particular Supervisor. He stated it is the pleasure of the Board on how they wish to entertain this or the other Resolutions.

Supervisor Johnson recommended entertaining the individual Resolutions instead of this Resolution. On that note, Supervisor Dybas withdrew his second sponsorship. No one picked up the sponsorship, so the Resolution was WITHDRAWN.

**RESOLUTION NO.** 277 of 2007

**DATED:** November 3, 2007

RESOLUTION AMENDING 2008 TENTATIVE BUDGET - FINANCE COMMITTEE CHAIRMAN'S RECOMMENDATIONS

Resolution by Supervisor: Greco Seconded by Supervisor: Dybas

RESOLVED, that the 2008 Tentative Operating Budget is amended as follows:

Account Description Amount Change To: Change (Decreased)

A-01-4-1010-00-1110(122) Administrative Aide \$ 41,640 \$ 51,640 \$ 10,000 
 A-01-4-1010-00-1120(33) Chairman \$ 10,000 \$ 15,000 \$ 5,000

```
7,000 $
A-01-4-1010-00-1120(565) Supervi sor
                                                                          10,000 $
                                                                                      3,000
A-01-4-1010-00-1120(1135)Supervi sor
A-01-4-1010-00-1120(1136)Supervi sor
                                                       $
                                                               7,000 $
                                                                          10,000
                                                                                      3,000
                                                               7,000 $
                                                                          10,000
                                                                                      3,000
A-01-4-1010-00-1120(1137)Supervi sor
A-01-4-1010-00-1120(1138)Supervi sor
A-01-4-1010-00-1120(1139)Supervi sor
                                                               7,000 $
                                                                          10,000
                                                                                      3,000
                                                       $$$$$$$$$$
                                                               7,000 $
                                                                          10,000
                                                                                      3,000
                                                               7,000
                                                                          10,000
                                                                                      3,000
A-01-4-1010-00-1120 (1140) Supervi sor
                                                               7,000
                                                                          10,000
                                                                                      3,000
A-01-4-1010-00-1120(1141)Supervi sor
A-01-4-1010-00-1120(1142)Supervi sor
A-01-4-1010-00-1120(1143)Supervi sor
                                                                          10,000
                                                               7,000 $
                                                                                      3,000
                                                               7,000
                                                                          10,000
                                                                                      3,000
                                                               7.000 $
                                                                          10,000 $
                                                                                      3.000
A-01-4-1010-00-1120(1144) Supervi sor
                                                                          10,000
                                                               7,000 $
                                                                                      3,000
A-01-4-1010-00-1120(1145)Supervi sor
A-01-4-1010-00-1120(1146)Supervi sor
                                                                          10,000
                                                                 000
                                                                                      3,000
                                                               7,000
                                                                          10,000
                                                                                      3,000
A-01-4-1010-00-1120 (1147) Supervi sor
                                                               7,000
                                                                          10,000 $
                                                                                      3,000
A-06-3-1110
                                                       $14, 200, 000 $14, 500, 000 $300, 000
                               Sales & Use Tax
A-06-4-9900-00-9901
                                                                         4, 712, 940 ($100, 000)
                               Trans to Co. Rd. Fnd $ 4,812,940
                                                                      $
A-06-4-9900-00-9903
                               Trans to Rd. Mach. Fnd$
                                                            335,000
                                                                           345, 028 $ 10, 025
                               Dir of Real Property
                                                              51, 164 $
                                                                            52, 564 $
A-07-4-1355-00-1110(616)
                                                                                        1, 400
                               Deputy County Clerk $ 37,200 $ Hosp & Med Insurance $5,200,000 $
A-08-4-1410-00-1110 (97)
                                                                            39, 150 $
A-10-4-9001-00-8850
                                                                         4,600,000 ($600,000)
                                                              59, 791
A-12-4-1490-00-1110(50)
                               Comm. of Public Works$
                                                                            65, 541
                                                                                         5, 750
A-12-4-1620-00-4421
                               Prop Rent/Lease/Rep
                                                             130,000 $
                                                                           120,000($ 10,000)
A-14-4-1680-00-1110(444)
                               Dir of Data Process
                                                              54, 221 $
                                                                            60, 221
                                                                                         6,000
                                                                            55, 870 $
                                                                                         1,500
A-15-4-3110-00-1110(419)
                               Undersheri ff
                                                              54, 370 $
                                                              66, 944 $
A-15-4-3110-00-1110(509)
                               Sheri ff
                                                                            67, 244 $
                                                                                           300
                                                                 938
A-15-4-3150-00-1110(1180)Correction Officer
                                                                                       32, 938)
                                                              32,
                                                                                  0($
A-16-4-4010-00-1110(257) PHC Coordinator
                                                              28, 965 $
                                                                            32, 715
                                                                                         3, 750
                                                         $1,656,627 $
$2,953,391 $
                                                                        1, 694, 729 $
                                                                                       38, 102
A-18-3-3610
                               Social Svc Admin
                               Social Svc Admin
Comm of Social Svcs
                                                            953, 391
61, 205
A-18-3-4610
                                                                        2, 974, 983 $
                                                                                       21,
                                                                      $
                                                                            66, 705 $
A-18-4-6010-00-1110(52)
                                                         $
                                                                                         5,500
                                                             41, 748 $
42, 908 $
0 $
                               Dir. of Eligibility
A-18-4-6010-00-1110(108)
                                                                            45, 498 $
                                                                                         3,750
A-18-4-6010-00-1110(441)
A-18-4-6010-00-1110(new)
                                                         $
                                                                            45,858 $
                                                                                         2.
                               Dir. of Social Svcs
                                                                                           950
                                                                            28, 800 $
                                                                                       28,800
                               Caseworker
A-18-4-6010-00-1110 (new)
                               Caseworker
                                                                            28,800 $
                                                                                       28,800
A-18-4-6010-00-1110(new)
                                                                            28,800 $ 28,800
                               Caseworker
                                                         $
                                                                    0 $
                                                              33, 984
A-19-4-6510-00-1110(912)
                                    Vet. Svc. Agen.
                                                                      $
                                                         $
                                                                            36, 734
A-20-4-6610-00-1110(81)
                                    Weights & Meas.
                                                         $
                                                              38,830 $
                                                                                         1,000
                                                                            39,830 $
A-24-4-6430-00-1110(690)
                                                                                       28, 801)
                               Assistant Planner
                                                              28, 801 $
                                                                                  0($
                               Computer Equipment
A-24-4-6430-00-2259
                                                               3,700 $
                                                                              2, 200($
                                                                                         1, 500)
                                                         $4,812,940 $
D-12-3-5031
                               Interfund Transfer
                                                                        4, 712, 940 ($100, 000)
D-12-4-5110-00-4448
                               Const. & Maint. Supp.$
                                                            850,000 $
                                                                           750,000($100,000)
DM-12-3-5031
                               Interfund Transfer
                                                            335,000 $
                                                                           345, 025 $ 10, 025
DM-12-4-5130-00-4441
                                                            314, 975
                               Gas, Oil,
                                          Dies, Fuel
                                                                           325,000 $
                                                                                       10, 025
APPROP. FUND BALANCE
                               General Fund
                                                         $3, 200, 000 $ 3, 421, 400 $221, 400
```

RESOLUTION WITHDRAWN BY SPONSOR (11/3/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 278, Supervisor Quackenbush stated that he would like to see the Vice Chairman of the Board of Supervisors receive a little extra salary, such as \$12,500.

Attorney Doug Landon stated that he must research Supervisor Quackenbush's proposal to see if it can legally be done.

Supervisor Jonker stated that he would like to see the Chairman receive \$13,500 and the rest of the Supervisors \$9,000 each.

Supervisor Thomas stated that the Administrative Aide position should not be on this Resolution, for consistency sake.

(Clerk's note: The salary suggestions were not further explored or voted on.)

**RESOLUTION NO.** 278 of 2007 **DATED:** November 3, 2007

RESOLUTION AMENDING 2008 TENTATIVE OPERATING BUDGET - BOARD OF SUPERVISORS

Resolution by Supervisor: Greco Seconded by Supervisor: Dybas

RESOLVED, that the 2008 Tentative Operating Budget is amended as follows:

Account Description Amount To: Change Increase (Decreased)

```
A-01-4-1010-00-1110
                       (122) Administrative Aide
                                                           41,640 $
                                                                          51,640 $
                                                                                    10,000
A-01-4-1010-00-1120
                                                           10,000 $
                                                                          15,000 $
                        (33)
                               Chai rman
                                                                                      5,000
A-01-4-1010-00-1120
                        (565)
                              Supervi sor
                                                            7,000 $
                                                                          10,000 $
                                                                                      3,000
                        (1135)Supervi sor
(1136)Supervi sor
A-01-4-1010-00-1120
A-01-4-1010-00-1120
                                                                          10,000 $
                                                            7,000 $
                                                                                      3,000
                                                             7,000
                                                                          10,000 $
                                                                                      3,000
                                                        $
$
A-01-4-1010-00-1120
                        (1137) Supervi sor
                                                             7,000
                                                                          10,000 $
                                                                                      3,000
                                                             7,000 $
                                                                          10,000 $
                                                                                      3,000
A-01-4-1010-00-1120
                        (1138) Supervi sor
A-01-4-1010-00-1120
                         1139) Supervi sor
                                                        $
$
$
$
                                                             7,000
                                                                          10,000
                                                                                      3,000
                        (1140)Supervi sor
A-01-4-1010-00-1120
                                                            7,000 $
                                                                          10.000 $
                                                                                      3,000
A-01-4-1010-00-1120
                                                                   $
                        (1141) Supervi sor
                                                            7,000
                                                                          10,000 $
                                                                                      3,000
                        (1142) Supervi sor
(1143) Supervi sor
                                                            7, 000
7, 000
A-01-4-1010-00-1120
                                                                          10,000
                                                                                      3,000
A-01-4-1010-00-1120
                                                                          10,000 $
                                                                                      3,000
                                                        $
A-01-4-1010-00-1120
                        (1144) Supervi sor
                                                             7,000
                                                                          10,000 $
                                                                                      3,000
                                                            7,000 $
                                                                          10,000 $
A-01-4-1010-00-1120
                        (1145) Supervi sor
(1146) Supervi sor
                                                        $
                                                                                      3,000
A-01-4-1010-00-1120
                                                        $
                                                             7,000 $
                                                                          10,000
                                                                                      3,000
A-01-4-1010-00-1120 (1147) Supervi sor
                                                             7,000 $
                                                                          10,000 $
                                                                                      3,000
APPROP. FUND BALANCE
                                                        $3, 200, 000 $ 3, 257, 000 $ 57, 000
                               General Fund
```

RESOLUTION ADOPTED with Aye(1192). Supervisors Strevy, Thomas and Paton voted Nay. Supervisors Schumann, Mancini and Cechnicki were absent. (11/3/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 279 of 2007 **DATED:** November 3, 2007

RESOLUTION AMENDING 2008 TENTATIVE OPERATING BUDGET - SALES AND USE TAX

Resolution by Supervisor: Greco Seconded by Supervisor: McMahon

RESOLVED, that the 2008 Tentative Operating Budget is amended as follows:

Account Description Amount Change To: (Decreased)

A-06-3-1110 Sales & Use Tax \$14,200,000 \$14,500,000 \$300,000 APPROP. FUND BALANCE General Fund \$3,257,000 \$2,957,000 (\$300,000)

RESOLUTION ADOPTED with Aye(1526). Supervisors Schumann, Mancini and Cechnicki were absent. (11/3/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 280, Supervisor Stagliano made a motion to return the \$100K back to the road fund.

Chairman Greco stated that the intent of the removal of the money was to try to establish a Capital Project reserve fund.

**RESOLUTION NO.** 280 of 2007 **DATED:** November 3, 2007

RESOLUTION 2008 AMENDING TENTATIVE OPERATING BUDGET - PUBLIC WORKS

Resolution by Supervisor: Greco Seconded by Supervisor: Dybas

RESOLVED, that the 2008 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-06-4-9900-00-9901 A-06-4-9900-00-9903	Trans to Co. Rd. Fund \$ Trans to Rd. Mach. Fund\$			
D-12-3-5031 D-12-4-5110-00-4448 DM-12-3-5031 DM-12-4-5130-00-4441	<pre>Interfund Transfer \$ Const. &amp; Maint. Supp.\$ Interfund Transfer \$ Gas, Oil, Dies, Fuel \$</pre>	850, 000	\$ 750 \$ 345	940(\$100,000) 000(\$100,000) 025 \$ 10,025 000 \$ 10,025

APPROP. FUND BALANCE \$ 2,957,000 \$ 2,867,025(\$ 89,975) General Fund

MOTION TO AMEND by Supervisor Stagliano, seconded by Supervisor Walters by striking the following Lines:

to strike:

'APPROP. FUND BALANCE General Fund \$ 2,957,000 \$ 2,867,025(\$ 89,975)"

and replace with:

'APPROP. FUND BALANCE General Fund \$ 2,957,000 \$ 2,967,025 \$ 10,025,

Supervisors Greco, Dybas, Strevy and Paton voted Nay. passed with Aye(1001). Supervi sors Schumann, Mancini and Cechnicki were absent. (11/3/2007)

RESOLUTION ADOPTED with Aye(1284). Supervisors Greco and Strevy voted Nay. Supervi sors Schumann, Mancini and Cechnicki were absent. (11/3/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 281, Supervisor Strevy stated that his votes are not a reflection on the personnel and departments within the County, but rather an attempt to decrease the use of the Fund Balance and reduce the budget.

Chairman Quackenbush stated that he is voting "NAY" because the salary study is still incomplete. He stated that any AYE vote means the study should discontinue immediately, as these changes are permanent.

Supervisor Dybas urged the study to continue and to set aside money to cover the salaries for now.

Chairman DiMezza made a motion to amend the Resolution (see Resolution text).

Supervisor McMahon stated that you shouldn't set executive level salaries based on a "study".

RESOLUTION NO. 281 of 2007 **DATED:** November 3, 2007

RESOLUTION AMENDING 2008 TENTATIVE OPERATING BUDGET - NON-BARGAINING SALARIES

Resolution by Supervisor: Greco Seconded by Supervisor: McMahon

RESOLVED, that the 2008 Tentative Operating Budget is amended as follows:

Account	Description		Amoun	t	Change To:	Increase (Decreased)
A-07-4-1355-00-1110 (616) A-08-4-1410-00-1110 (97) A-12-4-1490-00-1110 (50) A-14-4-1680-00-1110 (444) A-15-4-3110-00-1110 (509) A-16-4-4010-00-1110 (52) A-18-4-6010-00-1110 (108) A-18-4-6010-00-1110 (441) A-19-4-6510-00-1110 (912)	Dir of Data Process Undersheriff Sheriff PHC Coordinator Comm of Social Svcs Dir. of Eligibility Dir. of Social Svcs Dir. Vet. Svc. Agen.	\$	51, 164 37, 200 59, 791 54, 221 54, 370 66, 944 28, 965 61, 205 41, 748 42, 908 33, 984	\$\$\$\$\$\$\$\$\$\$\$\$\$	52, 564 39, 150 65, 541 60, 221 55, 870 67, 244 32, 715 66, 705 45, 498 45, 858 36, 734	\$ 1,950 \$ 5,750 \$ 6,000 \$ 1,500 \$ 300 \$ 3,750 \$ 5,500 \$ 3,750 \$ 2,950 \$ 2,750
A-20-4-6610-00-1110(81) APPROP. FUND BALANCE	Dir. Weights & Meas. General Fund	\$ \$2,	38, 830 967, 025		39, 830 003, 625	\$ 1,000 \$ 36,600

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Johnson to strike the following:

```
"A-12-4-1490-00-1110(50) Comm. of Public Works$ 59,791 $
"A-15-4-3110-00-1110(419)Undersheriff $ 54,370 $
"A-15-4-3110-00-1110(509)Sheriff $ 66,944 $
                                                                                              65,541 $
                                                                                                              5, 750"
                                                                                                              1, 500"
                                                                                              55,870 $
                                                                                                                 300"
                                                                                              67, 244 $
"A-19-4-6510-00-1110(912)Dir. Vet. Svc. Agen. $ 33,984 $
                                                                                              36, 734 $
                                                                                                            2, 750"
```

"APPROP. FUND BALANCE General Fund \$2, 967, 025 \$3, 003, 625 \$36, 600", and

insert the following:

"A-12-4-1490-00-1110(50) Comm. of Public Works\$ 59,791 \$ 63,291 \$ 3,500", 
"A-15-4-3110-00-1110(419)Undersheriff \$ 54,370 \$ 56,427 \$ 2,057", 
"A-15-4-3110-00-1110(509)Sheriff \$ 66,944 \$ 70,034 \$ 3,090", 
"A-19-4-6510-00-1110(912)Dir. Vet. Svc. Agen. \$ 33,984 \$ 0",

"APPROP. FUND BALANCE General Fund \$2,967,025 \$3,001,972 \$34,947",

passed with Aye(1169). Supervisors Strevy, Quackenbush and Stagliano voted Nay. Supervisors Schumann, Mancini and Cechnicki were absent. (11/3/2007)

RESOLUTION DEFEATED with Aye(638). Supervisors Greco, Johnson, DiMezza and McMahon voted Aye. Supervisors Schumann, Mancini and Cechnicki were absent. (11/3/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Supervisor Quackenbush stated that he would like the personnel study to be complete by January 1st.

Supervisor Stagliano stated that it is the Board's fault for not giving the study's Task Force a timeline to work with.

**RESOLUTION NO.** 282 of 2007 **DATED:** November 3, 2007

RESOLUTION AMENDING 2008 TENTATIVE OPERATING BUDGET - HOSPITAL/MEDICAL INSURANCE

Resolution by Supervisor: Greco Seconded by Supervisor: Dybas

RESOLVED, that the 2008 Tentative Operating Budget is amended as follows:

Account Description Amount To: (Decreased)

A-10-4-9001-00-8850 Hosp & Med Insurance \$ 5,200,000 \$ 4,600,000(\$600,000) APPROP. FUND BALANCE General Fund \$ 2,967,025 \$ 2,367,025(\$600,000)

RESOLUTION ADOPTED with Aye(1526). Supervisors Schumann, Mancini and Cechnicki were absent. (11/3/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 283 of 2007 **DATED:** November 3, 2007

RESOLUTION AMENDING 2008 TENTATIVE OPERATING BUDGET - RENTAL/LEASE/REPAIR (PUBLIC WORKS)

Resolution by Supervisor: Greco Seconded by Supervisor: Dybas

RESOLVED, that the 2008 Tentative Operating Budget is amended as follows:

Account Description Amount To: (Decreased)

A-12-4-1620-00-4421 Prop Rent/Lease/Rep \$ 130,000 \$ 120,000(\$ 10,000) APPROP. FUND BALANCE General Fund \$ 2,367,025 \$ 2,357,025(\$ 10,000)

RESOLUTION ADOPTED with Aye(1526). Supervisors Schumann, Mancini and Cechnicki were absent. (11/3/2007)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

Social Services Commissioner William Cranker clarified Resolution 284.

Supervisor Quackenbush made a motion to add an additional Caseworker and Senior Caseworker. There were no objections.

**RESOLUTION NO.** 284 of 2007 **DATED:** November 3, 2007

RESOLUTION AMENDING 2008 TENTATIVE OPERATING BUDGET - CASEWORKERS (SOCIAL SERVICES)

Resolution by Supervisor: Greco Seconded by Supervisor: Dybas

RESOLVED, that the 2008 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-18-3-3610 A-18-3-4610 A-18-4-6010-00-1110(1198 A-18-4-6010-00-1110(1199 A-18-4-6010-00-1110(1200 APPROP. FUND BALANCE	)Caseworker )Caseworker	\$ 0	2, 974, 983 \$ 28, 800 \$ 28, 800 \$ 28, 800	3 \$ 21,592 0 \$ 28,800 0 \$ 28,800 0 \$ 28,800

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor DiMezza to stike:

```
"A-18-3-3610 Social Svc Admin $1,656,627 $1,694,729 $ 38,102",  
"A-18-3-4610 Social Svc Admin $2,953,391 $2,974,983 $ 21,592", and  
"APPROP. FUND BALANCE General Fund $2,357,025 $2,383,731 $ 26,706"
```

and replace with:

```
"A-18-3-3610 Social Svc Admin $1,656,627 $1,720,702 $ 64,075",
"A-18-3-4610 Social Svc Admin $2,953,391 $2,989,701 $ 36,310",
"A-18-4-6010-00-1110(1201)Caseworker $ 0 $ 28,800 $ 28,800",
"A-18-4-6010-00-1110(1202)Seni or Caseworker$ 0 $ 30,094 $ 30,094" and
"APPROP. FUND BALANCE General Fund $2,357,025 $2,401,934 $ 44,909",
```

passed with Aye(1161). Supervisors Strevy, Paton and Jonker voted Nay. Supervisors Schumann, Mancini and Cechnicki were absent. (11/3/2007)

RESOLUTION ADOPTED with Aye(1137). Supervisors Greco, Strevy and Paton voted Nay. Supervisors Schumann, Mancini and Cechnicki were absent. (11/3/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Supervisor Thomas stated that Resolution 285 helps solve the problem of understaffing at Corrections plus offsets the overtime issue.

Sheriff Mike Amato stated that this Resolution is part of the long term plan for the jail. He stated that full-time staffing must increase because part-time shifts have been reduced.

**RESOLUTION NO.** 285 of 2007 **DATED:** November 3, 2007

RESOLUTION AMENDING 2008 TENTATIVE OPERATING BUDGET - CORRECTIONS OFFICER (SHERIFF'S OFFICE)

Resolution by Supervisor: Greco Seconded by Supervisor: Dybas

RESOLVED, that the 2008 Tentative Operating Budget is amended as follows:

```
Account Description Amount To: Change To: (Decreased)
A-15-4-3150-00-1110(1180)Correction Officer $ 32,938 $ 0($ 32,938)
APPROP. FUND BALANCE General Fund $2,401,934 $2,368,996($ 32,938)
```

RESOLUTION DEFEATED with Aye(422). Supervisors Greco, Dybas and Paton voted Aye. Supervisors Schumann, Mancini and Cechnicki were absent. (11/3/2007)

Douglas Landon
County Attorney

Ki mberly Sanborn
Clerk, Board of Supervisors

Supervisor Johnson clarified that a NAY vote to Resolution 286 states that an Assistant Planner is needed, which in turn supports long-term growth in the County.

Supervisor McMahon stated that the County should share the Planner's services with the municipalities.

On that note, Supervisor Strevy stated that we should charge the municipalities for the use of the Planner's services, to help offset the cost. Chairman DiMezza stated that the taxes paid by the municipalities is enough reimbursement for shared use.

Supervisor Strevy asked how the Board can justify any new positions to the taxpayers, and that draining the Fund Balance is not the solution.

Supervisor Stagliano cautioned the Supervisors that our government is growing faster that its ability to pay for new positions, and that positive, long-term decisions must be made.

Supervisor Johnson stated that if an Assistant Planner is solicited, the County will be fortunate to find someone willing to accept such a low salary.

## **RESOLUTION NO.** 286 of 2007 **DATED:** November 3, 2007

RESOLUTION AMENDING 2008 TENTATIVE OPERATING BUDGET - ASSISTANT PLANNER (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Greco Seconded by Supervisor: Dybas

RESOLVED, that the 2008 Tentative Operating Budget is amended as follows:

Account Description Amount Change To: Change (Decreased)

A-24-4-6430-00-1110 (690) Assistant Planner \$ 28,801 \$ 0(\$ 28,801) A-24-4-6430-00-2259 Computer Equipment \$ 3,700 \$ 2,200(\$ 1,500) APPROP. FUND BALANCE General Fund \$ 22,401,934 \$ 2,371,633(\$ 30,301)

MOTION TO CALL THE QUESTION by Supervisor Dybas, seconded by Supervisor Greco, passed with Aye(1526). Supervisors Schumann, Mancini and Cechnicki were absent. (11/3/2007)

RESOLUTION DEFEATED with Aye(879). Supervisors Greco, Dybas, McMahon, Strevy, Paton, Jonker and Stagliano voted Aye. Supervisors Schumann, Mancini and Cechnicki were absent. (11/3/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Supervisor Jonker spoke in support of Resolution 287, since the van driver is also transporting recerts for the Social Services department.

Supervisor Walters stated that the County needs to look at the future bus service providing that kind of transportation for Social Services.

Supervisor Quackenbush reminded the Board that the full-time driver was recently hired so that Veterans would have some driver consistency.

## **RESOLUTION NO.** 287 of 2007 **DATED:** November 3, 2007

RESOLUTION AMENDING 2008 TENTATIVE OPERATING BUDGET - VETERANS OFFICE

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Jonker

RESOLVED, that the 2008 Tentative Operating Budget is amended as follows:

Account Description Amount Change Increase To: (Decreased)

A-19-4-6510-00-1120(57) Motor Veh. Oper-P/T \$ 10,400 \$ 14,400 \$ 4,000

APPROP. FUND BALANCE General Fund \$ 2,401,934 \$ 2,397,934 \$ 4,000

RESOLUTION DEFEATED with Aye(546). Supervisors Johnson, Dybas, Quackenbush and Jonker voted Aye. Supervisors Schumann, Mancini, Strevy, Cechnicki and Stagliano were absent. (11/3/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors Supervisor McMahon stated that this Resolution (#288) should fail since Resolution 281 failed also.

Supervisor Quackenbush again stated that the personnel study is not complete, but should be completed for the next Full Board meeting.

Supervisor Thomas stated that he will agree to vote NAY, providing that the study will continue.

Sheriff Amato expressed his frustration. He stated that two years ago he began his own departmental salary study, which he presented to the Board for consideration. He also stated that the revenue brought in by his department more than covers the needed adjustments.

Chairman Greco stated that if Supervisor Johnson removes her second sponsorship, this Resolution and related Resolutions (#290-300) will be WITHDRAWN so the study can continue. There were no objections.

Supervisor Johnson stated that she is withdrawing her sponsorship so that the non-bargaining personnel study can continue.

**RESOLUTION NO.** 288 of 2007 **DATED:** November 3, 2007

RESOLUTION AMENDING 2008 TENTATIVE OPERATING BUDGET - NON-BARGAINING SALARIES (SHERIFF'S OFFICE)

Resolution by Supervisor: Thomas Seconded by Supervisor: Johnson

RESOLVED, that the 2008 Tentative Operating Budget is amended as follows:

						Increase
Account	Description		Amount		To:	(Decreased)
A-15-4-3110-00-1110(419)	Undersheri ff	\$	54, 370	\$	62, 550	\$ 8, 180
A-15-4-3110-00-1110(509)	Sheri ff	\$	66, 944	\$	75, 124	\$ 8, 180
A-15-4-3110-00-1110(510)	Sheriffs Conf. Sec.	\$	35, 564	\$	39, 064	\$ 3,500
A-15-4-3150-00-1110(470)	Correct. Administr.	\$	47, 494	\$	52, 494	\$ 5,000
APPROP. FUND BALANCE	General Fund	\$2	, 401, 934	\$2	, 426, 794	\$ 24,860

RESOLUTION WITHDRAWN BY SPONSOR (11/3/2007)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

**RESOLUTION NO.** 289 of 2007 **DATED:** November 3, 2007

RESOLUTION REGARDING THE NON-BARGAINING PERSONNEL SALARY STUDY

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Dybas

RESOLVED, the Non-Bargaining Personnel Salary Study Task Force consisting of the Personnel Officer, Treasurer and Administrative Aide is hereby directed to forward all relevant information regarding the Non-Bargaining Personnel Salary Study to the members of the Board of Supervisors by December 7, 2007, using all possible resources and sources necessary to gather said information.

RESOLUTION ADOPTED with Aye(1327). Supervisors Schumann, Mancini, Strevy, Cechnicki and Stagliano were absent. (11/3/2007)

Douglas Landon Kimberly Sanborn

County Attorney Clerk, Board of Supervisors

(Clerk's note: Several draft Resolutions dated 11/3/2007 were not entertained, in order that the non-bargaining personnel salary study could continue.)

**RESOLUTION NO.** 290 of 2007 **DATED:** November 3, 2007

RESOLUTION AMENDING 2008 TENTATIVE BUDGET - EQUIPMENT (SHERIFF'S OFFICE)

Resolution by Supervisor: Thomas Seconded by Supervisor: Wal ters RESOLVED, that the 2008 Tentative Operating Budget is amended as follows:

Change Increase Description Amount (Decreased) Account To: 22, 185 \$ 22, 185 6, 620 \$ 1, 380 A-15-4-3150-00-2230 A-15-4-3150-00-2250 Motor Vehicle Equipment \$ 0 5, 240 \$ Technical Equipment 43,000 State Aid - Public Safety 43, 290 \$ A-15-3-3389 ∠90 2, 990 A-15-4-3110-00-2250 1,600 \$ 4,590 \$ \$ Technical Equipment 6,700 \$ A-15-4-3110-00-4470 Travel: Related Costs 3,700 \$ 3,000 APPROP. FUND BALANCE General Fund \$2, 401, 934 \$2, 431, 199 \$ 29, 265

RESOLUTION ADOPTED with Aye(1327). Supervisors Schumann, Mancini, Strevy, Cechnicki and Stagliano were absent. (11/3/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 291 of 2007 **DATED:** November 3, 2007

RESOLUTION AMENDING 2008 TENTATIVE OPERATING BUDGET - OUTSIDE AGENCIES (BOARD OF SUPERVISORS)

Resolution by Supervisor: Johnson Seconded by Supervisor: Di Mezza

RESOLVED, that the 2008 Tentative Operating Budget is amended as follows:

Change Description Amount (Decreased) Account To: A-01-4-6989-00-4578 200,000 \$ 5,000 195,000 \$ Office for the Aging \$ 22, 000 \$ 161, 700 \$ A-01-4-8751-00-4438 Misc. Supp. Services \$ 15,000 \$ 7,000 7, 700 A-01-4-8751-00-4575 Cornell Cooperative \$ 154,000 \$ 2, 431, 199 \$ 2, 450, 899 \$ 19, 700 APPROP. FUND BALANCE General Fund

RESOLUTION ADOPTED with Aye(1037). Supervisors McMahon and Paton voted Nay. Supervisors Schumann, Mancini, Strevy, Cechnicki and Stagliano were absent. (11/3/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 292 of 2007 **DATED:** November 3, 2007

RESOLUTION AMENDING 2008 TENTATIVE OPERATING BUDGET REQUEST - ACCEPTANCE OF VARIOUS GRANT COST OF LIVING ADJUSTMENT (COLA) INCREASES (PUBLIC HEALTH)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Dybas

WHEREAS, the Board of Supervisors authorized acceptance of grant funds for the Early Intervention Administration and Children With Special Health Care Needs grants for the period commencing October 1, 2007 and ending September 30, 2008 and the Immunization Action Plan and Lead Poisoning and Prevention Grants for the period commencing April 1, 2007 and ending March 31, 2008, and

WHERAS, the new York State Department of Health has authorized Cost of Living Adjustment (COLA) increases for the total grant funds allocated to the Montgomery County Public Health Department for these grants in the amounts of \$1,950.00 - Early Intervention Administration Grant; \$918.00 - Children With Special Health Care Needs Grant; \$1,252.00 - Immunization Action Plan Grant and \$1,290.00 - Lead Poisoning and Prevention Grant,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the additional COLA grant funds, and

FURTHER RESOLVED, that the County Budget Officer is hereby authorized and directed to amend the 2008 budget request as follows:

#### I NCREASE:

Revenue:

A-16-3-3401-01 Public Health Grant: EI Adm/CSHCN \$2,868.00
A-16-3-3401-03 Public Health Grant: Immun. Action Plan Grant \$1,252.00
A-16-3-3401-05 Public Health Grant: Lead Poisoning & Prev. Grant \$1,290.00

Appropri ati ons:

A-16-4-4010-01 (.4526) Public Health Grant: Education Programs \$2,868.00 A-16-4-4010-03 (.4526) Public Health Grant: Education Programs \$1,252.00 A-16-4-4010-05 (.4526) Public Health Grant: Education Programs \$1,290.00

RESOLUTION ADOPTED with Aye(1327). Supervisors Schumann, Mancini, Strevy, Cechnicki and Stagliano were absent. (11/3/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 293 of 2007 **DATED:** November 3, 2007

RESOLUTION SUPPORTING GRANT APPLICATION BY MONTGOMERY COUNTY HEALTH TRUST TO THE 2007-08 SHARED MUNICIPAL SERVICE INCENTIVE (SMSI) GRANT PROGRAM

Resolution by Supervisor: Dybas Seconded by Supervisor: Jonker

WHEREAS, the Montgomery County Health Insurance Trust is applying to the Governor's Office 2007-08 Shared Municipal Service Incentive (SMSI) Grant Program for funding to assist with streamlining local government services related to Health Insurance,

RESOLVED, the Montgomery County Board of Supervisors hereby supports the grant application by the Montgomery County Health Insurance Trust to the Governor's Office 2007-08 Shared Municipal Service Incentive (SMSI) 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 act on behalf of Montgomery County in all matters related to this grant.

RESOLUTION ADOPTED with Aye(1327). Supervisors Schumann, Mancini, Strevy, Cechnicki and Stagliano were absent. (11/3/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 294 of 2007 **DATED:** November 3, 2007

RESOLUTION TO AMEND 2008 TENTATIVE OPERATING BUDGET (SOCIAL SERVICES)

Resolution by Supervisor: Jonker Seconded by Supervisor: Dybas

RESOLVED, that the Tentative Operating Budget is amended as follows:

ACCOUNT DESCRIPTION FROM TO INCREASED (DECREASED)

A-18-4-6010-00-1140(962) Sick Leave Buy-Back \$0 \$1,980 \$1,980 APPROP. FUND BALANCE General Fund \$2,450,899 \$2,452,879 \$1,980

RESOLUTION ADOPTED with Aye(1327). Supervisors Schumann, Mancini, Strevy, Cechnicki and Stagliano were absent. (11/3/2007)

Douglas Landon
County Attorney

Ki mberly Sanborn
Clerk, Board of Supervisors

**RESOLUTION NO.** 295 of 2007 **DATED:** November 3, 2007

RESOLUTION AMENDING 2008 TENTATIVE BUDGET - APPROPRIATED FUND BALANCE

Resolution by Supervisor: Dybas Seconded by Supervisor: Greco

RESOLVED, that the Tentative Operating Budget is amended as follows:

ACCOUNT DESCRIPTION FROM TO INCREASED (DECREASED)

APPROP. FUND BALANCE General Fund \$2,452,879 \$3,550,000 \$1,097,121

RESOLUTION ADOPTED with Aye(1024). Supervisor Thomas voted Nay. Supervisors Schumann, Mancini, DiMezza, Strevy, Cechnicki and Stagliano were absent. (11/3/2007)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

#### **ADJOURNMENT**

MOTION TO ADJOURN by Supervisor Johnson, seconded by Supervisor Quackenbush, passed with Aye(1108). Supervisors Schumann, Mancini, DiMezza, Strevy, Cechnicki and Stagliano were absent.

Chairman Greco adjourned the Special Meeting at 11:00 AM.

Respectfully submitted,

## PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE OF THE WHOLE

4:00 PM, November 13, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Di Mezza presided over the meeting commencing at 4:05 PM.

Roll call indicated that Supervisors Johnson, Greco, Paton, McMahon, Strevy, Dybas, Thomas, and Jonker were present.

Absent were Supervisors Walters, Stagliano, Quackenbush, Cechnicki, Mancini, and Schumann.

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

1. Discussion regarding issues related to MOSA

Item #1: Chairman DiMezza stated that the purpose of this meeting is an open dialog with MOSA to discuss options in Phase II study done by GBB (Gersham, Brickner & Bratton, Inc.).

Erin Crotty (of the Crotty Group and former En Con Commissioner) disseminated a copy of the presentation (slide show) from the last MOSA meeting, as well as a proposed "agenda" for today's meeting.

Chairman DiMezza stated that a concern that hasn't been addressed was regarding the completed financial analysis of MOSA's reserve funds, fund balances and money that was on-hand at the time. The report from that analysis, submitted to Otsego and Schoharie Counties, stated that if MOSA was to pay down some of the debt, the County could save approx. \$1M in subsidy fees.

Mr. Bratton stated that there appeared to be no support in going ahead with that approach, thereby not making it an implementable program. He stated that the analysis could be presented into the report, outlining the pros and cons.

Chairman Di Mezza stated that if GBB is here to look at the whole picture, the report should have reflected the money-saving analysis, irregardless if it was supported by the other two counties.

Supervisor Strevy entered Chamber at 4:18 PM.

Ms. Crotty stated that there might be some legalities on how the Reserve can be used.

Supervisor Dybas, responding to Ms. Crotty's comment and reading the GBB report, stated that the Reserve Fund could be used as indicated. He also asked what MOSA's plans are after 2014.

Ms. Crotty stated that MOSA is locked into a transportation contract with Riccelli Enterprises through 2010. She stated that Phase II includes discussion regarding what to do between 2011 and 2014, and then beyond 2014.

Responding to a query from Supervisor Dybas, she stated that in the Phase II report contains MOSA options after 2014.

Ms. Crotty disseminated a document titled "Recommended Options to Evaluate in Near-Term that Have Long-Term Service and Cost Implications for MOSA, Member Counties, and Local Governments" to all present Supervisors.

Mr. Bratton stated that County meetings should commence in the first quarter of 2008 (Phase II planning outreach). The recommendations and findings of those meetings will be brought to the MOSA Board and Counties in the form of a findings report or presentation.

Supervisor McMahon stated that if MOSA dies in 2014, he wouldn't vote for another similar contractor or government entity. He stated that he prefers dealing with the private sector.

Mr. Bratton stated that, as an option, we might end up involving the private sector on some level.

Supervisor Dybas asked what will happen to MOSA on 7/1/2014 if nothing is done in the interim (I.e. no service agreements), and if MOSA's assets become taxable.

Mr. Bratton stated that the service agreement expires at that time, but he can't predict what the Counties will do at that time.

Supervisor Dybas stated that since NYS has serious interest in recycling, green energy, etc., why haven't options haven't been looked at on the State level?

Chairman DiMezza stated that if anyone in the audience wishes to ask a question, they should feel

free, as there are members of the MOSA Board and other interested parties in the audience. There were no objections.

Supervisor Johnson stated that there's no use to looking at Phase II if all issues aren't considered.

Chairman DiMezza stated that MOSA's mission statement states that MOSA is going to provide a service to the Counties for the lowest possible cost, but the County can no longer afford the service. He stated he doesn't think any Board member would object continuing with MOSA if the cost was zero in subsidy fees by 2014.

Supervisor Thomas asked why we are paying to send our garbage 200 miles to a landfill when there's a landfill in Fulton County just up the road? And why are we paying a full GAT when garbage isn't being transporting. He stated that it's all a result of poor management and poor communication.

Supervisor Dybas asked if anyone has reviewed the Riccelli contract to find an "out clause", and to see if we can use Fulton County's landfill. He asked if anyone at MOSA has researched if it's more cost effective to get out of the contract now. Supervisor Jonker also spoke in support of reviewing said contract.

MOSA Executive Director Gilbert L. Chichester stated that there are issues (i.e. recycling programs, County Law, etc.) at the Fulton site that MOSA would have no control over, so it's not feasible at this time, but may be an option in the future.

Mr. Bratton stated that another option is to build a regional thermal processing facility and/or landfill to serve the three Counties.

Supervisor McMahon spoke in support of utilizing the closest available landfill.

Supervisor Paton stated that he doesn't support continuing to work with Schoharie and Otsego Counties.

Supervisor McMahon stated that some of the ideas being discussed today are the same ideas that have been discussed for many years, and it's a challenge when the members of the Board of Supervisors changes periodically.

Chairman DiMezza stated that Montgomery County is paying \$1M/year in subsidy fees. He stated that the County doesn't have garbage, and each municipality is responsible for their garbage. So, in 2014, if Montgomery County washes their hands of the issue, then each municipality will be responsible for collecting and hauling their own garbage.

Mr. Bratton stated that there are a number of legal issues and things to consider if Montgomery County doesn't chose to continue with MOSA in 2014.

Supervisor Greco stated that he feels that no Supervisor here is interested in working with MOSA because of the monopoly and MOSA raises rates, etc.

Ms. Crotty suggested that the Board pass a Resolution stating such.

Supervisor Greco stated that the Resolution could read that, in 2014, we would like a letter of intent to use Fulton's Landfill.

Chairman DiMezza stated that after 2014, MOSA will exist because of ownership of two landfills in Montgomery County. He stated that the Reserve could be used to take care of the landfills and their eventual closure. He stated that if the \$1M subsidy is reduced to zero, then the County would have no issue against MOSA. He said that GBB has to resolve that problem.

Mr. Bratton stated that perhaps charging a user's fee or tax would help alliviate the cost to the County.

Supervisor Paton exited Chamber at 5:20 PM.

Mr. Bratton stated that another option is for the member Counties to purchase MOSA's transfer stations and arrange their own garbage disposal out of the County.

And, he stated, the last option is status-quo, with or without Montgomery County.

Chairman Di Mezza asked Ms. Crotty for a report stating the County's obligations (legal and otherwise) after 2014, irregardless how Phase II goes. There were no objections.

Chairman DiMezza stated that Montgomery County felt that there wasn't enough representation on the MOSA Board, since this County has the most garbage.

Supervisor Dybas asked for a breakdown on how the GAT is determined.

Supervisor Thomas stated that the County should look at the option of getting rid of the two landfills, since they are extreme liabilities, or look at the option of "landfill mining".

Supervisor Johnson stated that there shouldn't be an continuing obligation after a service contract expires.

Supervisor Dybas stated that MOSA will continue to exist after 2014.

As there were no more questions, Chairman DiMezza thanked Ms. Crotty and Mr. Bratton for their presentation.

Supervisors Jonker and Thomas made a motion and seconded, respectively, to adjourn the Committee of the Whole Meeting. There were no objections.

Chairman Di Mezza adjourned the Meeting at 5:37 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - PUBLIC SAFETY 7:00 PM, November 13, 2007

#### COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Cechnicki, Strevy, Dybas, Greco and Jonker. Absent was Supervisor Schumann.

Additional Supervisors present were Quackenbush, Paton, Walters and DiMezza. Absent were Supervisors Stagliano, Johnson, McMahon and Mancini.

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

- Resolution Authorizing Chairman to Sign Grant Agreement NYS DCJS -Recruitment/Retention (District Attorney)
- 2. Resolution Authorizing Chairman to Sign Grant Agreement NYS DCJS Drug Task Force Grant (District Attorney)
- 3. Resolution Authorizing Chairman to Sign Grant Agreement Governor's Traffic Safety Committee Traffic Safety Officer (Sheriff)
- 4. Resolution Authorizing Chairman to Sign Agreement Pre-Trial Release Coordinator Leslie Nicholas (Youth Bureau/ACSD)
- 5. Other

Item #1: The Resolution was sponsored and seconded by Supervisors Jonker and Walters, respectively.

Chairman Thomas stated that the information provided with agenda items #1 and #2 are not clear regarding the monetary amount designated yearly. He stated that the two Resolutions should be entertained in the Finance Committee once clarified by the District Attorney's office. There were no objections to moving both Resolutions to the Finance Committee.

Item #2: The Resolution was sponsored and seconded by Supervisors Strevy and Quackenbush, respectively. The Resolution was moved to the Finance Committee with no objections.

Item #3: The Resolution was sponsored and seconded by Supervisors Dybas and Strevy, respectively, and moved to the full Board with a positive recommendation. There were no objections.

Item #4: The Resolution was sponsored and seconded by Supervisors Jonker and Dybas, respectively, and moved to the full Board with a positive recommendation. There were no objections.

Item #5, Other: Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - DIETICIAN/NUTRITIONIST - CORRECTIONAL FACILITY ANNUAL MENU REVIEW (SHERIFF).

The add-on Resolution was sponsored and seconded by Supervisors DiMezza and Dybas, respectively, and moved to the full Board with a positive recommendation. There were no objections.

Add-on RESOLUTION AMENDING 2007 TENTATIVE OPERATING BUDGET - BEECHNUT SURCHARGES (SANITARY DISTRICT #1).

The add-on Resolution was sponsored and seconded by Supervisors Quackenbush and Jonker, respectively, and moved to the full Board with a positive recommendation. There were no objections.

Add-on RESOLUTION SUPPORTING THE MONTGOMERY COUNTY ANNUAL GOLF TOURNAMENT (STOP-DWI).

The add-on Resolution was sponsored and seconded by Supervisors Greco and Quackenbush, respectively, and moved to the full Board with a positive recommendation. There were no objections.

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

Chairman Thomas adjourned the Public Safety Committee meeting at 7:11 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - GENERAL SERVICES 7:10 PM, November 13, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:12 PM.

Roll call indicated Committee members present included Supervisors Quackenbush, Cechnicki, Paton, Greco and Strevy. Absent was Supervisor Stagliano.

Additional Supervisors present were DiMezza, Mancini, Thomas, Dybas and Jonker. Absent were Supervisors Schumann, McMahon, Mancini and Johnson.

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

- 1. Discussion item 2007 Budget Amendments (DPW)
- 2. Discussion item Authorizing NYSDOT to Utilize County Highways as a Detour (DPW)
- 3. Discussion item Designating Freeda's Way as a County Highway, County Road No. 65, River Road, Town of Minden (DPW)
- Resolution Authorizing The Montgomery County Department of Economic Development and Planning to Undertake the Local Update of Census Addresses (LUCA) and 2010 Census Processes for the County (Economic Development)
- 5. Other

(Clerk's Note: DPW Commissioner Paul Clayburn disseminated several add-on Resolutions - replacing the three discussion items - to the present Supervisors.)

Item #1: Add-on RESOLUTION AMENDING 2007 OPERATING BUDGET - STATE/FEDERAL AID - EMERGENCY DISASTER (PUBLIC WORKS).

The add-on Resolution was sponsored and seconded by Supervisors DiMezza and Greco, respectively, and moved to the Full Board with a positive recommendation with no objection.

RESOLUTION AMENDING 2007 OPERATING BUDGET - PUBLIC WORKS GENERAL FUND (PUBLIC WORKS)

The add-on Resolution was sponsored and seconded by Supervisors Quackenbush and Greco, respectively, and moved to the Full Board with a positive recommendation with no objection.

RESOLUTION AMENDING 2007 OPERATING BUDGET - ROAD MACHINERY FUND (PUBLIC WORKS)

Commissioner Clayburn clarified the Resolution.

The add-on Resolution was sponsored and seconded by Supervisors Quackenbush and Greco, respectively, and moved to the Full Board with a positive recommendation with no objection.

Item #2: RESOLUTION AUTHORIZING THE NYS DEPARTMENT OF TRANSPORTATION TO UTILIZE CERTAIN COUNTY ROADS AS DETOURS (PUBLIC WORKS).

The add-on Resolution was sponsored and seconded by Supervisors Quackenbush and Greco, respectively, and moved to the Full Board with a positive recommendation with no objection.

Item #3: RESOLUTION AUTHORIZING THE ADDITION OF FREEDA'S WAY, COUNTY ROAD NO. 65, TO THE COUNTY ROAD SYSTEM (PUBLIC WORKS).

The add-on Resolution was sponsored and seconded by Supervisors Quackenbush and Greco, respectively, and moved to the Full Board with a positive recommendation with no objection.

Item #4: The Resolution was sponsored and seconded by Supervisors Strevy and Dybas, respectively, and moved to the Full Board with a positive recommendation with no objection.

Item #5, Other: There was no additional discussion.

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

Chairman Walters adjourned the General Services Committee meeting at 7:21 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISOR'S CHAMBERS COMMITTEE MEETING - HEALTH & HUMAN SERVICES 7:30 PM, November 13, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Jonker presided over the meeting commencing at 7:30 PM.

Roll call indicated Committee members present included Supervisors Quackenbush, Dybas, Strevy, Paton, and Thomas. Absent was Supervisor Mancini.

Additional Supervisors present were Cechnicki, Greco, Walters and DiMezza. Absent were Supervisors Johnson, McMahon, Stagliano and Schumann.

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

- Resolution Amending 2007 Operating Budget -Reallocation of Outreach Program Funds - Outreach Program (Youth Bureau)
- 2. Resolution Authorizing Chairman to Sign Program Agreements Youth Initiative Program and Youth Development/Delinquency Prevention (Youth Bureau)
- 3. Resolution Authorizing Chairman to Sign Program Agreements Special Delinquency Prevention (Youth Bureau)
- 4. Resolution Establishing Workers Compensation Medical Only for Volunteer Veterans Service Officer (Veterans)
- 5. Resolution Amending 2007 Operating Budget and Authorizing Chairman to Sign Grant Agreement Emergency Preparedness Grant (Public Health)
- 6. Resolution Authorizing Chairman to Sign Grant Agreement Children With Special Health Care Needs (Public Health)
- 7. Resolution Authorizing Chairman to Sign Contract Amsterdam Animal Hospital Rabies Specimen Preparation Services (Public Health)
- 8. Other

Item #1: Supervisors Strevy and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution. The Resolution was moved to the Full Board with a positive recommendation. There were no objections.

Item #2: Supervisors Strevy and Dybas made a motion and seconded, respectively, to sponsor the Resolution. The Resolution was moved to the Full Board with a positive recommendation. There were no objections.

Item #3: Supervisors Dybas and DiMezza made a motion and seconded, respectively, to sponsor the Resolution. The Resolution was moved to the Full Board with a positive recommendation. There were no objections.

Item #4: Veteran's Director William Mullarkey clarified the Resolution.

Supervisors Dybas and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution. The Resolution was moved to the Full Board with a positive recommendation. There were no objections.

Item #5: Supervisors Dybas and Strevy made a motion and seconded, respectively, to sponsor the Resolution. The Resolution was moved to the Full Board with a positive recommendation. There were no objections.

Item #6: Supervisors Greco and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution. The Resolution was moved to the Full Board with a positive recommendation. There were no objections.

Item #7: Supervisors Quackenbush and Walters made a motion and seconded, respectively, to sponsor the Resolution. The Resolution was moved to the Full Board with a positive recommendation. There were no objections.

Item #8, Other: There were no other discussion items.

Motion was made and seconded by Supervisors Strevy and Thomas, respectively, to adjourn the

Committee meeting.

Chairman Jonker adjourned the Health & Human Services Committee meeting at 7:37 PM.

Respectfully submitted,

## PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - PERSONNEL

8:00 AM, November 17, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 8:00 AM, held in Room 214 of the County Annex Building.

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

Additional Supervisors present were Supervisors DiMezza (allowing for quorum), Dybas and Paton. Absent were Supervisors Strevy, Cechnicki, Schumann, Stagliano, and Jonker.

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

- Interviews Safety Officer (It is likely that the Committee will meet in Executive Session from 8:00am - 9:00am for this agenda item)
- 2. Resolution Authorizing Chairman to Sign Renewal Agreement Midwest Employers Reinsurance Corporation Excess Workers Compensation Coverage (Personnel)
- 3. Resolution Authorizing Chairman to Sign Renewal Agreement Self Insured Short Term Disability Benetech, Inc. (Personnel)
- 4. Resolution Authorizing Chairman to Sign Agreement Time Clock Maintenance M. M. Hayes (Personnel)
- 5. Resolution Authorizing Chairman to Sign Renewal Agreement Employee Physical Examinations Amsterdam Memorial Health Care System (Personnel)
- 6. Resolution Authorizing Chairman to Sign Agreement Third Party Drug and Alcohol Testing Administrator Northeast Testing (Personnel)
- 7. Resolution Authorizing Chairman to Sign Agreement Self Insured Worker's Compensation Administration Services Benetech, Inc. (Personnel)
- 8. Resolution Authorizing Chairman to Sign Agreement (EAP) Employee Assistance Program St. Mary's Hospital (Personnel)
- 9. Discussion Regarding Data Processing Vacancy
- 10. Other

Personnel Officer Baia disseminated the interview schedule and resumes of James Thackrah, Richard Lewandowski and Richard Przestrzelski to all present Supervisors.

Chairman Quackenbush stated that since the interviewees haven't arrived yet, the Resolutions will be entertained first. There were no objections.

Item #1 (formerly item #2, "Resolution Authorizing Chairman to Sign Renewal Agreement - Midwest Employers Reinsurance Corporation - Excess Workers Compensation Coverage (Personnel)"): This Resolution, sponsored and seconded by Supervisors Quackenbush and Johnson, respectively, was moved to the full Board with a positive recommendation. There were no objections.

Item #2 (formerly item #3, "Resolution Authorizing Chairman to Sign Renewal Agreement - Self Insured Short Term Disability - Benetech, Inc. (Personnel)"): This Resolution, sponsored and seconded by Supervisors Johnson and McMahon, respectively, was moved to the full Board with a positive recommendation. There were no objections.

Item #3 (formerly item #4, "Resolution Authorizing Chairman to Sign Agreement - Time Clock Maintenance - M.M. Hayes (Personnel)"): This Resolution, sponsored and seconded by Supervisors McMahon and Johnson, respectively, was moved to the full Board with a positive recommendation. There were no objections.

Item #4 (formerly item #5, "Resolution Authorizing Chairman to Sign Renewal Agreement - Employee Physical Examinations - Amsterdam Memorial Health Care System (Personnel)"): This Resolution, sponsored and seconded by Supervisors Dybas and Johnson, respectively, was moved to the full Board

with a positive recommendation. There were no objections.

Item #5 (formerly item #6, "Resolution Authorizing Chairman to Sign Agreement - Third Party Drug and Alcohol Testing Administrator - Northeast Testing (Personnel)"): Personnel Officer Baia clarified this Resolution.

This Resolution, sponsored and seconded by Supervisors DiMezza and Johnson, respectively, was moved to the full Board with a positive recommendation. There were no objections.

Item #6 (formerly item #7, "Resolution Authorizing Chairman to Sign Agreement - Self Insured Worker's Compensation Administration Services - Benetech, Inc. (Personnel)"): This Resolution, sponsored and seconded by Supervisors Johnson and Quackenbush, respectively, was moved to the full Board with a positive recommendation. There were no objections.

Item #7 (formerly item #8, "Resolution Authorizing Chairman to Sign Agreement - (EAP) Employee Assistance Program - St. Mary's Hospital (Personnel)"): This Resolution, sponsored and seconded by Supervisors Dybas and DiMezza, respectively, was moved to the full Board with a positive recommendation. There were no objections.

Item #8 (formerly item #10, Other): Add-on RESOLUTION ESTABLISHING NON-BARGAINING POSITION - ECONOMIC DEVELOPMENT PROGRAM ASSISTANT AND AMENDING THE 2008 TENTATIVE OPERATING BUDGET (ECONOMIC DEVELOPMENT).

EOD Director Ken Rose clarified the Resolution, stating that this new position is eliminating a Union position of "ED Program Assistant" to a non-bargaining "ED Program Specialist" position, as is legally required. Sheila Snell, the new employee, introduced herself.

This add-on Resolution, sponsored and seconded by Supervisors Johnson and DiMezza, respectively, was moved to the full Board with a positive recommendation. There were no objections.

Item #9: Personnel Officer Rich Baia disseminated two "Director of Data Processing" job description sheets to all present Supervisors. One sheet contains the option of hiring a high school graduate with enough work experience for the position.

Supervisor Dybas stated that higher education is paramount when hiring a Director.

The consensus of the Committee was to retain job description #2, removing the "high school graduate" option. There were no objections.

Item #10, Other): Chairman Quackenbush stated that he emailed to all Supervisors a Personnel Study timeline. He stated that he received no negative feedback from Supervisors regarding the timeline. He also stated that a special December 8 Personnel Committee Meeting will contain Resolutions for every position within the Personnel Study. He said that the Board will be looking for base salaries and he would like to keep the individual Resolutions in draft form so they can be easily changed by the Full Board as desired. There were no objections.

Item #11 (formerly item #1, "Interviews - Safety Officer"):

Pursuant to Section 105 (f) of NYS Open Meeting Law, the motion was made and seconded by Supervisor Johnson and McMahon, respectively, to enter into Executive Session to discuss the employment histories of specific individuals. Executive Session commenced at 8:22 AM.

Motion to adjourn the Executive Session at 9:05 AM was made and seconded by Supervisors McMahon and Johnson, respectively.

Executive Session was adjourned at 9:05 AM.

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

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

Chairman Quackenbush adjourned the Personnel Committee meeting at 9:06 AM.

Respectfully submitted,

## PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - FINANCE

7:00 PM, November 20, 2007

#### COMMITTEE MEETING DISCUSSION

Supervisor McMahon presided over the Finance Committee meeting commencing at 7:00 PM in Chairman Greco's absence.

Roll call indicated Committee members present are Supervisors Quackenbush, Johnson, Mancini and Jonker. Absent was Supervisor Walters.

Additional Supervisors present were Thomas, Dybas, Paton and Strevy. Absent were Supervisors Stagliano, Di Mezza, Schumann, and Cechnicki.

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

- Resolution Authorizing Chairman to Sign Agreement and Amending 2007 Operating Budget - Mental Health Association of Fulton and Montgomery Counties (Social Services)
- 2. Resolution Amending 2007 Operating Budget Community College Tuition (Treasurer)
- 3. Resolution Authorizing Accounts Payable Year-End Adjustments 2007 Operating Budget (Treasurer)
- 4. Resolution Amending 2007 Operating Budget FMCC Contribution (Treasurer)
- 5. Resolution Authorizing County Treasurer to Disburse Mortgage Tax Money (Treasurer)
- 6. Resolution Delegating Authority to Amend 2007 Operating Budget (Treasurer)
- 7. Resolution Approving Relevy of Delinquent School Taxes, Village Taxes, Water Rents and Sewer Taxes (Treasurer)
- 8. Discussion regarding County-Owned Property not needed for a County Purpose (Treasurer)
- 9. Resolution Amending 2007 Operating Budget Medical Fees (Coroner)
- Resolution Authorizing Chairman to Sign Grant Agreement NYS DCJS -Recruitment/Retention (District Attorney)
- 11. Resolution Authorizing Chairman to Sign Grant Agreement NYS DCJS Drug Task Force Grant (District Attorney)
- 12. Resolution Rescheduling Board of Supervisors' Meeting
- 13. Resolution Adopting Montgomery County 2008 Operating Budget
- 14. Other

Item #1: 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 #2: 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 #3: Supervisors Strevy 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 Johnson 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 #5: Supervisors Paton 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 #6: Supervisor McMahon clarified the Resolution.

Supervisors Jonker 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: 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 #8: Supervisor Strevy stated that it's imperative that the property in question be labeled "Forever Wild" because it's in a serious flood zone. The proposal is that the property be transferred to the town for "no consideration". He stated that there is no urgency in this matter at this time.

He also stated that he will sponsor a Resolution to be entertained at the December 2007 Full Board Meeting to hold a Public Hearing. Supervisor Quackenbush indicated his second sponsorship. There were no objections to entertaining this Resolution at the December Full Board meeting.

Item #9: Supervisors Paton and Dybas made a motion and seconded, respectively, to sponsor the Resolution and move it to the full Board with a positive recommendation. Supervisor Quackenbush abstained.

Item #10: Supervisors Jonker and Walters previously made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Dybas stated that the Board still doesn't know when the grant money will be arriving, and the information should be forthcoming at the full Board meeting.

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

Item #11: Supervisors Strevy and Quackenbush previously made a motion and seconded, respectively, to sponsor the Resolution. The Resolution was moved to the full Board with a positive recommendation. There were no objections.

Supervisor Dybas stated that, again, the Board still doesn't know when the grant money will be arriving, and the information should be forthcoming at the full Board meeting.

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

Item #12: Supervisor Quackenbush stated that he would like the December full Board meeting held on Saturday, the 22nd at 8:00 AM. There were no objections.

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 #13: 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 #14, Other: Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - STEPHEN E. SMITH, P.E. - DESIGN PLANS AND SPECIFICATIONS FOR VARIOUS 2008 CAPITAL PROJECTS (FMCC).

Supervisors Jonker 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 #15, Other: Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ONEIDA COUNTY SHERIFF - SECURITY SERVICES FOR MONTGOMERY COUNTY INMATES AT CENTRAL NY PSYCHIATRIC CENTER (SHERIFF).

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.

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

Supervisor McMahon adjourned the Finance Committee meeting at 7:17 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS COUNTY COURTHOUSE PUBLIC HEARING 6:55 PM, November 27, 2007

INTRODUCTORY LOCAL LAW #3 OF 2007 - A LOCAL LAW WHICH ESTABLISHES A REAL PROPERTY TAX EXEMPTION FOR COLD WAR VETERANS

#### PUBLIC HEARING DISCUSSION

Chairman DiMezza called the Public Hearing to order at 6:55 PM.

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

The following notice was read:

NOTICE OF PUBLIC HEARING

INTRODUCTORY LOCAL LAW #3 OF 2007 - A local law which which establishes a real property tax exemption for cold war veterans

NOTICE is hereby given that the Board of Supervisors of the County of Montgomery will meet in the County Courthouse, Route 30A (Broadway), Fonda, New York at 6:55 p.m. on Tuesday, November 27, 2007 for the purpose of holding a public hearing on said Local Law.

FURTHER NOTICE is hereby given that copies of said Local Law are available at the Montgomery County Board of Supervisors, 20 Park Street, Fonda, New York where they may be inspected or procured by any interested persons during business hours.

By order of the Board of Supervisors of Montgomery County.

Chairman Di Mezza asked if there were any speakers.

Glen resident and Marine Veteran Mr. McNamara spoke in support of the proposed Local Law, as did Amsterdam Resident (and Naval veteran) Ronald Emery. Mr. Emery thanked the Board for their efforts in providing financial relief to Cold War Veterans.

Chairman Di Mezza adjourned the public hearing at 7:02 PM.

Respectfully submitted,

# PROCEEDINGS OF THE BOARD OF SUPERVISORS COUNTY COURTHOUSE PUBLIC HEARING 7:00 PM, November 27, 2007

2008 Tentative Operating Budget

#### PUBLIC HEARING DISCUSSION

Chairman DiMezza called the public hearing to order at 7:02 p.m. in the County Courthouse.

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

The following notice was read:

NOTICE OF PUBLIC HEARING

2008 TENTATIVE OPERATING BUDGET

NOTICE is hereby given that the Board of Supervisors of the County of Montgomery will meet in the Montgomery County Courthouse, Route 30A (Broadway), Fonda, New York at 7:00 p.m. on Tuesday, November 27, 2007 for the purpose of holding a public hearing on the Tentative Budget for the fiscal year beginning January 1, 2008, as required by County Law of the State of New York.

FURTHER NOTICE is hereby given that copies of said 2008 Tentative Budget are available at the Office of the Board of Supervisors, County Annex Building, 20 Park Street, Fonda, New York where they may be inspected or procured by any interested persons during business hours.

PURSUANT to the County Law, the maximum salaries that may be fixed and payable during said fiscal year to members of said Board of Supervisors and to the Chairman thereof, respectively, are specified as follows:

Chairman of the Board of Supervisors \$15,000.00 Members of the Board of Supervisors (14) at \$10,000.00 each

By order of the Board of Supervisors of Montgomery County.

Kim Sanborn Clerk of the Board DATED: November 5, 2007

Chairman DiMezza expressed his appreciation to the Department Heads for their efforts in the 2008 budgetary process and for their support to the Finance Committee and Chair by remaining within their respective budgets.

Chairman Di Mezza asked if anyone wished to speak.

There were no speakers, so Chairman DiMezza adjourned the public hearing at 7:04 p.m.

Respectfully submitted,

## PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY REGULAR MEETING

7:15 PM, November 27, 2007

#### CALL TO ORDER

Chairman Di Mezza called the Regular Meeting of the Montgomery County Board of Supervisors for November 27, 2007 to order at  $7:15\,$  PM.

#### SALUTE TO THE FLAG

Supervisor Mancini led the Salute to the Flag.

#### MOMENT OF SILENCE

Chairman DiMezza asked the Board to observe a moment of silence in honor of the late James Marks, President of the Republican Club in Montgomery County.

#### **ROLL CALL**

Roll Call indicated Supervisors Quackenbush, Johnson, Greco, Paton, McMahon, Strevy, Dybas, Cechnicki, Schumann, Walters, Thomas, Jonker, and Mancini were present. Supervisor Stagliano was absent.

#### PRIVILEGE OF THE FLOOR

A. Proclamation - Barbara Bell
Montgomery County Office for the Aging
Older Worker of the Year

Chairman DiMezza honored Ms. Bell for her hard work and dedication, currently working for a local church.

B. Proclamation - Freeda Millington

Supervisor Quackenbush gave an emotional proclamation to relatives of the late Ms. Millington, along with a road sign reading "FREEDA'S WAY" (see Resolution 320).

C. Proclamation - Carol Constantino

Chairman DiMezza accepted the Proclamation for Ms. Constantino in her absence. She was named the "Executive of the Year" by Capital District Review Magazine and is President of the Noteworthy company in Amsterdam.

D. Public Comment

Chairman Di Mezza asked if anyone wished to speak. There were no speakers.

Chairman Di Mezza adjourned Public Comment at 7:25 PM.

#### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (Oct. 23, 2007 - Nov. 20, 2007) by Supervisor Dybas, seconded by Supervisor Quackenbush, passed with Aye(1772). Supervisor Stagliano was absent.

#### APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Greco, seconded by Supervisor Jonker, passed with Aye(1772). Supervisor Stagliano was absent.

#### **UNFINISHED BUSINESS**

#### MOTION TO AMEND THE AGENDA

MOTION TO AMEND THE AGENDA by entertaining the Resolutions in the following order:

Resolution 296 ("RESOLUTION EXPRESSING APPRECIATION FOR THE SERVICES OF RETIRING DATA PROCESSING DIRECTOR - DEBORAH L. BAIN"),

Resolution 320 ("RESOLUTION AUTHORIZING THE ADDITION OF FREEDA'S WAY, COUNTY ROAD NO. 65, TO THE COUNTY ROAD SYSTEM (PUBLIC WORKS)"),

add-on Resolution 337 ("RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW #3 OF 2007 - A LOCAL LAW WHICH ESTABLISHES A REAL PROPERTY TAX EXEMPTION FOR COLD WAR VETERANS"),

and the remaining Resolutions in numerical order as usual,

and to entertain three additional add-on Resolutions at the end of the NEW BUSINESS section:

Resolution 338, "RESOLUTION TO AMEND 2008 TENTATIVE BUDGET - CAR SEAT GRANT (PUBLIC HEALTH )", Resolution 339, "RESOLUTION APPOINTING MONTGOMERY COUNTY SAFETY OFFICER", Resolution 340, "RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - COUNTYWIDE DISCOUNT PRESCRIPTION DRUG CARD PROGRAM - CAREMARK",

by Supervisor Dybas, seconded by Supervisor Strevy, passed with Aye(1772). Supervisor Stagliano was absent.

#### **NEW BUSINESS**

A. Resolutions

B. Other

## **RESOLUTION NO.** 296 of 2007 **DATED:** November 27, 2007

RESOLUTION EXPRESSING APPRECIATION FOR THE SERVICES OF RETIRING DATA PROCESSING DIRECTOR - DEBORAH L. BAIN

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, Deborah L. Bain, Director of Data Processing, is retiring from Montgomery County effective December 31, 2007, and

WHEREAS, the successful and efficient conduct of business by the Montgomery County Data Processing Department has been due, in large measure, to the guidance of Deborah L. Bain, and

WHEREAS, Ms. Bain has been the Director of Data Processing for 5 years, but also a long-term County employee with 36 years of dedication and commitment, and

WHEREAS, it is appropriate that the Board of Supervisors express its appreciation to Deborah for her many years of devoted service,

RESOLVED, that the Montgomery County Board of Supervisors hereby commends Deborah L. Bain for her outstanding Leadership and service to the Montgomery County Data Processing Department and to the citizens of Montgomery County and wish her well in her future endeavors.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 320 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING THE ADDITION OF FREEDA'S WAY, COUNTY ROAD NO. 65, TO THE COUNTY ROAD SYSTEM (PUBLIC WORKS)

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, the Board of Supervisors of this County did heretofore adopt and approve a map prepared by the Montgomery County Department of Public Works for the construction and maintenance of a system of highways for the County pursuant to Section 115, Article VI of the Highway Laws of the State of New York, which said map was thereafter duly approved by the New York State Commissioner of Transportation; and

WHEREAS, the Board of Supervisors of this County, by Resolution No. 80 of 2007 approved the construction of a new road from the Hamlet of Mindenville to the Herkimer County line;

RESOLVED, pursuant to Section 115 of the Highway Laws of the State of New York, the Commissioner of Public Works is authorized to add to said map of this County in the Town of Minden: Freeda's Way, County Road No. 65, 1.25 miles.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 337 of 2007 **DATED:** November 27, 2007

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW #3 OF 2007 - A LOCAL LAW WHICH ESTABLISHES A REAL PROPERTY TAX EXEMPTION FOR COLD WAR VETERANS

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, on October 23, 2007 a proposed Local Law which establishes a real property tax exemption for Cold War veterans was presented to the Board of Supervisors for consideration, and

WHEREAS, on October 23, 2007, Resolution 269 of 2007 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 27th day of November, 2007 at the time and place appointed, and

WHEREAS, said public hearing has been held,

RESOLVED, that Introductory Local Law No. 3 a Local Law which establishes a real property tax exemption for Cold War veterans is hereby adopted and incorporated as follows:

BE IT ENACTED, by the County of Montgomery, New York, as follows:

SECTION 1. PURPOSE. The General purpose of this Local law is to establish a real property tax exemption for Cold War veterans; provide exemption from taxation and to provide additional exemptions for service-connected disability or death. This local law has been authorized by enabling legislation of an amendment to the Real Property Tax Law of the State of New York, which added a new Section 458-b. The State Legislature and the Governor approved this act in memorandum – No 48 Chapter 655 filed with Senate Bill Number 4697 entitled: "An Act to amend the real property tax law, in relation to authorizing a real property tax exemption for Cold War Veterans".

SECTION 2. JUSTIFICATION: This Local Law addresses perceived inequity by granting a partial Real property tax exemption to "Cold War Veterans" who served for more than one year on active duty in the United States armed forces between September 2, 1945 and December 26, 1991, who were discharged or released under honorable conditions, and who have been awarded the federal "Cold War Recognition Certificate."

#### SECTION 3. EXEMPTION SCHEDULE:

- 1. Fifteen percent of the assessed value of such property; provided however, that such exemption shall not exceed twelve thousand dollars or the product of twelve thousand dollars multiplied by the latest state equalization rate of the assessing unit, or, in the case of a special assessing unit, the latest class ration, whichever is less.
- B. In addition to the exemption provided by paragraph (a) of this subdivision, where the Cold War veteran received a compensation rating from the United States veterans affairs or from the United States Department of Defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty percent of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed forty thousand dollars, or the product of forty thousand dollars multiplied by the latest state equalization rate for the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.
- C. The exemption provided by paragraph (a) of this Local Law shall be granted for a period of ten years. The commencement of such ten-year period shall be governed pursuant to this subparagraph. Where a qualified owner owns qualifying residential real property on the effective date of this section such ten-year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring on or after the effective date of this section. Where a qualified owner does not own qualifying residential real property on the effective date of this section, such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring at least sixty days after the date of purchase of qualifying residential real property; provided, however, that should the veteran

apply for and be granted an exemption on the assessment roll prepared pursuant to a taxable status date occurring within sixty days after the date of purchase of residential real property, such ten year period shall be measured from the first assessment roll in which the exemption occurs. If, before the expiration of such ten-year period, such exempt property is sold and replaced with other residential real property, such exemption may be granted pursuant to this subdivision for the unexpired portion of the ten-year exemption period

SECTION 4. LIMITATIONS. If a Cold War veteran receives the exemption under Section 458 or 458-a of the New York State Real Property Tax Law, the Cold War veteran shall not be eligible to receive this exemption.

#### SECTION 5. ELIGIBILITY FOR EXEMPTION:

- A. "Cold War veteran" means a person, male or female, who served on Active duty for a period of more than three hundred sixty-five days in The United States armed forces, during the time period from September Second, nineteen hundred forty-five to December twenty-sixth, nineteen Hundred ninety-one, was discharged or released there from under honorable Conditions and has been awarded the Cold War recognition certificate as Authorized under Public Law 105-85, the 1998 national Defense Authorization Act.
- B. "Armed forces" means the United States Army, Navy, Marine Corps, Air force, and Coast Guard.
- C. "Active duty" means full-time duty in the United States armed forces, other than active duty for training.
- D. "Service connected" means, with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in line of duty on Active military, naval or air service.
- E. "Qualified owner" means a Cold War veteran, the spouse of a Cold War veteran, or the unremarried surviving spouse of a deceased Cold War Veteran. Where more than one qualified owner owns property, the exemption to which each is entitled may be combined. Where a veteran is also the unremarried surviving spouse of a veteran, such person may also receive any exemption to which the deceased spouse was entitled.
- F. "Qualified residential real property" means property owned by a qualified owner which is used exclusively for residential purposes; provided, however, that in the event that any portion of such property is not used exclusively for residential purposes, but is used for other purposes, such portion shall be subject to taxation and only the remaining portion used exclusively for residential purposes shall be subject to the exemption provided by this section. Such property shall be the primary residence of the Cold War veteran or the unremarried surviving spouse of a Cold War veteran; unless the Cold War veteran or unremarried surviving spouse is absent from the property due to medical reasons or institutionalization for up to five years.
- G. "Latest state equalization rate" means the latest final equalization rate established by the state board pursuant to article twelve of this chapter.
- H. "Latest class ratio" means the latest final class ratio established by the state board pursuant to title one of article twelve of this chapter for use in a special assessing unit as defined in section eighteen hundred one of this chapter.
- SECTION 6. PROCESS: The owner, or all of the owners, of the property on a form prescribed by the state board, shall make application for exemption. The owner or owners shall file the completed form in the assessor's office on or before the first appropriate taxable status date. The owner or owners of the property shall be required to refile each year. Applicants shall refile on or before the appropriate taxable status date. Any applicant convicted of willfully making any false statement in the application for such exemption shall be subject to the penalties prescribed in the penal law.
- SECTION 7. SAVING CLAUSE: If any court of competent jurisdiction shall adjudge any clause, sentence or paragraph of this Local Law to be invalid, such judgment, decree or order shall affect, impair or invalidate the remainder of the Local Law, which shall as to such remainder remain in effect.

#### SECTION 8. EFFECTIVE DATE:

This act shall take effect January 3, 2008 and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after such date.

, 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(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 297 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - STEPHEN E. SMITH, P.E. - DESIGN PLANS AND SPECIFICATIONS FOR VARIOUS 2008 CAPITAL PROJECTS (FMCC)

Resolution by Supervisor: Jonker Seconded by Supervisor: Manci ni

WHEREAS, the tentative 2008 Capital Plan for Fulton-Montgomery Community College includes the following (2) Capital Projects:

College Union Water Infiltration Project
 Library Building Water Infiltration Project
 \$163,680
 \$164,968

and;

WHEREAS, Resolution 260 of 2007 authorized and directed the distribution of Request for Proposals for said studies,

WHEREAS, Proposals have been received and recommendation has been made for said projects,

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 Stephen E. Smith, P.E., for engineering design services and bid specifications on the following tentative 2008 capital projects:

College Union Water Infiltration Project Library Building Water Infiltration Project

, and

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

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 298 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING THE MONTGOMERY COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING TO UNDERTAKE THE LOCAL UPDATE OF CENSUS ADDRESSES (LUCA) AND 2010 CENSUS PROCESSES FOR THE COUNTY (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Strevy Seconded by Supervisor: Dybas

WHEREAS, accurate reporting of addresses are an important part of recording population counts during the 2010 Census, and

WHEREAS, the Municipalities in Montgomery County have a limited time to update their address lists during the Local Address Update of the Census (LUCA) process, and

WHEREAS, the Local Municipal Governments have limited resources to perform the requirements of the LUCA process, and

WHEREAS, the Montgomery County Department of Economic Development and Planning performed the 2000 LUCA and Census process and has the resources and information capabilities to accomplish the current LUCA and 2010 Census tasks,

RESOLVED, the Department of Economic Development and Planning is directed to perform all requirements associated with LUCA and the 2010 Decennial Census on behalf of all the municipalities in the County, and

FURTHER RESOLVED, that upon review and approval by the County Attorney, the Chairman of the Board of Supervisors is hereby authorized to sign all documents associated with undertaking this task.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### **RESOLUTION NO.** 299 of 2007

**DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONTRACT - AMSTERAM ANIMAL HOSPITAL (PUBLIC HEALTH)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Walters

WHEREAS, the Public Health Department solicited proposals for Rabies Veterinary Service for the Public Health Department, and

WHEREAS, said proposals were opened on September 20, 2007

WHEREAS, said proposal is for a three year period commencing on January 1, 2008 and ending on December 31, 2010

RESOLVED, that the Board of Supervisors hereby accepts the proposal submitted by Amsterdam Animal Hospital, 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 and execute the contract and any documents pertaining to said award.

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(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 300 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - CHILDREN WITH SPECIAL HEALTH CARE NEEDS (PUBLIC HEALTH)

Resolution by Supervisor: Greco

Seconded by Supervisor: Quackenbush

WHEREAS, Montgomery County has been awarded the Children With Special Health Care Needs Grant for the period of October 1, 2007 and ending on September 30, 2008 in the amount of \$18,138, and

WHEREAS, the 2007-2008 Children With Special Health Care Needs Grant funds have been included in the Public Health Department's 2008 operating budget request,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the 2007-08 Children With Special Health Care Needs Grant, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign the 2007-2008 grant contract.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 301 of 2007 **DATED:** November 27, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET AND AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - EMERGENCY PREPAREDNESS GRANT (PUBLIC HEALTH)

Resolution by Supervisor: Dybas Seconded by Supervisor: Strevy WHEREAS, the Montgomery County Public Health Department has been awarded the 2007-08 Public Health Emergency Preparedness Grant for the period commencing August 31, 2007 and ending August 09, 2008, 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 2007-08 Public Health Emergency Preparedness Grant, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget, as follows:

#### I NCREASE:

Revenue:	A-16-3-3401-06	Public Health Grant	\$ 64465.00
Appropri ati ons:	A-16-4-4010-06	Public Health Grant	
	. 2250 . 2259 . 4408 . 4411 . 4425 . 4431 . 4438 . 4445 . 4446 . 4449 . 4459 . 4470 . 4471 . 4491	Technical Equipment Computer Equipment Office Supplies Telephone Expense Maintenance Agreements Professional Services Misc. Supporting Svc. Medical Supplies Food Supplies Special Supplies & Mat. Computer Software Travel Related Exp. Mileage Expense Legal Notice & Adv. Education Programs	\$ 6000.00 3500.00 2765.00 3700.00 4300.00 26000.00 6250.00 2500.00 1000.00 1000.00 500.00 1450.00 3000.00

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon
County Attorney

Kimberly Sanborn
Clerk, Board of Supervisors

**RESOLUTION NO.** 302 of 2007 **DATED:** November 27, 2007

RESOLUTION ESTABLISHING WORKERS COMPENSATION MEDICAL ONLY FOR VOLUNTEER VETERANS SERVICE OFFICER (VETERANS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

Whereas, the Veterans Director has identified the need for the Position of Volunteer Veterans Service Officer be established, as this position will assists the Director in a variety of assignments that involve providing services to veterans, their dependents and families. This work is performed under the general direction of the Director, and

Whereas, that the position of Volunteer Veterans Service Officer is hereby established in the Veterans Service Department, said position being in the non bargaining unit at no impact of salary, and

Whereas, the Veterans Director has identified that County Volunteers are currently covered under the County's General Liability Insurance, and

Whereas, the Veterans Director has identified the County has a Self Insured workers Compensation program, and

Whereas, the Veterans Director recommended workers compensation medical only be establish for individuals providing volunteer services, and

Resolved, that the Montgomery County Personnel Director is authorized and directed to amend the County's self-insured workers Compensation Program to include Workers Compensation Medical only for Veterans Services Volunteers.

Further Resolved, that said position shall be effective 12/01/07.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 303 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2007 OPERATING BUDGET - COMMUNITY SOLUTIONS FOR TRANSPORTATION PROGRAM MENTAL HEALTH ASSOCIATION OF FULTON AND MONTGOMERY COUNTIES (SOCIAL SERVICES)

Resolution by Supervisor: Dybas Seconded by Supervisor: Johnson

WHEREAS, the New York State of Temporary and Disability Assistance has allocated \$35,000 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 \$35,000, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

I NCREASE:

REVENUE:

A-18-3-4610-00 Federal Aid DSS Admin. \$35,000

APPROPRI ATI ONS:

A-18-4-6010-00.4462 DSS Admin. TANF Services \$35,000

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon Kimberly Sanborn

County Attorney Clerk, Board of Supervisors

**RESOLUTION NO.** 304 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROGRAM AGREEMENTS - SPECIAL DELINQUENCY PREVENTION (YOUTH BUREAU)

Resolution by Supervisor: Dybas Seconded by Supervisor: Di Mezza

WHEREAS, the Montgomery County Youth Board of Directors has recommended allocation of funds for the 2008 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 2008 Special Delinquency Prevention Program agreements, as follows:

Catholic Charities/Montgomery County (Begin Again)	\$9, 070. 00
Centro Civico of Amsterdam (CASA of Fulton & Montgomery Co.)	2, 150. 00
Montgomery County Probation Department	9, 000. 00
(Juvenile Field Project) Montgomery County Sheriff's Department	2, 800. 00
(Drug, Alcohol & Safety Training) Montgomery County Youth Bureau	2, 243. 00
(Administration)	•
Montgomery County Youth Bureau (Community Service Program)	7, 000. 00

FURTHER RESOLVED, that said Board also authorized allocation of 2008 Youth Development/Delinquency Prevention Program funds for municipal programs, as follows:

City of Amsterdam (Recreation Department) Town of Amsterdam (Town Recreation)	\$6, 000. 00 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, 500. 00
Village of Canajoharie (Youth Center)	1, 800. 00
Village of Fort Plain (Village Recreation)	3, 800. 00
Town of Charleston (Youth Commission)	420. 00
Town of Florida (Youth Commission)	2, 250. 00
Town of Glen (Summer Program)	950. 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)	1, 211. 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 Stagliano was absent. (11/27/2007)

Douglas Landon Kimberly Sanborn
County Attorney Clerk, Board of Supervisors

**RESOLUTION NO.** 305 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROGRAM AGREEMENTS - YOUTH INITIATIVE PROGRAM AND YOUTH DEVELOPMENT/DELINQUENCY PREVENTION (YOUTH BUREAU)

Resolution by Supervisor: Strevy Seconded by Supervisor: Dybas

WHEREAS, the Montgomery County Youth Board of Directors has recommended 2008 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 2008 Youth Initiatives Program agreements as follows:

Catholic Charities/Montgomery County	\$ 2,000.00
(Better Your Own Body) Catholic Charities/Montgomery County (Schools Aiding Family Environment)	\$ 2,900.00
Alcoholism & Substance Abuse Council (Reconnecting Youth)	\$ 4,735.00

FURTHER RESOLVED, that said Chairman is authorized and directed to sign 2008 Youth Development/Delinquency Prevention Program agreements, as follows:

Catholic Charities/Montgomery County (Schools Aiding Family Environment)	\$ 6,400.00
City of Amsterdam Police Department (Juvenile Aid Bureau)	\$ 4,800.00
Community Youth Center (Youth Center)	\$ 6,500.00
St. Johnsville Youth Center (Youth Center)	\$ 5,541.00
Mental Health Association (Forensic Youth Services)	\$ 2,500.00

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon
County Attorney

Ki mberl y Sanborn
Clerk, Board of Supervisors

**RESOLUTION NO.** 306 of 2007 **DATED:** November 27, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - REALLOCATION OF OUTREACH PROGRAM FUNDS (YOUTH BUREAU)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Quackenbush

Whereas, Resolution No. 98 of 2007 allocated funding to various youth programs, and

Whereas, the Fulton-Montgomery Community College U-MADD organization was one of these such programs, and

Whereas, the FMCC U-MADD program informed the Youth Bureau Director on September 21, 2007 that due to circumstances, they were unable to utilize their grant award in the amount of \$750.00, and

Whereas, the Montgomery County Youth Advisory Board has undergone various recruitment efforts throughout 2007 to secure additional board members in response to recommendations by the New York State Office of Children and Family Services, and

Whereas, it is requested by the Montgomery County Youth Advisory Board to reallocate the above award, in the amount of \$750.00 to cover the cost of a new member training initiative to take place in December 2007, and

Resolved, the County Treasurer is hereby authorized and directed to amend the 2007 operating budget as follows:

Transfer from:

A-21-4-7310-00-4559 Outreach Program \$750.00

Add and Transfer to:

A-21-4-7310-00-4455 Training \$750.00

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon Kimberly Sanborn
County Attorney Clark Board of Sur

County Attorney Clerk, Board of Supervisors

## **RESOLUTION NO.** 307 of 2007 **DATED:** November 27, 2007

RESOLUTION SUPPORTING THE MONTGOMERY COUNTY ANNUAL GOLF TOURNAMENT (YOUTH BUREAU/STOP DWI)

Resolution by Supervisor: Greco

Seconded by Supervisor: Quackenbush

WHEREAS, that in 1993, the first County Golf Tournament was held and County Supervisors, former County Supervisors, County Non-Bargaining Personnel, and former County Department Heads were invited to participate, and

WHEREAS, that in 1997 the County Golf Tournament altered its focus to raise funds for specific purposes, and

WHEREAS, that Montgomery County's Annual Golf Tournament will now be open to any and all interested participants, and

WHEREAS, Montgomery County strives to continue its dedication to contributing money to local charities and causes, and

WHEREAS, that all proceeds generated from the Annual Golf Tournament will be distributed to the Stop-DWI Educational Scholarship Fund and various charitable organizations within Montgomery County, and

WHEREAS, this resolution shall replace resolution #191 of 2007, and

RESOLVED, that any administrative costs associated with mailings as well as any additional expenses will come from the tournament proceeds, no county funds are to be spent for expenses. Any administrative support will be accomplished by utilizing collaborative resources amongst the various county departments as well as county personnel volunteering their time, and

FURTHER RESOLVED, that this Golf Tournament will be officially named "The Montgomery County

Annual Golf Tournament and can only be played at golf courses located within Montgomery County.

RESOLUTION ADOPTED with Aye(1636). Supervisor Dybas abstained. Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 308 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PRE-TRIAL RELEASE COORDINATOR - LESLIE NICHOLAS (YOUTH BUREAU/ACSD)

Resolution by Supervisor: Jonker Seconded by Supervisor: Dybas

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 2008,

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, 2008 through December 31, 2008 at an amount not to exceed \$27,000 plus allowable reimbursable expenses.

RESOLUTION ADOPTED with Aye(1414). Supervisors Schumann and DiMezza abstained. Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 309 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - DIETICIAN/NUTRITIONIST - CORRECTIONAL FACILITY ANNUAL MENU REVIEW (SHERIFF)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Dybas

WHEREAS, Part 7009.2 (b) of the NYS Commission of Correction Standard requires annual review of a correctional facility's menu by a nutritionist or dietician certified by the State Education Department, and

WHEREAS, it is necessary for the Montgomery County Public Safety Facility to contract with a provider to comply with said requirements,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign an agreement with a dietician/nutritionist certified by the State of NY for the provision of annual review of menus at the Montgomery County Public Safety Facility.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney

Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 310 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - GOVERNOR'S TRAFFIC SAFETY COMMITTEE - TRAFFIC SAFETY OFFICER

Resolution by Supervisor: Dybas Seconded by Supervisor: Strevy

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 2007 & 2008, and

WHEREAS, the Sheriff has requested acceptance of said grant funds related to the Traffic Safety Officers' Grant which total \$43,290.00,

RESOLVED, that the Montgomery County Board of Supervisors hereby accepts a Grant in the amount of \$43,290.00 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(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 311 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ONEIDA COUNTY SHERIFF - SECURITY SERVICES FOR MONTGOMERY COUNTY INMATES AT CENTRAL NY PSYCHIATRIC CENTER - (SHERIFF)

Resolution by Supervisor: Dybas Seconded by Supervisor: Johnson

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, 2008 through December 31, 2009 at the rate of \$140 per day per inmate.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 312 of 2007 **DATED:** November 27, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - MEDICAL FEES (CORONER)

Resolution by Supervisor: Paton Seconded by Supervisor: Dybas

WHEREAS, it is necessary to transfer funds into the medical fees appropriation line to cover expenses in the Coroner's Budget for the remainder of the fiscal year,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingent Account \$5,000

TRANSFER TO:

A-29-4-1185-00-4436 Medical Fees \$5,000

RESOLUTION ADOPTED with Aye(1614). Supervisor Quackenbush abstained. Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon Kimberly Sanborn

County Attorney Clerk, Board of Supervisors

Supervisor Dybas asked for clarification of Resolutions 313 & 314 as to what year the funds will be credited toward.

Clerk of the Board Kim Sanborn stated that she spoke to Kevin Snell in the District Attorney's Office, who stated that this funding is the second year of a two-year ADA Retention Grant, which pays for salaries, and is expected to be received by January 1st.

When queried by Chairman DiMezza, Treasurer Shawn Bowerman stated that this grant could possibly overlap 2007 and 2008.

Supervisor Dybas made a motion to table the Resolution as there is a still a question as to which budget (2007 or 2008) would be effected. Supervisor Strevy seconded. The roll call outcome determined the Resolution to be tabled until further clarification is received.

**RESOLUTION NO.** 313 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DCJS - RECRUITMENT/RETENTION (DISTRICT ATTORNEY)

Resolution by Supervisor: Jonker Seconded by Supervisor: Wal ters

WHEREAS, the District Attorney has been advised that Montgomery County has been awarded a Grant by the New York State Division of Criminal Justice Services, Bureau of Justice Funding for recruitment/retention of district attorneys to subsidize salaries paid to assistant district attorneys,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of a \$6,773.00 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.

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Strevy, passed with Aye(982). Supervisors Johnson, Di Mezza, McMahon, Walters, Thomas and Quackenbush voted Nay. Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 314, Clerk of the Board Ms. Sanborn stated that, according to Mr. Snell, the 4,000 is match money for a 36,000 Bureau of Justice grant to be received April 1st (90/10% match).

Supervisors Dybas and Strevy made a motion and seconded, respectively, to table this Resolution due to the same lack of clarification as the previous Resolution. Roll call vote indicated that the motion failed.

## **RESOLUTION NO.** 314 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DCJS - DRUG TASK FORCE GRANT (DISTRICT ATTORNEY)

Resolution by Supervisor: Strevy Seconded by Supervisor: Quackenbush

WHEREAS, the District Attorney has been advised that Montgomery County has been awarded a Grant by the New York State Division of Criminal Justice Services for the use of a drug task force program implemented in Montgomery County,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of a 44,000.00 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.

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Strevy, was defeated with Aye(559). Supervisors Schumann, Dybas, Strevy, Jonker and Cechnicki voted Aye. Supervisor Stagliano was absent. (11/27/2007)

RESOLUTION ADOPTED with Aye(1521). Supervisors Dybas and Jonker voted Nay. Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney

Kimberly Sanborn Clerk, Board of Supervisors

RESOLUTION NO. 315 of 2007 **DATED:** November 27, 2007

RESOLUTION AMENDING 2007 TENTATIVE BUDGET - BEECHNUT SURCHARGES (SANITARY DISTRICT #1)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Jonker

there is a short fall in the utilities line item of the Districts' 2007 budget Whereas,

Whereas, the Sanitary District Board has recommended that additional revenue from surcharges at Beech Nut, due to the lack of pretreatment, be recognized in the 2007 operating budget to cover additional costs incurred by the District

the Montgomery County Board of Supervisors hereby authorizes and directs the County Treasurer to amend the 2007 Sanitary Districts operating budget as follows:

I NCREASE:

G-26-3-2120-00 BEECH NUT 0 & M / SURCHARGE \$ 15,000.00

I NCREASE:

G-26-4-8120-00-4410 **UTILITIES** \$ 15,000.00

TRANSFER FROM:

G 26 4 1990 00 4400 CONTINGENT ACCOUNT \$ 20,000.00

TRANSFER TO:

G 26 4 8120 00 4410 **UTILITIES** \$20,000.00

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon

Kimberly Sanborn Clerk, Board of Supervisors County Attorney

RESOLUTION NO. 316 of 2007 **DATED:** November 27, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - STATE/FEDERAL AID - EMERGENCY DISASTER (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Greco

WHEREAS, the County Treasurer has been notified that the State Emergency Management Office will be processing a payment to Montgeormy County in the amount of \$10,342.05 for severe storms and flooding of April 14-18, 2007, and

WHEREAS, the Federal share is \$7,530.62 and the State share is \$2,811.43 for a total payment of \$10, 342. 05, and

WHEREAS, \$10,342.05 represents repairs on various County roads;

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget as follows:

I NCREASE:

REVENUE:

DM-12-3-3960-00 State Aid Emergency Disaster \$2,811.43 DM-12-3-4960-00 Federal Aid Emergency Disaster \$7,530.62

APPROPRI ATI ON:

DM-12-4-5130-00-4422 Equipment Repairs \$5,342.05

DM-12-4-5130-00-4411 Fuel

\$5,000.00

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 317 of 2007 **DATED:** November 27, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - PUBLIC WORKS GENERAL FUND (PUBLIC WORKS)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Greco

WHEREAS, there is a shortfall in the Public Works General Fund, "Hourly Employees" line, and

WHEREAS, it is necessary to adjust the Public Works General Fund to adjust said shortfall;

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating

Budget as follows:

DECREASE:

A-06-04-9900-00-9901 Transfer to County Road Fund \$18,750.00

I NCREASE:

A-12-4-1620-00-1110(149) Hourly Employees

\$18, 750.00

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn

Clerk, Board of Supervisors

**RESOLUTION NO.** 318 of 2007 **DATED:** November 27, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - ROAD MACHINERY FUND (PUBLIC WORKS)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Greco

WHEREAS, there is a shortfall in the Public Works Road Machinery Fund's "Gasoline, Oil, Diesel, Fuel" line, and

WHEREAS, it is necessary to adjust the Public Works Road Machinery Fund to adjust said shortfall;

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2007 Operating Budget as follows:

DECREASE:

A-599 Appropriated Fund Balance \$100,000.00

I NCREASE:

A-06-4-9-00-9903 Transfer to Road Machinery \$100,000.00 DM-12-3-5031 Interfund Transfer \$100,000.00 DM-12-4-5130-00-4441 Gasoline, Oil, Diesel, Fuel \$100,000.00

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon Kimberly Sanborn

County Attorney Clerk, Board of Supervisors

**RESOLUTION NO.** 319 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING THE NYS DEPARTMENT OF TRANSPORTATION TO UTILIZE CERTAIN COUNTY ROADS AS DETOURS

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Greco

WHEREAS, the New York State Department of Transportation proposes to replace the existing inlet wingwalls and resurface the existing outlet wingwalls at a concrete box culvert located on State Route 10, approximately 900 feet north of the State Route 10 and State Route 163 intersection. The contract will utilize an Incentive/Disincentive Special Note limiting the contractor to eight days of State Route 10 being closed to two-way traffic;

WHEREAS, in conformance with Section 42 of the New York State Highway Law, the New York State Department of Transportation proposes to utilize the following county roads as detours during the period of construction; from State Route 10 to County Route 88 (West Ames Road) to County Route 84 (Buel Road) to County Route 80 (Clinton Road) to County Route 86 (Marshville Road) to State Route 10 and return.

WHEREAS, the New York State Department of Transportation will provide traffic control devices and repairs when necessary to the above mentioned roads to make them adequate to handle additional detour traffic. The existing County Roads will be returned to the County in the same condition as they were prior to construction;

RESOLVED, that the Montgomery County Board of Supervisors does hereby authorize the New York State Department of Transportation to utilize the above mentioned roads as detours during the period of construction.

RESOLVED, that Montgomery County will continue to provide routine maintenance on the abovementioned roads, including snow and ice control;

RESOLVED, that the Clerk of the Board is hereby directed to transmit five (5) certified copies of this resolution to the New York State Department of Transportation.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 321 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - MIDWEST EMPLOYERS REINSURANCE CORPORATION, EXCESS WORKERS COMPENSATION COVERAGE (PERSONNEL)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Johnson

WHEREAS, the current policy will expire on December 31, 2007 for Excess Workers Compensation coverage, and

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval by the County Attorney, is hereby authorized and directed to sign an agreement with Midwest for the provision of Excess Workers Compensation coverage for the period commencing on January 1, 2008 and ending on December 31, 2008 at a cost not to exceed \$90,000.00.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 322 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - SELF INSURED SHORT TERM DISABILITY - BENETECH, INC. (PERSONNEL)

Resolution by Supervisor: Johnson Seconded by Supervisor: McMahon

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, Benetech, Inc. has notified the Personnel Officer that there will be no increase in its administration fee for 2008, 2009, 2010, 2011, and

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

County Attorney, hereby is authorized and directed to sign a renewal agreement with Benetech, Inc., to administer the Self Insured Short Term Disability program for a four-year period commencing on January 1, 2008 and ending on December 31, 2011 at a cost not to exceed \$14,700 per year.

RESOLUTION ADOPTED with Aye(1706). Supervisor Cechnicki voted Nay. Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 323 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TIME CLOCK MAINTENANCE - M. M. HAYES (PERSONNEL)

Resolution by Supervisor: McMahon Seconded by Supervisor: Johnson

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 \$7,285 for the period commencing on February 1, 2008 and ending on January 31, 2009.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 324 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - EMPLOYEE PHYSICAL EXAMINATIONS AMSTERDAM MEMORIAL HEALTH CARE SYSTEM (PERSONNEL)

Resolution by Supervisor: Dybas Seconded by Supervisor: Johnson

WHEREAS, the Personnel Officer has recommended renewal of an agreement for provision of employee physical examinations, and

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a 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, 2008 and ending on December 31, 2008.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 325 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - THIRD PARTY DRUG AND ALCOHOL TESTING ADMINISTRATOR - NORTHEAST TESTING (PERSONNEL)

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Johnson

WHEREAS, the Personnel Officer has recommended a change of vendors to administer the County's Drug and Alcohol Testing Program, and

WHEREAS, Northeast Testing Inc. pricing is the same as Energetix, and also the same as the N.Y. State Contract, but Northeast Testing comes on site and does the testing, where Energetix does not,

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 Northeast Testing, DACPA Inc., Inc., and

FURTHER RESOLVED, that Northeast Testing Inc., DACPA Inc., Inc. hereby is designated to administer the County's Drug and Alcohol Testing Program, for the period commencing January 1, 2008 and ending December 31, 2011 at a cost as outlined in Appendix "B" in said contract,

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 326 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SELF INSURED WORKER'S COMPENSATION ADMINISTRATION SERVICES - BENETECH, INC. (PERSONNEL)

Resolution by Supervisor: Johnson Seconded by Supervisor: Quackenbush

WHEREAS, the County has entered into an agreement with Benetech, Inc. to administer the County's Worker's Compensation Administrative Services through December 31, 2007, and

WHEREAS, Benetech, Inc. has notified the Personnel Officer that there will be no increase in its administration fee for 2008, 2009, 2010, 2011, and

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a renewal agreement with Benetech, Inc., for the provision of Worker's Compensation Administrative Services for a four-year period commencing on January 1, 2008 and ending on December 31, 2011 at a cost not to exceed \$51,970 per year.

RESOLUTION ADOPTED with Aye(1706). Supervisor Cechnicki voted Nay. Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 327 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - (EAP) EMPLOYEE ASSISTANCE PROGRAM - ST. MARY'S HOSPITAL (PERSONNEL)

Resolution by Supervisor: Dybas Seconded by Supervisor: Di Mezza

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, and

RESOLVED, that the Chairman of the Board of Supervisors hereby is authorized and directed, following review and approval by the County Attorney, to sign an agreement with St. Mary's Hospital for participation in its Employee Assistance Program, and

FURTHER RESOLVED, that the total cost of said participation shall not exceed \$6,000.00, effective January 1, 2008 and ending December 31, 2008.

RESOLUTION ADOPTED with Aye(1633). Supervisor Greco abstained. Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

Regarding Resolution 328, Supervisor Johnson made a motion to amend the Resolution with a position title change, and eliminating the current position as it is written. There were no

objections.

**RESOLUTION NO.** 328 of 2007 **DATED:** November 27, 2007

RESOLUTION ESTABLISHING NON-BARGAINING POSITION - ECONOMIC DEVELOPMENT PROGRAM ASSISTANT AND AMENDING THE 2008 TENTATIVE OPERATING BUDGET

Resolution by Supervisor: Johnson Seconded by Supervisor: Di Mezza

WHEREAS, it has been recommended that the Economic Development Program Assistant be upgraded to better reflect the duties of the position,

RESOLVED, that the position of Economic Development Program Assistant is hereby established in the Economic Development/Planning Office, and

FURTHER RESOLVED, that said position is in the non-bargaining confidential management class with an annual base salary of \$41,792, effective January 1, 2008, and

FURTHER RESOLVED, that the 2008 Tentative Operating Budget is amended as follows:

Account Description Amount To: (Decreased)

A-24-4-6430-00-1110 (367) ED Program Assist. \$ 33,953 \$ 42,292 \$ 8,339 APPROP. FUND BALANCE General Fund \$3,550,000 \$3,558,339 \$ 8,339

MOTION TO AMEND by Supervisor Johnson, seconded by Supervisor Quackenbush to strike the title and body of the Resolution in entirety, and insert as follows:

TITLE: "RESOLUTION ESTABLISHING NON-BARGAINING POSITION - ECONOMIC DEVELOPMENT SPECIALIST AND AMENDING THE 2008 TENTATIVE OPERATING BUDGET"

"WHEREAS, it has been recommended that the Economic Development Program Assistant be upgraded to better reflect the duties of the position,

RESOLVED, that the position of Economic Development Program Assistant is hereby abolished, and

FURTHER RESOLVED, that the position of Economic Development Specialist is hereby established in the Economic Development/Planning Office, and

FURTHER RESOLVED, that said position is in the non-bargaining managerial class with an annual base salary of \$41,792, effective January 1, 2008, and

FURTHER RESOLVED, that the 2008 Tentative Operating Budget is amended as follows:

Change Increase
Account Description Amount To: (Decreased)

A-24-4-6430-00-1110 (367) ED Program Assist. \$ 33,953 \$ 0 \$(33,953) A-24-4-6430-00-1110 ( ) ED Specialist \$ 0 \$ 42,292 \$ 42,292 APPROP. FUND BALANCE General Fund \$3,550,000 \$3,558,339 \$ 8,339"

, passed with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon Kimberly Sanborn
County Attorney Clerk, Board of Supervisors

Regarding Resolution 329, when queried by Supervisor Dybas, Treasurer Bowerman stated that the Contingency Fund is currently under \$20,000.

**RESOLUTION NO.** 329 of 2007 **DATED:** November 27, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - COMMUNITY COLLEGE TUITION (TREASURER)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, there are not sufficient funds to cover the anticipated expenses that will be incurred for the Community College Tuition charge backs for the remainder of the year,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget as follows:

TRANSFER:

FROM: A - 599\$175,000.00

Appropriated Fund Balance

T0: A-06-4-2490-00-4400 \$175,000.00

Community College Tuition

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Kimberly Sanborn Clerk, Board of Supervisors Douglas Landon County Attorney

**RESOLUTION NO.** 330 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING ACCOUNTS PAYABLE YEAR-END ADJUSTMENTS - 2007 OPERATING BUDGET (TREASURER)

Resolution by Supervisor: Strevy Seconded by Supervisor: Manci ni

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 2007, 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(1772). Supervisor Stagliano was absent. (11/27/2007)

Kimberly Sanborn Clerk, Board of Supervisors Douglas Landon County Attorney

RESOLUTION NO. 331 of 2007 **DATED:** November 27, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - FMCC CONTRIBUTION (TREASURER)

Resolution by Supervisor: Johnson Seconded by Supervisor: Quackenbush

pursuant to Resolution no. 208 of 2007, the Montgomery County sponsor share for the 2007-WHFRFAS. 2008 FMCC budget was set at \$1,395,821, 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 2007 Operating Budget as follows:

TRANSFER:

FROM: A-01-4-1990-00-4400 \$12,500.00 Contingency Account

T0: A-06-4-2495-00-4552 \$12,500.00

Contrib. To Community College

RESOLUTION ADOPTED with Aye(1636). Supervisor Dybas abstained. Supervisor Stagliano was

absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 332 of 2007

**DATED:** November 27, 2007

RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY

Resolution by Supervisor: Paton Seconded by Supervisor: Dybas

RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to disburse Mortgage Tax money for the period from April 1, 2007 through September 30, 2007, 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(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 333 of 2007

**DATED:** November 27, 2007

RESOLUTION DELEGATING AUTHORITY TO AMEND 2007 OPERATING BUDGET (TREASURER)

Resolution by Supervisor: Jonker Seconded by Supervisor: Dybas

WHEREAS, it has been recommended that certain County Officers be empowered with limited budget-amending authority for the remainder of the year,

RESOLVED, that the Board of Supervisors hereby delegate to the County Treasurer and Personnel Officer authority to amend the 2007 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 28, 2007 and ending on December 31, 2007.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 334 of 2007 **DATED:** November 27, 2007

RESOLUTION APPROVING RELEVY OF DELINQUENT SCHOOL TAXES, VILLAGE TAXES, WATER RENTS AND SEWER TAXES (TREASURER)

Resolution by Supervisor: Strevy Seconded by Supervisor: Johnson

RESOLVED, that the Board of Supervisors hereby approves the relevy, effective December 3, 2007, 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 2008 Town Tax Rolls.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney

Kimberly Sanborn Clerk, Board of Supervisors

(Clerk's note: Regarding Resolution 335, the Full Board meeting will be held at 9AM in Chamber instead of the originally proposed 8AM. This was changed in the Resolution as a "typo".)

**RESOLUTION NO.** 335 of 2007 **DATED:** November 27, 2007

RESOLUTION RESCHEDULING BOARD OF SUPERVISORS' MEETING

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Jonker

RESOLVED, that the Regular Meeting of the Montgomery County Board of Supervisors, originally scheduled for 7:00 pm, Tuesday, December 25, 2007 is hereby rescheduled to 9:00 AM, Saturday, December 22, 2007.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn

Clerk, Board of Supervisors

Regarding Resolution 336, Supervisors Quackenbush and Dybas expressed their appreciation to Finance Chairman Butch Greco, the Finance Committee, the Board of Supervisors and Treasurer Bowerman for their work with the 2008 Operating Budget.

RESOLUTION NO. 336 of 2007 **DATED:** November 27, 2007

RESOLUTION ADOPTING MONTGOMERY COUNTY 2008 OPERATING BUDGET

Resolution by Supervisor: Manci ni Seconded by Supervisor: Quackenbush

WHEREAS, the Montgomery County Board of Supervisors has met and considered the 2008 Tentative Operating Budget and has conducted a public hearing thereon, as required by County Law,

RESOLVED, that in accordance with County Law, the 2008 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, 2008.

RESOLUTION ADOPTED with Aye(1470). Supervisors Strevy, Thomas and Jonker voted Nay. Supervi sor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney

Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 338 of 2007 **DATED:** November 27, 2007

RESOLUTION TO AMEND 2008 TENTATIVE BUDGET - CAR SEAT GRANT ( PUBLIC HEALTH )

Resolution by Supervisor: Jonker Seconded by Supervisor: Manci ni

RESOLVED, that the 2008 Tentative Operating Budget is amended as follows:

Account Description **Amount** Change Increase (Decreased) To: \$3,000 A-16-3-3401-08 Car Seat Grant \$3,000 A-16-4-4010-08-4449 \$3,000 Spec. Supp. & Mat. \$3,000

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon Kimberly Sanborn County Attorney Clerk, Board of Supervisors

Supervisor Quackenbush spoke in support of hiring Rich Przestrzelski.

**RESOLUTION NO.** 339 of 2007 **DATED:** November 27, 2007

#### RESOLUTION APPOINTING MONTGOMERY COUNTY SAFETY OFFICER

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

RESOLVED, that \_\_\_\_\_ is hereby appointed Montgomery County Safety Officer, said appointment provisional upon passage of appropriate civil service examination, at an annual base salary of \$35,000, and

FURTHER RESOLVED, said position shall be in the non-bargaining managerial class and report directly to the Board of Supervisors, and

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

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Dybas as follows:

by striking in the RESOLVED clause the underscore and inserting "Richard Przestzelski",

and by inserting before the period in the last FURTHER RESOLVED clause "and shall start on December 17, 2007",

passed with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 340 of 2007 **DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - COUNTYWIDE DISCOUNT PRESCRIPTION DRUG CARD PROGRAM - CAREMARK

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Greco

WHEREAS, Caremark Discount Program Prescription Drug Card will be offered to all residents of Montgomery County, and

WHEREAS, there is no cost to the residents to obtain this prescription drug card, and no cost to the County to offer this prescription drug card,

RESOLVED, that the Chairman of the Board of Supervisors be authorized to sign an agreement with Caremark for a discount drug card for all of the residents of Montgomery County, and

FURTHER RESOLVED, that said program shall be at no cost to the County or its residents, and

FURTHER RESOLVED, that said agreement shall be for a 3-year period and may be terminated by either party without cause by giving 60 days written notice.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (11/27/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### **ADJOURNMENT**

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor Jonker, passed with Aye(1772). Supervisor Stagliano was absent.

Chairman Di Mezza adjourned the meeting at 8:01 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 7:00 PM, December 4, 2007

#### COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Strevy, Dybas, Thomas and Jonker. Absent were Supervisors Schumann and Walters.

Additionally present were Supervisors McMahon and DiMezza. Supervisors Quackenbush, Greco, Paton, Mancini, Cechnicki and Stagliano were absent.

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

- Presentation Montgomery County Chamber of Commerce Tourism Promotion Administration - Gina DaBiere-Gibbs - Tourism Director
- 2. Resolution Designating Certifying Official for National Environmental Policy Act Review Process (Economic Development)
- 3. Resolution Authorizing Chairman to Sign Grant Application and Establishing Required Public Hearings Governor's Office for Small Cities Beechnut (EOD/Planning)
- 4. Resolution Fixing Date and Time for 2008 Organizational Meeting of the Montgomery County Board of Supervisors
- 5. Resolution Appointing Montgomery County Ethics Board Member
- 6. Other

Item #1: Deborah Auspelmyer, President of MCCC, introduced the new Director Gina DaBiere-Gibbs. Ms. Auspelmyer stated that a \$73,212 grant was recently awarded to the Chamber from "I Love NY".

Ms. Gibbs disseminated a new dining/lodging tourism map and outlined several ongoing and upcoming projects.

Supervisor Paton entered Chamber at 7:04 PM.

Item #2: Supervisors Jonker 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 #3: EOD Director Ken Rose stated that of the \$750,000 grant, \$16,000 will go to the County for program administration and delivery.

He also suggested the following Public Hearing dates, times and locations, with no objections:

1/21/08, 7:45 PM, Town of Florida Municipal Building 1/26/08, 6:45 PM, Supervisor's Chamber (prior to Full Board Meeting).

Supervisors Strevy 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 #4: Supervisors Thomas 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: Chairman DiMezza stated that he would like to reappoint Mr. Sitterly.

Supervisors DiMezza 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 #6, Other: Add-on RESOLUTION AUTHORIZING SOLICITATION OF BIDS - 2008 CAPITAL PROJECT - PHASE I - MECHANICAL SYSTEM UPGRADES - CLASSROOM BUILDING RENOVATION PROJECT (FMCC).

Supervisors Dybas 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 #7, Other: Add-on RESOLUTION AUTHORIZING ADVERTISEMENT FOR POSITION - CLERK OF WORKS - PHASE I MECHANICAL SYSTEM UPGRADES - CLASSROOM BUILDING RENOVATION PROJECT (FMCC).

Supervisors Dybas 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, Other: Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT (BOARD OF SUPERVISORS).

Supervisors Paton 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 #9, Other: Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - CORNELL COOPERATIVE EXTENSION SERVICES (BOARD OF SUPERVISORS).

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

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

Chairman Johnson adjourned the Agriculture, Planning & Development Committee meeting at 7:10 PM.

Respectfully submitted,

Kimberly Sanborn Clerk of the Board

## PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY COMMITTEE MEETING - PERSONNEL

8:00 AM, December 8, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 8:03 AM.

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

Additional Supervisors present were Supervisors Jonker and Dybas. Absent were Supervisors Paton, Strevy, Cechnicki, Schumann, Stagliano, and DiMezza.

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

- 1. Resolution Re-Appointing Part-time Public Defender
- 2. Discussion regarding Non-Bargaining Salary Study
- 3. Other

Item #1, (formerly item #2, "Discussion regarding Non-Bargaining Salary Study"): Chairman Quackenbush thanked the members of the Non-Bargaining Personnel Study Task Force (Personnel Officer Rich Baia, Treasurer Shawn Bowerman and Administrative Aide Jacki Meola) for their combined work in the study. He clarified the results of the study (which was disseminated in book form to present Supervisors just prior to the Committee meeting by Ms. Meola).

He stated that this study did not factor in politics, specific job performance or personalities.

He stated that a Resolution must be prepared for the next Full Board Meeting (being held Dec. 22) accepting a proposed grade and salary schedule for the non-bargaining positions.

Supervisor Johnson entered Chamber at 8:07 AM.

Chairman Quackenbush recommended the following changes to the study as indicated:

Page 1 of 2:

The following positions and related salaries to be removed from group C and added to group B: "DIRECTOR OF COMMUNITY SERVICES" and "PUBLIC HEALTH DIRECTOR".

The following positions and salaries to be removed from group D and added to group C: "ECONOMIC OPPORTUNITY & DEV DIRECTOR" and "PROBATION DIRECTOR II".

The following position and salary to be removed from group E and added to group D: "SUPERINTENDENT SSD#1".

Chairman Quackenbush also suggested, once the above positions are moved, reducing all of the "PROPOSED '08 MAX" figures by \$10,000. He stated that this is a political move. The exception is the DISTRICT ATTORNEY's line, which would not be altered.

On page 2 of 2, he recommended the following changes:

The following positions and salaries to be removed from group 2 and added to group 3: "CORRECTIONS ADMINISTRATOR" and "ASSISTANT DIRECTOR OF PUBLIC HEALTH" on page 2.

The following positions and salaries to be removed from group 4 and added to group 3: "CHILDREN WITH SPECIAL NEEDS COORD", "ADMINISTRATIVE AIDE", and "SAFETY OFFICER" on page 2.

The following positions and salaries to be removed from group 3 and added to group 4: "DEPUTY COUNTY TREASURER", "DEPUTY COUNTY CLERK", and "PERSONNEL ASSOCIATE" on page 2.

After the positions are moved, he recommended reducing the "PROPOSED '08 MAX" figures as follows: group three, five and six reduced by \$5,000 and group four reduced by \$10,000.

He also recommends increasing the "PROPOSED '08 MIN" figures as follows: group two and three increased by \$5,000.

Officer Baia clarified the use of "groups", when queried by Supervisor Greco.

Chairman Quackenbush stated that he will submit all his requested changes to the Clerk of the Board to be put into draft Resolution form, and that all of the numbers will need to be checked

and verified for accuracy. This draft Resolution, sponsored and seconded by Supervisors Greco and Dybas, respectively, was moved to the full Board with no recommendation. Supervisor McMahon abstained.

(Clerk's note: Upon checking the figures following the Committee meeting, it was determined that the position of ASSISTANT DIRECTOR OF PUBLIC HEALTH line should remain in group 2 on page 2 of 2, with a salary range of \$55,000 - \$60,000. The Resolution will reflect this).

Supervisor Dybas stated that this study does not reflect upon the performance of any individual. He encouraged performance evaluations to justify the related salary.

Regarding the DIRECTOR OF DATA PROCESSING position, Supervisors Thomas and Quackenbush made a motion and seconded, respectively, to sponsor a draft Resolution (to pay the current Director the maximum allowable salary), to be moved to the Full Board with a positive recommendation. There were no objections.

Chairman Quackenbush stated that blank Resolutions can be given to all Supervisors which would allow them to make changes to the salary range, if the Committee desires.

He also stated that if the Board adopts his salary recommendations as a whole (by Resolution, with the numerous changes as stated above), this will bring all the salaries up to the minimum range at least.

Supervisor Dybas recommended that Resolutions be brought forth next year justifying any salary changes which are above and beyond those stated (and amended) in the study book.

Sheriff Michael Amato stated that he submitted a detailed e-mail to the Task Force outlining the job responsibilities of his Secretary and other personnel in his department, which should have been included in the study.

Supervisor Greco stated that it would be a good idea if the Department Heads go through their Committee Chair when making salary requests, as per usual channels.

As a side note, Supervisor McMahon stated that elected officials and department heads don't usually resign over salary issues.

Supervisor Greco cautioned the Committee against only the "squeaky wheel getting the grease". He stated that he would want to make sure everyone received the increase, not just the "squeaky wheels".

Supervisor Johnson stated that she feels it's her responsibility as a Chairperson to make sure everyone is treated fairly. She stated that she doesn't agree with the County comparison.

Chairman Quackenbush stated that the Full Board meeting, Dec. 22, is the deadline for submitting any additional salary range changes. He recommended that one of next year's Personnel Committee's objective should be to come up with a type of performance review.

Ms. Meola clarified that for the Full Board meeting, one Resolution is needed for the general grade/salary schedule, and other Resolutions would outline the specifics and money transfer from the '08 Fund Balance.

Chairman Quackenbush stated that all current positions should receive the list of the suggested salary range, to be attached to the Resolution being entertained at the Full Board meeting.

He also stated that all the part-time positions in the study are unique, and not inclusive in today's discussion.

Supervisor Thomas stated that Cortland County hired an outside firm to evaluate the County's employee's salaries and that Montgomery County doesn't need to "reinvent the wheel."

Chairman Quackenbush stated that a round of performance reviews could easily be completed by June 30.

Officer Baia cautioned that Department Heads and Elected Officials are impossible to evaluate.

Supervisor McMahon stated that self-evaluation is a useful tool in that case.

Supervisor Johnson stated that in the future, Board appointed positions should expire "by the pleasure of the Board", instead of specific dates, which could ease the problem of the lack of evaluations.

Item #2 (formerly item #1, "Resolution Re-Appointing Part-time Public Defender"): This Resolution, sponsored and seconded by Supervisors Dybas and Thomas, respectively, was moved to the full Board with a positive recommendation. There were no objections.

Item #3, Other: Add-on draft RESOLUTION APPOINTING MEMBER OF MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS. This Resolution, sponsored and seconded by Supervisors

Johnson and Thomas, respectively, was moved to the full Board with a positive recommendation. There were no objections.

Item #4, Other: Add-on draft RESOLUTION AUTHORIZING DONATION OF SURPLUS EQUIMENT - AIRBOAT (SHERIFF). This Resolution, sponsored and seconded by Supervisors Thomas and Jonker, respectively, was moved to the full Board with a positive recommendation. There were no objections.

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

Chairman Quackenbush adjourned the Finance Committee meeting at 9:18 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 - HEALTH & HUMAN SERVICES 7:00 PM, December 11, 2007

#### COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Quackenbush, Dybas, Strevy, Mancini, and Thomas. Absent was Supervisor Paton.

Additional Supervisors present were Cechnicki and Walters. Absent were Supervisors Greco, Johnson, McMahon, Di Mezza, Stagliano and Schumann.

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

- 1. Resolution Authorizing Chairman to Sign Renewal Agreement Transportation of Fulton County Veterans (Veterans)
- 2. Resolution Authorizing Chairman to Sign Agreement NYSDOH Early Intervention (EI) Administration (Public Health)
- 3. Resolution Authorizing Chairman to Sign Agreement Montgomery County Office of the Aging (Board of Supervisors)
- 4. Other

Item #1: Veteran's Director William Mullarkey clarified the Resolution.

The Resolution was sponsored and seconded by Supervisors Strevy and Mancini, respectively, and moved to the Full Board with a positive recommendation with no objection.

Item #2: The Resolution was sponsored and seconded by Supervisors Quackenbush and Mancini, respectively, and moved to the Full Board with a positive recommendation with no objection.

Item #3: The Resolution was sponsored and seconded by Supervisors Strevy and Dybas, respectively, and moved to the Full Board with a positive recommendation with no objection.

Item #4, Other: Add-on RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - VARIOUS CONTRACTS - COMMUNITY SERVICES/MENTAL HEALTH DEPARTMENT.

The Resolution was sponsored and seconded by Supervisors Dybas and Quackenbush, respectively. Mental Health Director Jim Gumaer clarified the Resolution.

The Committee chose to remove the "any and all prospective" wording from the RESOLVED clause. This clarifies that the Resolution applies only to the contracts specifically stated within said Resolution.

The Resolution was moved to the Full Board with a positive recommendation with no objection.

Item #5, Other: Supervisor Mancini thanked Director Mullarkey for his research and clarification into the oxygen projectile tank issue, and that \*all\* veterans, regardless of oxygen tank need, will be provided transportation as needed in the future.

Motion was made and seconded by Supervisors Dybas and Quackenbush, respectively, to adjourn the Committee meeting.

Chairman Jonker adjourned the Health & Human Services Committee meeting at 7:13 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 - GENERAL SERVICES 7:05 PM, December 11, 2007

#### COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:13 PM.

Roll call indicated Committee members present included Supervisors Quackenbush, Cechnicki and Strevy. Absent were Supervisors Stagliano, Paton and Greco.

Additional Supervisors present were Mancini, Thomas, Dybas and Jonker. Absent were Supervisors DiMezza, Schumann, McMahon and Johnson.

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

- Resolution Authorizing Chairman to Sign Agreement Mass Transportation Third Party Provider - Brown's Coach (Board of Supervisors)
- 2. Resolution Authorizing Chairman to Sign Renewal Agreement Data Processing Services FMCC (Data Processing)
- 3. Resolution Authorizing Chairman to Sign Agreement MOSA GAT Subsidy (Board of Supervisors)
- 4. Resolution Authorizing Chairman to Sign Agreement Lease Agreement with Centro Civico of Amsterdam, Inc. for a Probation Satellite Office
- 5. Resolution Amending 2007 Operating Budget CHIPS Funds (Public Works)
- 6. Resolution Authorizing the Removal of a portion of a road from the County Road System in the Town of Minden (Public Works)
- 7. Resolution Awarding Bid #17-07 Sale of Scrap Metal former County Jail (Public Works)
- 8. Other

Item #1: The Resolution was sponsored and seconded by Supervisors Strevy and Quackenbush, respectively, and moved to the Full Board with a positive recommendation with no objection.

Item #2: The Resolution was sponsored and seconded by Supervisors Quackenbush and Dybas, respectively, and moved to the Full Board with a positive recommendation with no objection.

I tem #3: The Resolution was sponsored and seconded by Supervisors Walters and Quackenbush, respectively.

After a brief discussion, the Committee decided that it would be appropriate for the Chairman of the Board to notify all municipalities within the County of the \$19.00 subsidy. The Clerk of the Board is to add this wording to the last clause in the Resolution.

The Resolution was moved to the Full Board with a positive recommendation with no objection.

Item #4: The Resolution was sponsored and seconded by Supervisors Dybas and Quackenbush, respectively, and moved to the Full Board with a positive recommendation with no objection.

Item #5: The Resolution was sponsored and seconded by Supervisors Strevy and Cechnicki, respectively, and moved to the Full Board with a positive recommendation with no objection.

Item #6: DPW Commissioner Paul Clayburn clarified the Resolution.

The Resolution was sponsored and seconded by Supervisors Quackenbush and Cechnicki, respectively, and moved to the Full Board with a positive recommendation with no objection.

Item #7: Commissioner Clayburn stated that bids are still being received, and the Resolution can be amended at the full Board meeting to state the winning bidder.

The Resolution was sponsored and seconded by Supervisors Quackenbush and Dybas, respectively, and moved to the Full Board with a positive recommendation with no objection.

Item #8, Other: When queried by Supervisor Strevy, Commissioner Clayburn stated that there have been erroneous newspaper reports that the County is providing equipment (and related disposal

costs) at no charge for structure demolitions in Amsterdam.

It was clarified by Attorney Doug Landon that no Resolution has been brought forth allowing for the structure demolitions as erroneously indicated in the newspaper.

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

Chairman Walters adjourned the General Services Committee meeting at 7:28 PM.

Respectfully submitted,

Kimberly Sanborn Clerk of the Board

#### PROCEEDINGS OF THE BOARD OF SUPERVISORS SUPERVISOR'S CHAMBERS REGULAR MEETING 9:00 AM, December 22, 2007

#### CALL TO ORDER

Chairman DiMezza called the Regular Meeting of the Montgomery County Board of Supervisors for December 22, 2007 to order at 9:00 AM.

#### SALUTE TO THE FLAG

Supervisor Mancini led the Salute to the Flag.

#### **ROLL CALL**

Roll Call indicated Supervisors Quackenbush, Johnson, Greco, Paton, McMahon, Strevy, Dybas, Schumann, Walters, Thomas, Jonker, and Mancini were present. Supervisors Cechnicki and Stagliano were absent.

#### PRIVILEGE OF THE FLOOR

A. Presentation - Appreciation for Outgoing Supervisors

Chairman DiMezza presented to outgoing Supervisors Mancini and Schumann a plaque commemorating their dedication to the Board of Supervisors. Supervisor Cechnicki was absent, so his plaque was put on his desk.

#### B. Public Comment

Chairman Di Mezza asked if anyone wished to speak. There were no speakers.

Chairman Di Mezza adjourned Public Comment at 9:05 AM.

#### APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (Nov. 27, 2007 - Dec. 11, 2007) by Supervisor Quackenbush, seconded by Supervisor Johnson, passed with Aye(1706). Supervisors Cechnicki and Stagliano were absent.

#### APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Dybas, seconded by Supervisor Greco, passed with Aye(1706). Supervisors Cechnicki and Stagliano were absent.

#### **UNFINISHED BUSINESS**

A. RESOLUTION 313 OF 2007 - RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DCJS - RECRUITMENT/RETENTION (DISTRICT ATTORNEY)

#### **RESOLUTION NO.** 313 of 2007

**DATED:** November 27, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DCJS - RECRUITMENT/RETENTION (DISTRICT ATTORNEY)

Resolution by Supervisor: Jonker Seconded by Supervisor: Walters

WHEREAS, the District Attorney has been advised that Montgomery County has been awarded a Grant by the New York State Division of Criminal Justice Services, Bureau of Justice Funding for recruitment/retention of district attorneys to subsidize salaries paid to assistant district attorneys,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of a \$6,773.00 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.

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Strevy, passed with Aye(982). Supervisors Johnson, Di Mezza, McMahon, Walters, Thomas and Quackenbush voted Nay. Supervisor Stagliano was absent. (11/27/2007)

MOTION TO REMOVE FROM TABLE by Supervisor DiMezza, seconded by Supervisor Thomas, passed with Aye(1706). Supervisors Cechnicki and Stagliano were absent. (12/22/2007)

RESOLUTION ADOPTED with Aye(1706). Supervisors Cechnicki and Stagliano were absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### **NEW BUSINESS**

#### A. Resolutions

#### B. Other

Regarding Resolution 341, Chairman DiMezza stated that Mr. Homer Buddles is considering the position, but hasn't accepted yet. He recommended tabling the Resolution until a decision is made. There were no objections.

## **RESOLUTION NO.** 341 of 2007 **DATED:** December 22, 2007

#### RESOLUTION APPOINTING MONTGOMERY COUNTY ETHICS BOARD MEMBER

Resolution by Supervisor: Di Mezza Seconded by Supervisor: Strevy

WHEREAS, Resolution 140 of 2007 appointed the first members of the Ethics Advisory Board in accordance with Local Law #1 of 2007, and

WHEREAS, in said resolution, the Chairman of the Board of Supervisors recommended and the Board of Supervisors approved the following appointment:

Robert F. Sitterly of 277 Main St., Ft. Plain registered in the Conservative political party, whose appointment shall end on December 31, 2007

#### , and

WHEREAS, It is required by the Montgomery County Ethics Law - Part B, Section 201, #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. , and

WHEREAS, the Chairman of the Board has recommended the following for appointment to the Montgomery County Ethics Board:

Robert F. Sitterly of 277 Main St., Ft. Plain registered in the Conservative political party, whose appointment shall end on December 31, 2010.

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

FURTHER RESOLVED, that said 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 adopted by the Board of Supervisors, and

FURTHER RESOLVED, the said member of the Ethics Board shall not receive compensation but shall be reimbursed for reasonable expenses incurred in the performance of their official duties.

MOTION TO TABLE by Supervisor Strevy, seconded by Supervisor Dybas, passed with Aye(1706). Supervisors Cechnicki and Stagliano were absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors **RESOLUTION NO.** 342 of 2007 **DATED:** December 22, 2007

RESOLUTION AUTHORIZING SOLICITATION OF BIDS - 2008 CAPITAL PROJECT - PHASE I - MECHANICAL SYSTEM UPGRADES - CLASSROOM BUILDING RENOVATION PROJECT (FMCC)

Resolution by Supervisor: Dybas Seconded by Supervisor: McMahon

WHEREAS, Resolution 240 of 2007 approved a 2008 Capital Project at Fulton-Montgomery Community College entitled "Phase I - Mechanical System Upgrades - Classroom Building Renovation Project",

WHEREAS, Resolution 241 of 2007 authorized the signing of a contract with Phillips Associates of Saratoga, NY to prepare design plans and bid specifications for said project, and

WHEREAS, Phillips Associates is almost complete with the final design plans and bid specifications for said project, 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 Phase I - Mechanical System Upgrades - Classroom Building Renovation Project, 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(1772). Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

### **RESOLUTION NO.** 343 of 2007 **DATED:** December 22, 2007

RESOLUTION AUTHORIZING ADVERTISEMENT FOR POSITION - CLERK OF THE WORKS - PHASE I MECHANICAL SYSTEM UPGRADES - CLASSROOM BUILDING RENOVATION PROJECT (FMCC)

Resolution by Supervisor: Dybas Seconded by Supervisor: Di Mezza

WHEREAS, Resolution 240 of 2007 approved a 2008 Capital Project at Fulton-Montgomery Community College entitled "Phase I - Mechanical System Upgrades - Classroom Building Renovation Project", and

WHEREAS, Resolution 241 of 2007 authorized the signing of a contract with Phillips Associates of Saratoga, NY to prepare design plans and bid specifications for said project, and

WHEREAS, Phillips Associates, in their report, recommended that hiring of a "Clerk of the Works" knowledgeable in mechanical systems due to the complexity of this project,

RESOLVED, that Fulton Montgomery Community College is hereby authorized and directed to advertise for a Clerk of the Works for the Phase I - Mechanical System Upgrades - Classroom Building Renovation Project at Fulton-Montgomery Community College, and

 $\hbox{FURTHER RESOLVED, that this resolution is contingent upon passage of a similar resolution by the Fulton County Board of Supervisors.}$ 

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 344 of 2007 **DATED:** December 22, 2007

RESOLUTION DESIGNATING CERTIFYING OFFICIAL FOR NATIONAL ENVIRONMENTAL POLICY ACT REVIEW PROCESS - BEECHNUT (ECONOMIC DEVELOPMENT/PLANNING)

Resolution by Supervisor: Jonker Seconded by Supervisor: Thomas

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

WHEREAS, said funds will be used to purchase machinery and equipment for the new Beechnut facility to be constructed in the Town of Florida, and

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

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

RESOLVED, that the Chairman of the Board of Supervisors is appointed the certifying official responsible for all activities associated with the NEPA review process.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 345 of 2007 **DATED:** December 22, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION AND ESTABLISHING REQUIRED PUBLIC HEARINGS - GOVERNOR'S OFFICE FOR SMALL CITIES - BEECH-NUT NUTRITION CORPORATION (EOD/PLANNING)

Resolution by Supervisor: Strevy Seconded by Supervisor: McMahon

WHEREAS, Montgomery County is eligible to apply for funding for economic development purposes with the Governor's Office for Small Cities, and

WHEREAS, Montgomery County has prioritized economic development and job creation provisions which will result in a direct and positive impact to low and moderate income persons, and

WHEREAS, the County of Montgomery has supplied a request for funding on behalf of the Beech-nut Nutrition Corporation , under the terms set forth the Governor's Office for Small Cities - NYS Community Development Block Grant Program,

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 21st day of January at 7:45 p.m. at Town of Florida Municipal Building; the second, which shall be held the 22nd day of January at 6:50 p.m. at Board of Supervisors Chamber.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 346 of 2007 **DATED:** December 22, 2007

RESOLUTION APPOINTING MEMBER OF MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY BOARD OF DIRECTORS

Resolution by Supervisor: Johnson Seconded by Supervisor: Thomas

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

RESOLVED, that Daniel P. Wilson is appointed a member of the Montgomery County Industrial Development Agency Board of Directors beginning December 22, 2007, and

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

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 347 of 2007 **DATED:** December 22, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - CORNELL COOPERATIVE EXTENSION SERVICES (BOARD OF SUPERVISORS)

Resolution by Supervisor: Dybas Seconded by Supervisor: Jonker

WHEREAS, the 2008 Operating Budget includes appropriations of \$183,700 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 \$161,700, 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 2008, in an amount not to exceed \$22,000, such contract to be overseen and invoices to be approved by the County's Department of Economic Development.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 348 of 2007 **DATED:** December 22, 2007

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

Resolution by Supervisor: Paton Seconded by Supervisor: Jonker

WHEREAS, the 2008 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(1772). Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 349 of 2007 **DATED:** December 22, 2007

RESOLUTION AUTHORIZING DONATION OF SURPLUS EQUIPMENT - AIRBOAT (SHERIFF)

Resolution by Supervisor: Thomas Seconded by Supervisor: Jonker

WHEREAS, it has been determined that the old airboat and trailer in the Sheriff's Office (ID# YAB123540D888 and 1G9FS1219J1061011) are no longer needed by the Sheriff's Office, and

WHEREAS, it has been recommended that said equipment be donated to the St. Johnsville Fire Department who will provide insurance, repairs and storage to said equipment,

RESOLVED, that the Board of Supervisors hereby authorizes the donation of said equipment, no longer needed by the Sheriff's Office, to the St. Johnsville Volunteer Fire Department in Montgomery County as per the letter of agreement provided by the St. Johnsville Volunteer Fire Department.

RESOLUTION ADOPTED with Aye(1553). Supervisor DiMezza abstained. Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### **RESOLUTION NO.** 350 of 2007

**DATED:** December 22, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - LEASE AGREEMENT WITH CENTRO CIVICO OF AMSTERDAM, INC. FOR A PROBATION SATELLITE OFFICE (PROBATION)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

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, 2008 and ending on December 31, 2008, at a rental rate of \$425.00 per month.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### **RESOLUTION NO.** 351 of 2007

**DATED:** December 22, 2007

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

Resolution by Supervisor: Strevy
Seconded by Supervisor: Quackenbush

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 transporation 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, 2008 through December 31, 2008.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 352 of 2007 **DATED:** December 22, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - DATA PROCESSING SERVICES - FMCC (DATA PROCESSING)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Dybas

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 \$10,395, shall be for a period commencing January 1, 2008 and ending December 31, 2008.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 353 of 2007 **DATED:** December 22, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2008 GAT SUBSIDY - MOSA (BOARD OF SUPERVISORS)

Resolution by Supervisor: Walters Seconded by Supervisor: Quackenbush

WHEREAS, the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA) has established Montgomery County's 2008 Guaranteed Annual Tonnage (GAT) at 45,333 tons, and

WHEREAS, MOSA has established its 2008 Official Tipping Fee at \$101.50 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 2008 Operating Budget to provide for payment of said subsidy, and that the Chairman of the Board of Supervisors will notify all municipalities within the County of said subsidy.

RESOLUTION ADOPTED with Aye(1309). Supervisors Greco, Johnson, Strevy and Thomas voted Nay. Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 354 of 2007 **DATED:** December 22, 2007

RESOLUTION AMENDING 2007 OPERATING BUDGET - CHIPS FUNDS (PUBLIC WORKS)

Resolution by Supervisor: Strevy Seconded by Supervisor: Cechni cki

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 appropriation,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2007 Operating Budget, as follows:

I NCREASE:

Revenue:

D-12-3-3501 Consol i dated Hi ghway Ai d \$19, 134.00

Appropri ati ons:

D-12-3-9900-00.9950 Interfund Transfer Cap. Proj. Fund \$19,134.00

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 355 of 2007 **DATED:** December 22, 2007

RESOLUTION AUTHORIZING THE REMOVAL OF A PORTION OF A ROAD FROM THE COUNTY ROAD SYSTEM IN THE TOWN OF MINDEN PURSUANT TO SECTION 115-B OF THE HIGHWAY LAWS OF THE STATE OF NEW YORK

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Cechni cki

WHEREAS, the Board of Supervisors of this County did heretofore adopt and approve a map prepared by the Montgomery county Department of Public Works for the construction and maintenance of a system of highways for the County pursuant to Section 115, Article VI of the Highway Laws of the State of New York, which said map was thereafter duly approved by the New York State Commissioner of Transportation; and

WHEREAS, the Commissioner of Public Works, pursuant to Section 115-B of the Highway Laws of the State of New York has recommended to the Montgomery County Board of Supervisors that a portion of a road be removed from the County highway system, and returned to the town;

WHEREAS, the Town Board of the Town of Minden, in a resolution adopted on December 6, 2007 has agreed to take over a portion of a road on the County system within the town limits,

RESOLVED, pursuant to Section 115-B of the Highway Laws of the State of New York, the said Montgomery County Commissioner of Public Works be and he is authorized to remove the following road from said map of this County, and that said portion of road be transferred to the Town highway system of the Town of Minden:

River Road, County Road No. 65, from the bridge over the Erie Canal, B.I.N. 4425030 (closed) to Freeda's Way (C.R. 65), a total length of 1.11 miles.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

DPW Commissioner Paul Clayburn clarified Resolution 356, stating that NH Kalmen, Inc. of Cohoes had won the bid.

## **RESOLUTION NO.** 356 of 2007 **DATED:** December 22, 2007

RESOLUTION AWARDING BID 17-07 - SALE OF SURPLUS SCRAP METAL (PURCHASING)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Dybas

WHEREAS, the Purchasing Agent is responsible for the disposal of surplus material no longer needed for County use, and

WHEREAS, the Purchasing Agent is authorized to solicit bids for the Sale of surplus material, and

WHEREAS, multiple bids were received and opened on December 12, 2007, and

WHEREAS, the Purchasing Agent, and Commissioner of Department of Public Works, have reviewed the bids and have recommended that the award be made to the highest responsible bidder,

RESOLVED, that the Board of Supervisors hereby awards Bid 17-07 as follows:

Scrap Metal from the demolition of the old jail:

To of of
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MOTION TO AMEND by Supervisor Strevy, seconded by Supervisor Thomas by inserting the following in the RESOLVED clause where appropriate:

<sup>&</sup>quot;NH Kalmen, Inc.", "Cohoes, NY", "\$240.00",

passed with Aye(1772). Supervisor Stagliano was absent. (12/22/2007)

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 357 of 2007 **DATED:** December 22, 2007

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

Resolution by Supervisor: Strevy Seconded by Supervisor: Manci ni

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, 2008, and

FURTHER RESOLVED, that said Agreement shall provide for transportation of Fulton County veterans, depending upon availability of space, at a charge of \$20.00 each way.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### **RESOLUTION NO.** 358 of 2007

**DATED:** December 22, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - NYDOH - EARLY INTERVENTION (EI) ADMINISTRATION (PUBLIC HEALTH)

Resolution by Supervisor: Quackenbush Seconded by Supervisor: Manci ni

WHEREAS, the Public Health Director has recommended renewal of the contract for El Administration in the amount of \$38,169.

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign 2007-2008 contract renewal agreement for such services,

FURTHER RESOLVED, that said contracts are effective for the period commencing on October 1, 2007 and ending on September 30, 2008.

RESOLUTION ADOPTED with Aye(1706). Supervisor Cechnicki abstained. Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney

Kimberly Sanborn Clerk, Board of Supervisors

## **RESOLUTION NO.** 359 of 2007 **DATED:** December 22, 2007

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

Resolution by Supervisor: Strevy Seconded by Supervisor: Dybas

WHEREAS, the 2008 Operating Budget includes appropriations of \$200,000 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 \$200,000.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/22/2007)

Dougl as Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

RESOLUTION NO. 360 of 2007 **DATED:** December 22, 2007

RESOULTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - VARIOUS CONTRACTS - COMMUNITY SERVICES/MENTAL HEALTH DEPARTMENT

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS Section 41.05 of the Mental Hygiene Laws of the State of New York reguires 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 the agreement documents entered into between the County and agencies providing mental health, mental retardation, alcoholism and substance abuse services as listed below:

- 1) St. Mary's Hospital Community Mental Health and Alcoholism Center for community mental health services, not to exceed \$ 1,600,000
- St. Mary's Hospital Community Mental Health and Alcoholism Center for alcoholism services, not to exceed \$ 220,000. 2)
- National Alliance for the Mentally III of Montgomery, Fulton and Hamilton Counties, Inc. (NAMI) for mental health services, not to exceed \$ 33,000. Mental Health Association in Fulton and Montgomery Counties (MHA) for 3)
- 4)
- mental health services, not to exceed \$ 300,000.

  Montgomery Transitional Services Inc. (MTS) for mental health services, 5)
- not to exceed \$ 497,000.
  Catholic Charities of Montgomery County for alcoholism and substance abuse preventative services not to exceed \$ 319,000.
  NYS Association for Retarded Citizens, Montgomery County Chapter (DBA Liberty) for mental health services not to exceed \$ 435,000 6) 7)
- 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. 8)

RESOLUTION ADOPTED with Aye(1633). Supervisor Greco abstained. Supervisor Stagliano was (12/22/2007)

Dougl as Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

**RESOLUTION NO.** 361 of 2007 **DATED:** December 22, 2007

RESOLUTION REAPPOINTING PART-TIME PUBLIC DEFENDER

Resolution by Supervisor: Dybas Seconded by Supervisor: Thomas

WHEREAS, with adoption of Resolution No. 404 of 1988 and Local Law No. 10 of 1988, the Montgomery County Board of Supervisors established the office of part-time Public Defender, and

WHEREAS, the term of the incumbent has expired,

RESOLVED, that Attorney William F. Martuscello hereby is reappointment Montgomery County Public Defender for a term commencing on January 1, 2008 and ending on December 31, 2012, at a base

annual salary of \$68, 121.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney

Kimberly Sanborn Clerk, Board of Supervisors

Supervisor Quackenbush stated that his proposed grade and salary schedule, disseminated earlier to present Supervisors, coincides with the information contained within the body of Resolution 362. He stated that the Resolution considers only a base salary range, not longevity.

Chairman DiMezza disseminated an amendment (computer spreadsheet) to the Resolution to all present Supervisors, and highlighted his proposed changes, including the removal of three Board of Supervisor's Office positions (Administrative Aide, Senior Account Clerk Typist and Safety Officer) due to their uniqueness.

He also stated that certain changes need to be made on his spreadsheet as follows:

changing the "proposed 2008 minimum and maximum" of group 2 to \$55,000-\$60,000,

changing the Undersheriff "amount to increase" to \$3,130, changing the Asst. Director of Public Health "amount to increase" to \$11,142, changing the Director of Social Services "amount to increase" to \$3,092, changing the Director of Eligibility "amount to increase" to \$6,002, and

changing the Children with Special Needs Coordinator "amount to increase" to \$7,380, among other changes, to be outlined as an amendment in the body of the Resolution.

Supervisor Dybas stated that he supports the removal of the three Board of Supervisors positions, but any more changes should be done after the first of the year utilizing the Personnel Committee.

Supervisor Walters stated that now is the time to move forward on this Resolution.

Supervisor Schumann stated that she suggests for next year a structured program for position eval uati ons.

Several Supervisors spoke in support of the Task Force and their efforts in the Personnel Study, and for further amending salaries next year.

(Clerk's note: Several draft Resolutions were disseminated to present Supervisors prior to the meeting. This Resolution and related amendment covers the majority of those draft Resolutions.)

#### RESOLUTION NO. 362 of 2007

**DATED:** December 22, 2007

RESOLUTION ADOPTING MONTGOMERY COUNTY FULL-TIME NON-BARGAINING PERSONNEL 2008 GRADE AND SALARY SCHEDULE, ADJUSTING CERTAIN NON-BARGAINING PERSONNEL SALARIES AND AMENDING THE 2008 OPERATING BUDGET ACCORDINGLY

Resolution by Supervisor: Dybas Seconded by Supervisor: Greco

WHEREAS, in 2007, the Personnel Committee created a committee consisting of the Personnel Officer, County Treasurer and Administrative Aide to the Board of Supervisors and requested that said committee conduct a salary study to evaluate the pay scales of the non-bargaining employees of Montgomery County, and

WHEREAS, by Resolution 289 of 2007 this committee was given a deadline of December 7, 2007 to complete all research necessary so that results of said study could be incorporated into the 2008 Operating Budget, and

WHEREAS, on December 8, 2007 results of this study were presented to the Personnel Committee and reviewed, and

WHEREAS, as a result of the research conducted, a grade and salary schedule has been proposed that would eliminate inequities of similar positions in similar NYS Counties studied,

RESOLVED, that the Montgomery County Board of Supervisors hereby adopts the following Grade and Salary Schedule for its full-time non-bargaining positions:

> **RANGE** 2008 MINIMUM 2008 MAXI MUM

DEPARTMENT HEADS

GROUP A DISTRICT ATTORNEY \$100,000

\$150,000

GROUP B SHERIFF COMMISSIONER OF SOCIAL SERVICES COMMISSIONER OF PUBLIC WORKS PUBLIC HEALTH DIRECTOR DIRECTOR OF COMMUNITY SERVICES	\$ 65,000	\$ 75,000
GROUP C PERSONNEL OFFICER COUNTY TREASURER COUNTY CLERK DIRECTOR OF DATA PROCESSING ECONOMIC OPPORTUNITY & DEV DIRECTOR PROBATION DIRECTOR II	\$ 55,000	\$ 65,000
GROUP D DIRECTOR OF REAL PROPERTY TAX DIRECTOR OF EMERGENCY MGMNT/FIRE COORDINATOR YOUTH BUREAU DIRECTOR/ACSD DIRECTOR SUPERINTENDENT SSD#1	\$ 45,000	\$ 55,000
GROUP E PURCHASING AGENT DIRECTOR OF WEIGHTS & MEASURES ELECTION COMMISSIONER ELECTION COMMISSIONER COUNTY HISTORIAN DIRECTOR OF VETERANS SERVICES	\$ 35,000	\$ 45,000
NON-DEPARTMENT HEADS		
GROUP 1 PSYCHI ATRI ST	\$100,000	\$150, 000
GROUP 2 UNDERSHERIFF ASSISTANT DIRECTOR OF PUBLIC HEALTH	\$ 55,000	\$ 60,000
GROUP 3 ADMINISTRATIVE AIDE CORRECTIONS ADMINISTRATOR DIRECTOR OF FINANCIAL MANAGEMENT DIRECTOR OF SOCIAL SERVICES DIRECTOR OF ELIGIBILITY CHILDREN WITH SPECIAL NEEDS COORDINATOR	\$ 45,000	\$ 55,000
GROUP 4 ECONOMIC DEVELOPMENT SPECIALIST BUSINESS MANAGER (PUBLIC HEALTH) PERSONNEL ASSOCIATE BUSINESS MANAGER (DPW) SAFETY OFFICER DEPUTY COUNTY CLERK DEPUTY COUNTY TREASURER	\$ 35,000	\$ 45,000
GROUP 5 CONFIDENTIAL SECRETARY(DISTRICT ATTORNEY) CONFIDENTIAL SECRETARY(SHERIFF) CONFIDENTIAL SECRETARY(PUBLIC DEFENDER) PRINCIPAL ACCT CLERK TYPIST(PERSONNEL) HUMAN RESOURCE CLERK SENIOR ACCOUNT CLERK TYPIST(BOARD OF SUPERVISORS) DEPUTY ELECTION COMMISSIONERS DEPUTY ELECTION COMMISSIONERS	\$ 30,000	\$ 35,000
GROUP 6 VOTING MACHINE\ELECTION COORDINATOR VOTING MACHINE\ELECTION COORDINATOR	\$ 25,000	\$ 30,000

, and

 $\label{thm:continuous} \textit{FURTHER RESOLVED}, \ \ \textit{that the 2008 base salaries of certain non-bargaining full-time positions are hereby adjusted as follows:}$ 

SHERIFF \$ 65,000 COMMISSIONER OF SOCIAL SERVICES \$ 65,000

COMMISSIONER OF PUBLIC WORKS PUBLIC HEALTH DIRECTOR	65,000 65,000
DI RECTOR OF COMMUNITY SERVICES	65,000
SUPERI NTENDENT SSD#1	\$ 45,000
COUNTY HI STORI AN	\$ 35, 000
DIRECTOR OF VETERANS SERVICES	\$ 35, 000
UNDERSHERI FF	\$ 55,000
ASSISTANT DIRECTOR OF PUBLIC HEALTH	\$ 55,000
DIRECTOR OF SOCIAL SERVICES	\$ 45,000
DIRECTOR OF ELIGIBILITY	\$ 45,000
CHILDREN WITH SPECIAL NEEDS COORDINATOR	\$ 45,000
DEPUTY COUNTY CLERK	\$ 35,000
SENIOR ACCOUNT CLERK TYPIST(BOS)	\$ 30,000
DEPUTY ELECTION COMMISSIONERS	\$ 30,000
DEPUTY ELECTION COMMISSIONERS	\$ 30, 000

, and

FURTHER RESOLVED, that the Treasurer is hereby authorized and directed to amend the 2008 Operating Budget as follows:

A-12-4-1490-00-1110( 50) A-16-4-4010-00-1110( 32) A-17-4-4310-00-1110( 302) G-26-4-8120-00-1110( 54) A-22-4-7510-00-1110( 1177) A-19-4-6510-00-1110( 912) A-15-4-3110-00-1110( 281) A-16-4-4010-00-1110( 281) A-18-4-6010-00-1110( 108) A-16-4-4010-00-1110( 257) A-08-4-1410-00-1110( 97) A-01-4-1010-00-1110( 748) A-11-4-1450-00-1110( 568)	COMMISSIONER OF SOCIAL SERVICES COMMISSIONER OF PUBLIC WORKS PUBLIC HEALTH DIRECTOR DIRECTOR OF COMMUNITY SERVICES SUPERINTENDENT SSD#1 COUNTY HISTORIAN DIRECTOR OF VETERANS SERVICES UNDERSHERIFF ASSISTANT DIRECTOR OF PUBLIC HEALTH DIRECTOR OF SOCIAL SERVICES DIRECTOR OF ELIGIBILITY CHILDREN WITH SPECIAL NEEDS COORDINATOR	****	806 6, 795 7, 959 3, 672 11, 214 227 77 1, 516 3, 130 11, 142 3, 092 6, 002 7, 380 218 870 870
I NCREASE: A-599 G-599 A-16-3-3401-00 A-16-3-4451-00 A-18-3-4610-00 A-18-3-3610-00 A-17-3-3490-00 A-17-3-4490-00	APPROPRIATED FUND BALANCE APPROPRIATED FUND BALANCE STATE AID REVENUE EI FED. MEDICAID ADMIN FEDERAL AID - SOC SVCS ADMIN STATE AID - SOC SVCS ADMIN STATE AID - MENTAL HEALTH FEDERAL AID - MENTAL HEALTH	\$\$\$\$\$\$\$\$\$\$\$\$\$	32, 695 227 10, 473 1, 297 7, 945 3, 972 5, 607 2, 804

, and

FURTHER RESOLVED, that the salaries of the Sheriff, the Public Works Commissioner and the Social Service Commissioner will be adjusted in accordance with NYS Law.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Quackenbush as follows:

To strike all of the RESOLVED and FURTHER RESOLVED clauses and replace with the following:

RESOLVED, that the Montgomery County Board of Supervisors hereby adopts the following Grade and Salary Schedule for its full-time non-bargaining positions:

	RANGE		
DEPARTMENT HEADS	2008 MINIMUM	2008 MAXI MUM	
GROUP A DISTRICT ATTORNEY	\$100,000	\$150,000	
GROUP B SHERIFF COMMISSIONER OF SOCIAL SERVICES COMMISSIONER OF PUBLIC WORKS PUBLIC HEALTH DIRECTOR	\$ 65,000	\$ 75,000	

GROUP C PERSONNEL OFFICER COUNTY TREASURER COUNTY CLERK DIRECTOR OF COMMUNITY SERVICES DIRECTOR OF DATA PROCESSING ECONOMIC OPPORTUNITY & DEV DIRECTOR PROBATION DIRECTOR II	\$ 55,000	\$ 65,000
GROUP D DIRECTOR OF REAL PROPERTY TAX YOUTH BUREAU DIRECTOR/ACSD DIRECTOR DIRECTOR OF EMERGENCY MGMNT/FIRE COORDINATOR SUPERINTENDENT SSD#1	\$ 45,000	\$ 55,000
GROUP E COUNTY HISTORIAN ELECTION COMMISSIONER ELECTION COMMISSIONER PURCHASING AGENT DIRECTOR OF WEIGHTS & MEASURES DIRECTOR OF VETERANS SERVICES	\$ 35,000	\$ 45,000
NON-DEPARTMENT HEADS		
GROUP 1 PSYCHI ATRI ST	\$100,000	\$150, 000
GROUP 2 UNDERSHERIFF ASSISTANT DIRECTOR OF PUBLIC HEALTH	\$ 55,000	\$ 60,000
GROUP 3 DEPUTY COUNTY TREASURER DEPUTY COUNTY CLERK CORRECTIONS ADMINISTRATOR DIRECTOR OF FINANCIAL MANAGEMENT DIRECTOR OF SOCIAL SERVICES DIRECTOR OF ELIGIBILITY PERSONNEL ASSOCIATE	\$ 40,000	\$ 50,000
GROUP 4 BUSINESS MANAGER (PUBLIC HEALTH) BUSINESS MANAGER (DPW) CHILDREN WITH SPECIAL NEEDS COORDINATOR ECONOMIC DEVELOPMENT SPECIALIST ECONOMIC DEVELOPMENT SPECIALIST	\$ 35,000	\$ 45,000
GROUP 5 DEPUTY ELECTION COMMISSIONERS DEPUTY ELECTION COMMISSIONERS CONFIDENTIAL SECRETARY(DISTRICT ATTORNEY) CONFIDENTIAL SECRETARY(SHERIFF) CONFIDENTIAL SECRETARY(PUBLIC DEFENDER) PRINCIPAL ACCT CLERK TYPIST(PERSONNEL) HUMAN RESOURCE CLERK	\$ 30,000	\$ 40,000
GROUP 6 VOTING MACHINE\ELECTION COORDINATOR VOTING MACHINE\ELECTION COORDINATOR	\$ 25,000	\$ 30,000
, and		

FURTHER RESOLVED, that the 2008 base salaries of certain non-bargaining full-time positions are hereby adjusted as follows:

SHERI FF	\$ 65, 000
COMMISSIONER OF SOCIAL SERVICES	\$ 65,000
COMMISSIONER OF PUBLIC WORKS	\$ 65,000
PUBLIC HEALTH DIRECTOR	\$ 65,000

DIRECTOR OF COMMUNITY SERVICES	\$ 60,000
DIRECTOR OF DATA PROCESSING	\$ 60,000
SUPERI NTENDENT SSD#1	\$ 45,000
COUNTY HISTORIAN	\$ 35,000
DIRECTOR OF VETERANS SERVICES	\$ 35,000
UNDERSHERI FF	\$ 55,000
ASSISTANT DIRECTOR OF PUBLIC HEALTH	\$ 55,000
DIRECTOR OF SOCIAL SERVICES	\$ 45,000
DIRECTOR OF ELIGIBILITY	\$ 45,000
CHILDREN WITH SPECIAL NEEDS COORDINATOR	\$ 45,000
DEPUTY COUNTY CLERK	\$ 40,000
DEPUTY COUNTY TREASURER	\$ 40,000
DEPUTY ELECTION COMMISSIONERS	\$ 30,000
DEPUTY ELECTION COMMISSIONERS	\$ 30,000

, and

FURTHER RESOLVED, that the Treasurer is hereby authorized and directed to amend the 2008 Operating Budget as follows:

A-22-4-7510-00-1110(1177) A-19-4-6510-00-1110(912) A-15-4-3110-00-1110(419) A-16-4-4010-00-1110(441) A-18-4-6010-00-1110(108) A-16-4-4010-00-1110(257) A-08-4-1410-00-1110(97) A-06-4-1325-00-1110(98) A-11-4-1450-00-1110(568)	COMMISSIONER OF SOCIAL SERVICES COMMISSIONER OF PUBLIC WORKS PUBLIC HEALTH DIRECTOR DIRECTOR OF COMMUNITY SERVICES SUPERINTENDENT SSD#1 COUNTY HISTORIAN DIRECTOR OF VETERANS SERVICES UNDERSHERIFF ASSISTANT DIRECTOR OF PUBLIC HEALTH DIRECTOR OF SOCIAL SERVICES DIRECTOR OF ELIGIBILITY CHILDREN WITH SPECIAL NEEDS COORDINATOR	*****	806 6, 795 7, 959 3, 672 5, 214 227 77 1, 516 3, 130 11, 142 3, 092 6, 002 7, 380 5, 050 1, 002 870 870
I NCREASE: A-599 G-599 A-16-3-3401-00 A-16-3-4451-00 A-18-3-4610-00 A-18-3-3610-00 A-17-3-3490-00 A-17-3-4490-00	APPROPRIATED FUND BALANCE APPROPRIATED FUND BALANCE STATE AID REVENUE EI FED. MEDICAID ADMIN FEDERAL AID - SOC SVCS ADMIN STATE AID - SOC SVCS ADMIN STATE AID - MENTAL HEALTH FEDERAL AID - MENTAL HEALTH	\$\$\$\$\$\$\$\$\$	36, 979 227 10, 473 1, 297 7, 945 3, 972 1, 304 2, 607

and

FURTHER RESOLVED, that the salaries of the Sheriff, the Public Works Commissioner and the Social Service Commissioner will be adjusted in accordance with NYS Law.

passed with Aye(1062). Supervisors Dybas, McMahon, Strevy, Paton, Jonker and Cechnicki voted Nay. Supervisor Stagliano was absent. (12/22/2007)

RESOLUTION ADOPTED with Aye(1706). Supervisor Cechnicki abstained. Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon

County Attorney

Kimberly Sanborn

Clerk, Board of Supervisors

Chairman DiMezza stated that since the amendments to Resolution 362 passed, certain changes can be made to Resolution 363, namely:

in the fifth WHEREAS clause, changing the Resolution number to "362", and in the FURTHER RESOLVED clause, changing both monetary figures to "5,000".

Supervisor Schumann cautioned the Supervisors on setting salaries to the maximum, as that would negate the need for job evaluations in the figure.

Supervisor Johnson recommended tabling the Resolution until next year, when additional salary changes are bound to come up.

Supervisors Walters and Dybas spoke in support of the Resolution.

County Attorney Doug Landon did not object to treating the changes as typographical errors in the Resolution.

**RESOLUTION NO.** 363 of 2007 **DATED:** December 22, 2007

RESOLUTION ADJUSTING THE BASE SALARY OF THE DIRECTOR OF DATA PROCESSING AND ADJUSTING THE 2008 OPERATING BUDGET

Resolution by Supervisor: Thomas
Seconded by Supervisor: Quackenbush

WHEREAS, in 2007, the Personnel Committee created a committee consisting of the Personnel Officer, County Treasurer and Administrative Aide to the Board of Supervisors and requested that said committee conduct a salary study to evaluate the pay scales of the non-bargaining employees of Montgomery County, and

WHEREAS, by Resolution 289 of 2007 this committee was given a deadline of December 7, 2007 to complete all research necessary so that results of said study could be incorporated into the 2008 Operating Budget, and

WHEREAS, on December 8, 2007 results of this study were presented to the Personnel Committee and reviewed, and

WHEREAS, as a result of the research conducted, a grade and salary schedule has been proposed that would eliminate inequities of similar positions in similar NYS Counties studied, and

WHEREAS, by Resolution 362 of 2007 a grade and salary schedule for full-time, non-bargaining personnel was adopted and salaries were adjusted accordingly, and

WHEREAS, by adoption of the resolution, the range salary for the Data Processing Director was established at \$55,000 to \$65,000, and

WHEREAS, in consideration of the incumbent's many years of experience with the County's Data Processing Department and her tenure as Director of Data Processing since December 2002, it has been requested that the base salary for the position be established at the maximum of the adopted grade and salary schedule for that position,

RESOLVED, that the Montgomery County Board of Supervisors hereby establishes the 2008 base salary for the Director of Data Processing at \$65,000, and

FURTHER RESOLVED, that the Treasurer is hereby authorized and directed to amend the 2008 Operating Budget as follows:

I NCREASE:

A-14-4-1680-00-1110( 444) DIRECTOR OF DATA PROCESSING \$ 5,000

I NCREASE:

A-599 APPROPRIATED FUND BALANCE \$ 5,000

RESOLUTION ADOPTED with Aye(1633). Supervisor Schumann voted Nay. Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon Kimberly Sanborn

County Attorney Clerk, Board of Supervisors

Supervisor Dybas requested that the Organizational Meeting referred to in Resolution 364 begin at 10:30 AM, instead of 11:00 AM. There were no objections.

**RESOLUTION NO.** 364 of 2007 **DATED:** December 22, 2007

RESOLUTION FIXING DATE AND TIME FOR 2008 ORGANIZATIONAL MEETING OF THE BOARD OF SUPERVISORS

Resolution by Supervisor: Thomas Seconded by Supervisor: Di Mezza

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 10:30 a.m. on the 1st day of January 2008.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### MOTION TO SUSPEND THE RULES

SUSPEND THE RULES by Supervisor Jonker, seconded by Supervisor Cechnicki to entertain add-on Resolution 365 (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - GENERAL LIABILITY/NATIONAL FLOOD INSURANCE - NYMIR/SELECTIVE INSURANCE COMPANY (PURCHASING") prior to adjournment, passed with Aye(1772). Supervisor Stagliano was absent.

**RESOLUTION NO.** 365 of 2007 **DATED:** December 22, 2007

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - GENERAL LIABILITY/NATIONAL FLOOD INSURANCE - NYMIR/SELECTIVE INSURANCE COMPANY (PURCHASING)

Resolution by Supervisor: Greco Seconded by Supervisor: Di Mezza

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,

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 coverage's shall be effective January 1, 2008 through December 31, 2008, 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 not exceeding \$646,400.00, after coverage's.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/22/2007)

Douglas Landon County Attorney Kimberly Sanborn Clerk, Board of Supervisors

#### **OTHER**

Chairman DiMezza asked if anyone else wanted to call a MOTION TO SUSPEND THE RULES in order to entertain any additional draft Resolutions. There was no response.

Supervisor Quackenbush expressed his appreciation to Chairman DiMezza for his outstanding work as the 2007 Chairman of the Board of Supervisors. He also thanked the outgoing Supervisors for their service to the Board.

Chairman DiMezza thanked the Board and Department Heads for their assistance and cooperation during 2007, stating that he has enjoyed serving as Chairman. He congratulated the Board on the many accomplishments and projects that have moved forward during the year.

#### **ADJOURNMENT**

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor Jonker, passed with Aye(1772). Supervisor Stagliano was absent.

Chairman Di Mezza adjourned the meeting at 10:25 AM.

Respectfully submitted,

Kimberly Sanborn Clerk of the Board

# CERTIFICATION OF PUBLICATION CLERK OF THE BOARD

I, KIMBERLY 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 2007, and the same is hereby printed in the volume by authorization of the said Montgomery County Board of Supervisors.

KIMBERLY SANBORN, CLERK Board of Supervisors

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# Appendix of ATTACHMENTS

## Attachment to Resolution

2007 - Resolution 4

### Attachment for Resolution 4 of 2007

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
As Adopted by Resolution No. 4 – January 1, 2007

### 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 simply 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 Rules of Procedure

College Intergovernmental Relations

Policies Clerk of the Board County Attorney Board of Elections

County Administrative Officer

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 to Resolution

2007 – Resolution 9

### **COUNTY OF MONTGOMERY**

### **EXECUTIVE ORDER NO. 1 OF 2007**

WHEREAS, the possibility of natural or man-made emergencies, including floods, droughts, fires, earthquakes, hurricanes, windstorms, landslides, hazardous materials incidents and other catastrophes, exists in the County of Montgomery, State of New York; and

**WHEREAS**, these kinds of emergency situations would require action by County agencies to protect and preserve human life and property; and

WHEREAS, the New York State Defense Emergency Act of 1950 (as amended), the New York State Executive Law (Article 2-B) and the New York State General Municipal Law (Sections 209-D and 60): (1) impose upon the Chairman of a County Board of Supervisors, or in his absence, his designee, (the Vice-Chairman) the responsibility for the execution and implementation of the provisions of the above legislation: (2) require the utilization of all existing County resources and services available hereinafter called Agencies, to extend such services, equipment, supplies and facilities as required of them: and (3) require the Chairman of the Board of Supervisors, by Executive Order, to direct County Agencies and public officers to perform specific duties in conjunction with the management and performance of essential functions during emergency situations;

**NOW, THEREFORE,** I, Thomas P. DiMezza, Chairman of the Board of Supervisors of the County of Montgomery, by virtue of the powers and authority vested in me by New York State law, do hereby order that:

- A. All County officers of the County of Montgomery shall continue regular County governmental operation to the extent permitted by emergency conditions from the County Emergency Operating Center or normal locations, as local conditions may dictate, and will follow the lines of succession established by Local Law No. 1 of 1963 for the continuity of County government (enacted March 12, 1963).
- B. In an emergency situation, the Director of the Office of Emergency Management, under the direction of the Chairman of the Board of Supervisors (the Vice-

Chairman in his absence) shall direct and coordinate the following County officers in specific emergency functions and responsibilities to include, but not be limited to, those hereinafter designated and these same officers and agencies shall provide plans and training to provide an efficient, coordinated response to emergency situations. If neither one of those Board officers is available, the emergency Interim Successors, in order, shall be the Majority Leader, and then the Minority Leader. Those County offices not specifically listed may be activated by the Chairman of the Board of Supervisors, the Vice-Chairman, the Director of Emergency Management and/or the Sheriff to respond to the situation and perform specific duties as directed.

- 1. <u>County Attorney:</u> render advice and opinions to the Chairman of the Board of Supervisors with regard to the continuity of government, and interpretation, application and implementation of relevant laws, regulations and orders; draft executive orders, regulations and directives in coordination with the Chairman of the Board of Supervisors and the Director of the Office of Emergency Management.
- 2. Sheriff: utilize regular and auxiliary police to perform all normal police duties and responsibilities; locate and secure the emergency scene(s); regulate and control traffic (both vehicular and pedestrian); police essential highways and rules to protect life and property; guard vital and strategic facilities, including the County Emergency Operating Center and its occupants; direct the injured to medical facilities and the homeless to mass-care shelters; implement any evacuation(s) ordered by the Chairman of the Board of Supervisors; provide personnel to operate the County Emergency Communications system; act as the Chief of the Police Service.
- 3. <u>Commissioner of Public Works:</u> mobilize and use publicly and privately-owned construction, sanitation and public utility equipment and personnel; assist in licensing, marking, stocking, inspecting and reprovisioning public shelters and other mass-care facilities; clear debris from roadways; regulate the use of the County highway system; post on suitable maps current information regarding the County situation as it affects essential facilities and public services; assist with rescue operations; assist in repairing and maintaining utilities; provide water supplies, perform essential road construction and repair; provide for the physical maintenance of the County Emergency Operating Center; act as the Chief of the Public Works Service.
- 4. <u>Commissioner of Social Services:</u> direct and coordinate all public assistance management activities; provide emergency feeding, clothing, lodging, financial assistance, food stamps, and related social services to those in need; gather and coordinate information concerning missing

- persons; coordinate all social services activities with the American Red Cross and other involved groups; act as the Chief of the Social Services.
- 5. <u>Director of Public Health:</u> provide health and medical services to the population including safeguarding the health of the people, care and treatment of the ill and injured; maintain a medical facility for the occupants of the County Emergency Operating Center; provide or arrange appropriate assistance to handicapped persons; act as the Chief of Medical Services.
- 6. <u>Fire Coordinator:</u> coordinate fire service personnel to contain and extinguish fires; search for and remove persons trapped in structures or vehicles involved in or exposed to fire; assist in the recovery and protection of critical materials, supplies and equipment affected by fire; assist in radiological monitoring; perform decontamination duties as required; act as the Chief of the Fire Service.
- 7. <u>Emergency Medical Services Coordinator:</u> coordinate emergency medical services personnel to care for the injured; establish triage sites at the emergency scene(s); coordinate the rescue of trapped or injured persons from the emergency scene(s); act as the Chief of the Rescue Service.
- 8. **Coroners:** identify the dead; coordinate the removal of bodies to a safe place where they may be claimed for burial by relatives; properly dispose of bodies not claimed or identified; maintain records and submit as required.
- 9. <u>Director, Real Property Tax Service Agency:</u> provide maps and related information; coordinate damage assessment team(s) to compile and update, as appropriate, damage estimates.
- 10. **Personnel Officer:** determine personnel requirements of emergency services providers; recruit and register additional personnel, as needed; act as the Chief of Manpower Services.
- 11. **Purchasing Agent:** procure, receive, store, control, allocate and distribute needed supplies and equipment.
- 12. <u>County Auditor:</u> develop needed forms and procedures to record all expenditures (direct and indirect) incurred by County agencies in responding to and recovering from the emergency situation(s).
- 13. <u>County Treasurer:</u> carry out measures necessary to stabilize prices, wages and rents; implement measures to ration essential consumer items;

support indirect monetary, tax and credit measures adopted by the Federal government.

- 14. Chairman, Public Safety Committee, Montgomery County Board of Supervisors: carry out, with the advice of representatives of banking, financial, commerce, industry concerns and other appropriate governmental officers, measures to enable industrial plans and business establishments to protect their essential facilities and personnel, continue management and resume productive activity.
- 15. <u>Cornell Cooperative Extension Agent:</u> carry out, with advice of representatives of banking, financial, commerce, industry concerns and other appropriate governmental officers, measures necessary to produce, procure, receive, store (where applicable), control, allocate, distribute and ship fuels, electric and gas energy, foods and feeds.
- 16. Chairman of the Board: establish a clerical pool to record all measures taken while responding to and recovering from the emergency situation(s) to ensure adequate documentation; coordinate and dissemination of emergency instruction and public information; coordinate and follow-up actions taken by County agencies maintain current situational information during the emergency situation(s); act as the Chief of the Public Information Service.
- 17. **Director of Mental Health:** Coordinates crisis and referral services, coordinates the temporary housing and transportation for the mentally ill, mentally retarded, developmentally disabled and alcohol/drug abusers, identifies available resources and additional resources needed.
- 18. <u>Director of Emergency Management:</u> Oversees and coordinates with all involved agencies (as indicated above) in operation of the Emergency Operations Center. Also procures needed supplies and equipment from state and federal agencies and shall act as chief of overall operations.
- C. In emergency situations and in training or preparing therefore, the above officers of Montgomery County shall have authority to assign emergency functions to members of their staffs and such personnel shall cooperate and extend such services as are required of them.
- D. To ensure an effective operational capability during an emergency situation, officials assigned responsibilities under this Executive Order must prepare themselves and their agencies to fulfill their assigned duties and responsibilities by organizing, planning, recruiting and training to achieve the full integration of existing local resources of personnel, materials, facilities and services into a coordinated emergency response operation.

- E. All County officers shall report to the County Emergency Operating Center when so directed by the Chairman of the Board of Supervisors, or his designee.
- F. This Executive Order No. 1 of 2007 shall become effective immediately.

**IN WITNESS WHEREOF,** I have hereunto set my hand and caused the Seal of the County of Montgomery to be affixed.

Done at Fonda, County of Montgomery, New York, this \_\_\_\_ day of January 2007.

		Thomas P. DiMezza
		Chairman, Montgomery County Board of Supervisors
(Seal)		Attest:
		Clerk, Board of Supervisors
cc:	All Supervisors All Department/Agency Heads	

## Attachment to Resolution

**2007 – Resolution 71** 

### Risk Management Plan County of Montgomery March 2007

### Overview

The County of Montgomery is currently operating without a risk management plan, which has resulted in the high cost of insurance, large claims and lawsuits, unaccountability with risk control measures, declination letters from insurance carriers, etc. As a directive from the Chairman of the Board of Supervisors, the following risk management plan has been established for the County's review and consideration.

It must be noted that this risk management plan is an initial step of a long road to recovery for the County of Montgomery. Any risk management plan must be constantly evaluated, adjusted, modified, etc. to assure accomplishment of its stated objectives.

### **Objectives**

All risk management plans must have operating objectives to identify and measure strategic outcomes. The objectives for our risk management plan are as follows:

- Provide a means for the County of Montgomery to help protect its financial and physical assets.
- Through risk management applications, help provide a cost containment mechanism for all County operations and departments.
- Introduce and outline a risk management model, including a collaboratively developed servicing plan. In addition, the plan should outline roles and responsibilities of applicable representatives.
- Incorporate a Safety Officer to help facilitate risk management tasks and help the Board of Supervisors reach acceptable outcomes.
- Constantly improve the Safety, Health and Welfare of the County of Montgomery.

### **Risk Management Model**

The attached risk management model outlines a structure for the flow of information/communication, program accountability, departments & committees, etc. This model helps illustrate each entities position in the risk management model in relationship to functions and accountability. Since most of the County's risk is at the Department level, the description will start at the bottom and flow up to the Board of Supervisors. However, the Board of Supervisors has the ultimate responsibility for risk management. A description of each entry attached to the model follows.

### A. Departments and Department Managers

The majority of the County's risk is located at the Department level, which requires aggressive loss control and risk management activities to occur here first. Every employee and manager must recognize that a comprehensive plan for controlling risk is a priority and the Board of Supervisors is the ultimate Authority having Jurisdiction. Everyone's positive attitude and cooperation is required for program compliance. Department managers must:

- Immediately report all incidents, accidents and claims to the Safety OFficer. Delay in proper reporting could have detrimental outcomes for the County.
- Maintain a safe work environment and encourage all employees to assist. Report all dangerous conditions to the Safety Committee.
- Help the County identify risk by actively communicating departmental activities, via, report, e-mail, or phone conversation, to the Safety Officer.
- Encourage all employees to participate in safety related training programs and classes. Help assure that proper documentation is collected.
- Aggressively correct all unsafe conditions and communicate compliance immediately.

### **B.** Safety and Security Committee

- Chaired by the Emergency Management Director.
- Works on the Risk Management committee to obtain tools and support to reach desired outcomes. Responsible for assuring compliance with all applicable codes, rules, and regulations, along with providing follow through of corrective measurers.
- Emergency Management Director with the Safety Officer will provide action reports to the Finance Committee and the Board of Supervisors.

### C. Purchasing Agent

- Maintains the County's fixed asset list and works with the Safety Officer to assure proper insurance protection is provided. Both report to the Treasurer the reconciliation of the fixed assets and related insurance coverage.
- Works with other departments & committees to purchase insurance and risk management products and services.

### D. Safety Officer

The Safety Officer will be incorporated into the County of Montgomery's operations at all levels to help control exposure and risk and reduce loss. The Safety Officer must be recognized as a leadership position, ultimately report to the Board of Supervisors, and will be responsible for the following:

- Coordinate the identification of risk and exposures to the County. Maintain proper documentation describing the exposures, control measures and outcomes.
- Maintain, with the assistance of the Purchasing Agent and County Treasurer, an inventory of all county properties, contents, equipment, vehicles, supplies, owned and leased assets, etc. Assure that County assets are properly protected by insurance.
- Collect from each department all incident and accident reports and claims. Process accordingly. Communicate and report all applicable claims to the insurance carrier and coordinate the investigation and review of all incidents/claims.
- With the assistance of the risk management committee, coordinate all safety, loss control and risk management programs and communications with each applicable department.
- With the assistance of the risk management committee, assure that all documentation and record keeping, is in compliance with all applicable codes, rules and regulations.
- With the assistance of the insurance broker, maintains a record of all open claims, including indemnity and expense cost and current accountability.
- Chair the Safety and Security and Risk Management Committees. Maintain records and report results of this committee to the Finance and Board of Supervisors.
- Follows up and assists each department in achieving safety, loss control and risk management directives and deliverables.
- Provides reports, including accountability of departments, to the Finance Committee and Board of Supervisors regarding all aspects of safety, loss control, and risk management activities impacting the County of Montgomery.
- Attends applicable training and classes to help broaden knowledge and skills of position. Forwards new and applicable information to the risk management committee.
- Performs work activities as outlined in adopted and applicable job description.

### SAFETY OFFICER

**DISTINGUISHING FEATURES OF THE CLASS:** The work involves responsibility for planning and implementing a comprehensive safety program, including developing standards for the protection of employees and the public use of municipal-owned properties and facilities, the work and/or use processes and for the identification of hazardous and potentially hazardous conditions and in the elimination of such conditions. The work also involves responsibility for coordinating programs relating to property and casualty claims and insurance. This work which requires planning, organizing, actuating and evaluating risk of loss coverage programs, to protect properties, and physical assets from loss. The work is performed under general supervision with leeway allowed for the use of independent judgment for carrying out the details of the work. Does related work as required.

### **TYPICAL WORK ACTIVITIES:** (Illustrative only)

Recommends standards for a municipal safety program to include objectives, policies and procedures for identifying, controlling and reporting hazardous conditions and practices;

Provides advice and counsel to various departments and offices regarding individual programs;

Makes regular routine inspections to observe potentially hazardous conditions and work practices as well as inspections of accident and loss sites to determine causes;

Develops and maintains a comprehensive program of safety education and training, which includes bulletins, manuals, contests and other safety-awareness techniques, as well as meetings with employees and department heads to elicit support and to conduct training;

Establishes and maintains a central file system, which includes departmental reports of hazard identifications and progress of their elimination, loss control information and reports and other information as appropriate;

Reviews legislation and rules and regulations affecting safety and health standards and advises on the need for modifying jurisdiction standards;

May act as liaison with advisory committees and officials relative to the safety program;

Performs facility/job site inspections in order to prevent losses and injuries and to ensure compliance with codes and standards;

Develops and implements training and education programs designed to prevent work related accidents and injuries;

Conducts investigations to determine cause of accidents and arrive at means to prevent similar accidents from recurring;

Review plans for new buildings and renovations in order to ensure compliance with various safety codes and standards;

Researches and reviews codes and standards that govern public employee safety and facility protection;

Provides technical advice, i.e., provides answers to loss control, safety, fire prevention, and loss prevention questions;

Develops system to capture loss statistics for use in program development;

Coordinates programs designed to limit risk of loss to properties, and physical assets as they apply to claims management, and liability insurance;

Reviews claim procedures making recommendations to the County Attorney and liability insurance carrier regarding disposition;

Updates policies, procedures, and documents regarding property, casualty and liability loss;

Acts as a liaison with property, casualty and liability insurance carriers and broker for the County;

Attends Safety Committee meetings and Risk Management Committee meetings;

Coordinate and support claims management through the development and implementation of loss control programs and training;

Serves as the "conduit" for the flow of information between the County and their liability insurance company.

### FULL PERFORMANCE KNOWLEDGES, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS:

Good knowledge of the principles and practices of safety plans and programs as would relate to county operations;

Working knowledge of pertinent sections of the Occupational Safety and Health Act standards and regulations as well as pertinent rules and regulations of New York State;

Working knowledge of loss control methods of primary risk exposures;

Ability to coordinate and administer a continuing program of safety information and training;

Ability to make investigations, analyze findings and implement with corrective action;

Ability to understand and interpret complex oral instructions and/or written directions;

Ability to establish and maintain a record system for safety control;

Ability to establish and maintain effective working relationships with others;

Ability to communicate effectively both orally and in writing;

Physical condition commensurate with the demands of the position.

### **MINIMUM QUALIFICATIONS:** Either:

- A. Graduation from a regionally accredited college or university or one accredited by the New York State Board of Regents to grant degrees with an Associate degree in engineering, industrial safety, occupational safety, construction technology or closely related field and two (2) years of experience as a building contractor, construction supervisor, claims adjuster, insurance underwriter or similar position responsible for inspecting or investigating for loss of safety; or
- B. Graduation from high school or high school equivalency diploma and four (4) years experience as defined in (A) above; or
- C. An equivalent combination of training and experience as defined by the limits of (a) and (B).

**SPECIAL REQUIREMENT FOR ACCEPTANCE OF APPLICATIONS:** Possession of a valid New York State driver's license is required at the time of appointment.

### E. Insurance

### **Mang Insurance Agency**

- Provides the insurance policy and associated coverage services.
- Provides claim management services and acts as a liaison between the County of Montgomery and their carriers.
- Administrates risk services, provides coverage options to protect County during risk transfer.
- Policy services such as endorsement and other changes, issues certificates of insurance, accounting function, etc.
- Implements and manages the internet based risk management program Zywave. Zywave will be utilized to help develop and implement safety and communication tools while working towards our program objectives.

### **NYMIR**

- Offer coverage and provide policies for Property and Casualty coverage.
- Play a lead role with risk management and loss control services, including participating in committees such as the Safety and Security & Risk Management.
- Settle claims and provide Defense during Lawsuits.
- Conducts Incident and Accident analysis

### F. Risk Management Committee

The risk management committee will be appointed by the Board of Supervisors and Chaired by the Safety Officer, to replace the current Claims Committee. This committee may include some members of the Finance Committee, the Personnel Officer, County Attorney, a representative from NYMIR, the County Treasurer, the Purchasing Agent, the Emergency Management Director, the Sheriff, the County's insurance agent, etc.

### Responsibilities include:

- Review all insurance claims and evaluate current policies/procedures that lead to the claim. Develop recommendations for the Safety Officer to document, report and implement. Assure all claims are reported promptly.
- Constantly analyze, all County risk management programs, policies, procedures, and practices. Collaboratively create recommendations for improvement. Safety Officer to document and report recommendations accordingly.
- Evaluate all incident and accident analysis reports. Collaboratively develop strategies and recommendations to avoid all future reoccurrences. Safety Officer to document and report all recommendations accordingly.
- Consistently monitor the County of Montgomery's risk management plan and collaboratively make recommendations for improvements.

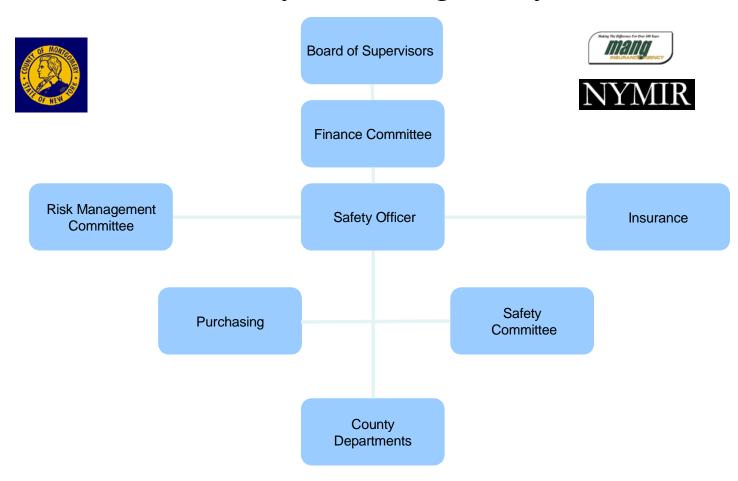
### **G.** Finance Committee

- Responsible for determining that proper insurance and risk management practices are protecting the County of Montgomery.
- Evaluate and monitor the current risk management plan in accordance with the County's financial goals and objectives.
- Recommends risk management practices and insurance programs to the Board of Supervisors.
- Helps assure the effectiveness of the Safety Officer.

### H. Board of Supervisors

- The Board of Supervisors is ultimately responsible for the risk management practices and outcomes for the County of Montgomery.
- The Board of Supervisors is the designated Authority having Jurisdiction.

### Proposed Risk Management Model for the County of Montgomery



## Attachment to Resolution

**2007 – Resolution 78** 

# Montgomery County Ambulance Mutual Aid Plan

And

## Medivac Utilization Plan

Revised 10/07

#### **INTRODUCTION**

For several years the various providers of Emergency Medical Services (EMS) within the Montgomery and Fulton County New York areas have been operating under an informal Mutual Aid Response System consisting of established protocols and priorities pursuant to which it has been determined which providers of EMS are to be called when the primary responder in a given area finds it does not have a sufficient number of ambulances or ambulance crews having the higher level of training and certification needed in responding to a given emergency call.

Due to the institution of the "911 Emergency Call System" within the Montgomery County area and the increasing complexity and higher levels of care which the various EMS Providers now have the capacity to provide, it has been requested that these EMS providers enter into more formal agreements as to how calls for EMS care and higher level of care are to be dispatched. The mutual aid response areas have not been changed, with the exception of required updates due to the merger of GAVAC and Fonda/Fultonville Ambulance. These mutual aid areas have just now been formalized into a comprehensive countywide plan.

This procedure sets forth the procedures that are to be followed by the 911-dispatch center when additional ambulances (above and beyond the immediate capability of the primary ambulance) or a higher level of care is needed for a particular call.

The primary ambulance territories listed in this procedure have been pre determined by the Montgomery County Sheriffs Department and the respective townships in the county. Mutual aid responses have been determined and agreed upon by the ambulance agencies and the Montgomery County EMS Advisory Board based on closest available ambulance (time and distance considered), staffing patterns of the ambulance agencies, and NYS Department of Health licenses.

This plan will be updated as necessary at any time and will be reviewed annually by the Montgomery County EMS Advisory Board.

#### **E-911 OVERVIEW**

The "911 Emergency System" shall be staffed and operated by the Montgomery County Sheriff's Department which shall be responsible for receiving emergency calls and dispatching EMS providers in accordance with the procedures set forth herein. The 911 Emergency System Dispatcher (herein called "Dispatcher") shall, upon receiving an emergency call, determine the appropriate EMS ambulance provider to be dispatched, in accordance with the procedures set forth herein and established protocols.

#### **AMBULANCE AGENCIES**

#### **Montgomery County Agencies**

#### 1. GAVAC

24 Gardner Lane Amsterdam, NY 12010

Primary Dispatch: MCSO 911 Center

7 Digit Emergency #: 842-1777 Business #: 843-1150

#### 2. Mid-County Volunteer Ambulance Service Inc.

46 West Grand St

Palatine Bridge, NY 13428

Primary Dispatch: MCSO 911 Center

7 Digit Emergency #: 673-2212 Business #: 673-2212

#### 3. Rural/Metro Medical Services Inc.

55 East Main St Nelliston, NY 13410

Primary Dispatch: MCSO 911 Center

7 Digit Emergency # 993-4153 Business #: 993-4153

#### 4. St. Johnsville Area Volunteer Ambulance Corps Inc.

14 Washington St.

St. Johnsville, NY 13452

Primary Dispatch: MCSO 911 Center

7 Digit Emergency #: 568-5499 Business #: 568-5499 Fax#: 568-2230

#### Out of County Ambulance Agencies

#### 1. Ambulance Service of Fulton County

Frontage Rd, Gloversville, NY 12078

Primary Dispatch: Fulton County Sheriffs Office 736-2100

7 Digit Emergency #: 725-1122 Business # 725-3667

#### 2. Johnstown Area Volunteer Ambulance Corps (JAVAC)

244 North Perry St Johnstown, NY 12095

Primary Dispatch: Fulton County Sheriffs Office 736-2100

7 Digit Emergency: None Business #: 762-3177

#### 3. Mohawk Ambulance Service Inc.

793 State St. Schenectady, NY

Primary Dispatch: 374-4401 Business #: 374-4401

#### 4. Rotterdam Ambulance

101A Princetown Rd. Rotterdam, NY

Primary Dispatch: 355-7331 Business#: 355-7331

#### 5. Saratoga Emergency Squad

166 West Ave.

Saratoga Springs, NY

Primary Dispatch: 885-5522 Business #: Unknown

#### AMBULANCE DISPATCH PROCEDURES

- 1. The Primary ambulance service shall be paged.
- 2. If the ambulance has not responded, the dispatcher will page again at 2 minute intervals up to, but not including 6 minutes from the initial call.
- 3. If at 6 minutes, the primary ambulance service has not responded with <u>appropriate</u> staff to be able to treat and transport an urgent patient on arrival at the scene, a mutual aid ambulance will be paged pursuant to this plan.

### Automatic Activation and Utilization of Medivac Helicopters

In most cases in Montgomery County, the closest hospitals that are under one hour travel time are community based hospitals that do not specialize in severe trauma, pediatric trauma, or burns. In order to facilitate the most effective and proper treatment of those patients in need, the following will become policy:

#### **AUTOMATIC DISPATCH:**

To facilitate a rapid response, a medivac helicopter will be automatically placed on "STAND-BY" based on specific criteria as follows:

MVA with reported one or more serious injury

MVA rollover with any reported injury

MVA with entrapment

MVA with reported pediatric injury

MVA vehicle vs. pedestrian

Any motorcycle accident with reported injury

Any ATV/snowmobile accident with reported injury

Any reported serious pediatric trauma

Any EMS call reporting a patient with burns

Any reported farming accident/incident with trauma

Any amputation of a limb.

Any reported penetrating trauma including but not limited to stab/gun shot wounds.

Upon dispatching the call, the dispatcher will announce that the helicopter has been placed on stand-by.

The first arriving EMT will determine if the helicopter will be needed. This decision will be based on the condition of the patient and/or the mechanism of injury.

The first arriving EMT will advise the following, as soon as possible:

"THE HELICOPTER CAN STAND-DOWN"
"HAVE THE HELICOPTER RESPOND"

The EMS dispatcher will utilize the below designated telephone number to request a helicopter:

1-800-525-6663

#### Landing Zone Procedure

#### LANDING ZONES:

The landing zone will be determined by joint efforts of the EMT in charge and the officer in charge of the fire department. Predetermined landing zone locations are already on file in the 911 center.

Do not rule out utilizing the roadway that you are on for your landing zone. If free from overhead hazards, and if the road is completely closed, consider bringing the aircraft to you.

#### **PROLONGED EXTRICATIONS:**

Should you become involved with a prolonged extrication and the aircraft has arrived at the predetermined LZ, consider having the flight crew transported to the scene. The flight crew will arrive with the availability to perform advanced techniques as well as the ability to provide analgesic pain medication not available to EMS providers. An ambulance or pick-up truck will be needed for the crew transport as they will be carrying several pieces of equipment on a portable stretcher.

#### The City of Amsterdam

The primary BLS / ALS ambulance service will be provided by **GAVAC** in accordance with the procedures hereinbefore set forth.

In the event GAVAC is unavailable, or additional resources are needed, the first mutual aid service to be dispatched is:

#### **Rural/Metro Medical Services**

In the event that Rural/Metro is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **Ambulance Service of Fulton County**

In the event that Ambulance Service of Fulton County is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **JAVAC**

Upon request for another ambulance, the EMS provider shall be informed whether BLS or ALS is responding if the same is known to the dispatcher.

When an EMS provider is unable to grant the request for the level of service requested, the next available agency shall be dispatched.

#### *Note:*

All mutual aid EMS providers who respond within the City of Amsterdam have the capability of ALS through Paramedic level.

SUMMARY:		
Primary Ambulance:	GAVAC	ALS
2.	Rural/Metro Ambulance Service of Fulton County JAVAC	ALS ALS ALS

#### Town of Canajoharie

(includes the Village of Canajoharie)

The primary BLS / ALS ambulance service will be provided by <u>Mid County</u> <u>Ambulance</u> in accordance with the procedures hereinbefore set forth.

In the event Mid County is unavailable, or additional resources are needed, the first mutual aid service to be dispatched is:

#### **Rural/Metro Medical Services**

In the event that Rural/Metro is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### St. Johnsville Ambulance

Upon request for another ambulance, the EMS provider shall be informed whether BLS or ALS is responding if the same is known to the dispatcher.

When an EMS provider is unable to grant the request for the level of service requested, the next available agency shall be dispatched.

#### Note:

All mutual aid EMS providers who respond to the Town of Canajoharie have the capability of ALS through Paramedic level.

SUMMARY:		
Primary Ambulance:	Mid County Ambulance	ALS
Mutual Aid:		
1.	. Rural/Metro	ALS
2.	St. Johnsville Ambulance	ALS
3.	GAVAC	ALS

#### Town of Charleston

#### In the area served by the Burtonsville Fire Department:

The primary BLS/ALS ambulance service will be provided by **Esperence Ambulance** in accordance with the procedures hereinbefore set forth.

Note: Esperence Ambulance is dispatched by the Schoharie County 911 dispatch center with information obtained thru "1-button transfer" of data obtained by Montgomery County 911 thru the 911 system.

Simultaneously Montgomery County will dispatch an ambulance service, which will be GAVAC.:

#### **GAVAC Ambulance**

In the event GAVAC is unavailable, or additional resources are needed, the next mutual aid agencies to be dispatched are:

Mid- County or Rural/Metro whichever is closer.

#### In the area served by the Charleston Fire Department:

The primary BLS/ALS ambulance service will be provided by <u>Mid-County Volunteer</u> **Ambulance Service** in accordance with the procedures hereinbefore set forth.

In the event Mid County is unavailable, or additional resources are needed, the first mutual aid service to be dispatched is:

#### **Rural Metro Medical Services**

In the event Rural/Metro is unavailable, or additional resources are needed, the next agency to be dispatched is:

#### **GAVAC**

SUMMARY:			
Primary Ambulance Mutual Aid:	Burtonsville Area:	<b>Esperence Ambulance</b>	ALS
	<ol> <li>GAVAC</li> <li>Rural/Metro or Mid-</li> </ol>	County	ALS ALS
Primary Ambulance  Mutual Aid:	Charleston Area:	Mid County Ambulance	ALS
	<ol> <li>Rural/Metro</li> <li>GAVAC</li> </ol>		ALS ALS

#### Cranesville

The primary BLS / ALS ambulance service will be provided by **GAVAC** in accordance with the procedures hereinbefore set forth.

In the event GAVAC is unavailable, or additional resources are needed, the first mutual aid service to be dispatched is:

#### **Rural/Metro Medical Services**

In the event that Rural/Metro is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **Ambulance Service of Fulton County**

In the event that Ambulance Service of Fulton County is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **Mohawk Ambulance Service**

Upon request for another ambulance, the EMS provider shall be informed whether BLS or ALS is responding if the same is known to the dispatcher.

When an EMS provider is unable to grant the request for the level of service requested, the next available agency shall be dispatched.

#### *Note:*

All mutual aid EMS providers who respond to Cranesville have the capability of ALS through Paramedic level.

SUMMARY: Primary Ambulance:	GAVAC	ALS
	<ol> <li>Rural/Metro</li> <li>Ambulance Service of Fulton County</li> <li>Mohawk Ambulance Service</li> </ol>	ALS ALS

#### Town Of Florida

The primary BLS / ALS ambulance service will be provided by **GAVAC** in accordance with the procedures hereinbefore set forth.

The town of Florida will be divided into 2 regions:

Region 1: From the Schenectady line west on Rt 5S, Rt 30 South to the Schenectady county line.

Region 2: From Rt 30, west to the Schoharie creek, south to the Schenectady county line.

In the event GAVAC is unavailable, or additional resources are needed, the first mutual aid service to be dispatched is:

Region 1: Rural/Metro Medical Services Region 2: Rural/Metro Medical Services

In the event that Rural/Metro is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

Region 1: Rotterdam Ambulance

**Region 2: Ambulance Service of Fulton County** 

In the event these ambulance service are not available, or additional resources are needed, the next mutual aid service to be dispatched are:

Region 1: Mohawk Ambulance Service

Region 2: **JAVAC** 

Upon request for another ambulance, the EMS provider shall be informed whether BLS or ALS is responding if the same is known to the dispatcher.

When an EMS provider is unable to grant the request for the level of service requested, the next available agency shall be dispatched.

### Town of Florida (continued)

SUMMARY: Primary Am		GAVAC	ALS
Mutual Aid:	Region 1:		
		<ol> <li>Rural/Metro</li> <li>Rotterdam</li> <li>Mohawk Ambulance Service</li> </ol>	ALS
	Region 2:		
		<ol> <li>Rural Metro</li> <li>Ambulance Service of Fulton County</li> <li>JAVAC</li> </ol>	ALS ALS ALS

#### Fort Hunter/Tribes Hill

The primary BLS / ALS ambulance service will be provided by <u>GAVAC</u> in accordance with the procedures hereinbefore set forth.

In the event GAVAC is unavailable, or additional resources are needed, the first mutual aid service to be dispatched is:

#### **Rural/Metro Medical Services**

In the event that Rural/Metro is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **Ambulance Service of Fulton County**

In the event that Ambulance Service of Fulton County is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **JAVAC**

Upon request for another ambulance, the EMS provider shall be informed whether BLS or ALS is responding if the same is known to the dispatcher.

When an EMS provider is unable to grant the request for the level of service requested, the next available agency shall be dispatched.

#### Note:

All mutual aid EMS providers who respond to Fort Hunter & Tribes Hill have the capability of ALS through Paramedic level.

SUMMARY: Primary Ambulance:	GAVAC	ALS
Mutual Aid:		
	1. Rural/Metro	ALS
	2. Ambulance Service of Fulton County	ALS
	3. JAVAC	ALS

#### Fort Johnson

The primary BLS / ALS ambulance service will be provided by **GAVAC** in accordance with the procedures hereinbefore set forth.

In the event GAVAC is unavailable, or additional resources are needed, the first mutual aid service to be dispatched is:

#### **Rural/Metro Medical Services**

In the event that Rural/Metro is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **Ambulance Service of Fulton County**

In the event that Ambulance Service of Fulton County is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **JAVAC**

Upon request for another ambulance, the EMS provider shall be informed whether BLS or ALS is responding if the same is known to the dispatcher.

When an EMS provider is unable to grant the request for the level of service requested, the next available agency shall be dispatched.

#### Note:

All mutual aid EMS providers who respond to Fort Johnson have the capability of ALS through Paramedic level.

SUMMARY:		
Primary Ambulance:	GAVAC	ALS
Mutual Aid:		
	1. Rural/Metro	ALS
	2. Ambulance Service of Fulton County	ALS
	3. JAVAC	ALS

#### Galway

The primary BLS / ALS ambulance service will be provided by <u>GAVAC</u> in accordance with the procedures hereinbefore set forth.

In the event GAVAC is unavailable, or additional resources are needed, the first mutual aid service to be dispatched is:

#### Saratoga Emergency Squad

In the event that Saratoga is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **Ambulance Service of Fulton County**

Upon request for another ambulance, the EMS provider shall be informed whether BLS or ALS is responding if the same is known to the dispatcher.

When an EMS provider is unable to grant the request for the level of service requested, the next available agency shall be dispatched.

SUMMARY:		
Primary Ambulance:	GAVAC	ALS
	<ol> <li>Saratoga Emergency Squad</li> <li>Ambulance Service of Fulton County</li> </ol>	ALS ALS

#### Town of Glen

(includes the village of Fultonville)

The primary BLS / ALS ambulance service will be provided by **GAVAC** in accordance with the procedures hereinbefore set forth.

In the event GAVAC is unavailable, or additional resources are needed, the first mutual aid service to be dispatched is:

#### **Rural/Metro Medical Services**

In the event that Rural/Metro is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **Mid-County Volunteer Ambulance Service**

In the event that Mid-County is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **JAVAC**

Upon request for another ambulance, the EMS provider shall be informed whether BLS or ALS is responding if the same is known to the dispatcher.

When an EMS provider is unable to grant the request for the level of service requested, the next available agency shall be dispatched.

#### Note:

All mutual aid EMS providers who respond to Town of Glen have the capability of ALS through Paramedic level.

SUMMARY:		
Primary Ambulance:	GAVAC	ALS
Mutual Aid:	<ol> <li>Rural/Metro</li> <li>Mid-County</li> <li>JAVAC</li> </ol>	ALS ALS

#### Hagaman

The primary BLS / ALS ambulance service will be provided by **GAVAC** in accordance with the procedures hereinbefore set forth.

In the event GAVAC is unavailable, or additional resources are needed, the first mutual aid service to be dispatched is:

#### **Rural/Metro Medical Services**

In the event that Rural/Metro is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **Ambulance Service of Fulton County**

In the event that Mid-County is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **JAVAC**

Upon request for another ambulance, the EMS provider shall be informed whether BLS or ALS is responding if the same is known to the dispatcher.

When an EMS provider is unable to grant the request for the level of service requested, the next available agency shall be dispatched.

#### Note:

All mutual aid EMS providers who respond to Hagaman have the capability of ALS through Paramedic level.

SUMMARY:		
Primary Ambulance:	GAVAC	ALS
Mutual Aid:		
	1. Rural/Metro	ALS
	3. Ambulance Service of Fulton County	ALS
	2. JAVAC	ALS

#### Town of Minden

(includes the village of Fort Plain)

## For the area from the corner of Airport and River Rd's, to the corner of Rt 5S & Sanders Rd, and all points North and West:

The primary BLS / ALS ambulance service will be provided by **St. Johnsville Ambulance** in accordance with the procedures hereinbefore set forth.

In the event St. Johnsville Ambulance is unavailable, or additional resources are needed, the first mutual aid service to be dispatched is:

#### **Rural/Metro Medical Services**

In the event that Rural/Metro is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **Mid County Volunteer Ambulance Service**

#### For all other areas of the town of Minden:

The Primary BLS/ALS ambulance service will be provided by the <u>Mid County Volunteer Ambulance Service</u>.

In the event that Mid-County is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **Rural Metro Medical Services**

In the event that Rural/Metro is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### St. Johnsville Ambulance

Upon request for another ambulance, the EMS provider shall be informed whether BLS or ALS is responding if the same is known to the dispatcher.

#### Town of Minden

(continued)

When an EMS provider is unable to grant the request for the level of service requested, the next available agency shall be dispatched.

#### Note:

All mutual aid EMS providers who respond to Town of Minden have the capability of ALS through Paramedic level.

SUMMARY:		
Primary Ambulance:		
	From the corner of Airport and River Rd's	
	Corner of Rt 5S and Sanders Rd. and all p	oints
	North and west:	
	St. Johnsville Ambulance	ALS
	St. Johnsvine Ambulance	ALG
Mutual Aid:		
1	. Rural/Metro	ALS
2	. Mid-County	ALS
All	Other Area's Of The Tow	'n
		••
Primary Ambulance:	Mid-County Volunteer Ambulance Service	ALS
	•	
Mutual Aid:		
1.	Rural/Metro	ALS
2.	St. Johnsville	ALS

#### Town of Mohawk

The primary BLS / ALS ambulance service will be provided by **GAVAC** in accordance with the procedures hereinbefore set forth.

In the event GAVAC is unavailable, or additional resources are needed, the first mutual aid service to be dispatched is:

#### **Rural/Metro Medical Services**

In the event that Rural/Metro is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **Mid County Volunteer Ambulance**

Upon request for another ambulance, the EMS provider shall be informed whether BLS or ALS is responding if the same is known to the dispatcher.

When an EMS provider is unable to grant the request for the level of service requested, the next available agency shall be dispatched.

#### Note:

All mutual aid EMS providers who respond to the Town of Mohawk have the capability of ALS through Paramedic level.

SUMMARY:		
Primary Ambulance:	GAVAC	ALS
	1. Rural/Metro	ALS
	<ol> <li>Mid County Volunteer Ambulance Service</li> <li>JAVAC</li> </ol>	ALS ALS

#### Town of Palatine

(includes the villages of Nelliston & Palatine Bridge)

#### In all areas of the town of Palatine except Rt 67 and North to the Fulton County line:

The primary BLS / ALS ambulance service will be provided by <u>Mid County Volunteer</u> <u>Ambulance</u> in accordance with the procedures hereinbefore set forth.

In the event Mid-County is unavailable, or additional resources are needed, the first mutual aid service to be dispatched is:

#### **Rural/Metro Medical Services**

In the event that Rural/Metro is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### St. Johnsville Ambulance

#### On Rt 67 and North to the Fulton County Line:

The primary BLS / ALS ambulance service will be provided by **St. Johnsville Ambulance** in accordance with the procedures hereinbefore set forth.

In the event that St. Johnsville is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **Rural Metro Medical Services**

In the event that Rural/Metro is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **Mid-County Ambulance**

Upon request for another ambulance, the EMS provider shall be informed whether BLS or ALS is responding if the same is known to the dispatcher.

When an EMS provider is unable to grant the request for the level of service requested, the next available agency shall be dispatched.

### Town of Palatine (continued)

SUMMARY:			
Primary Ambulance:	Mid-County	ALS	
Mutual Aid:			
	1. Rural/Metro	ALS	
	2. St. Johnsville	ALS	
	3. Ambulance Service of Fulton County	ALS	
On Rt. 67 and North to the Fulton County Line			
Primary Ambulance:	St. Johnsville Ambulance	ALS	
Mutual Aid	1. Rural Metro	ALS	
	2. Mid-County	ALS	
	3. Ambulance Service of Fulton County	ALS	

#### Town of Perth & Fulton County

The primary BLS / ALS ambulance service will be provided by **GAVAC** in accordance with the procedures hereinbefore set forth.

In the event GAVAC is unavailable, or additional resources are needed, the first mutual aid service to be dispatched is:

#### **Ambulance Service of Fulton County**

In the event that Ambulance Service of Fulton County is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **JAVAC**

In the event that JAVAC is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **Rural Metro Medical Services**

Upon request for another ambulance, the EMS provider shall be informed whether BLS or ALS is responding if the same is known to the dispatcher.

When an EMS provider is unable to grant the request for the level of service requested, the next available agency shall be dispatched.

SUMMARY:		
Primary Ambulance:	GAVAC	ALS
Mutual Aid		
1	1. Ambulance Service of Fulton County	ALS
	2. JAVAC	ALS
	3. Rural Metro	ALS

#### Town of Root

The primary BLS / ALS ambulance service will be provided by <u>Mid County</u> <u>Ambulance</u> in accordance with the procedures hereinbefore set forth.

In the event Mid County is unavailable, or additional resources are needed, the first mutual aid service to be dispatched is:

#### **Rural/Metro Medical Services**

In the event that Rural/Metro is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

### North of(but not including) Rt 162 GAVAC

#### Rt. 162 and South of Rt 162

#### St. Johnsville Ambulance

Upon request for another ambulance, the EMS provider shall be informed whether BLS or ALS is responding if the same is known to the dispatcher.

When an EMS provider is unable to grant the request for the level of service requested, the next available agency shall be dispatched.

#### Note:

All mutual aid EMS providers who respond to the Town of Root have the capability of ALS through Paramedic level.

SUMMARY: Primary Ambula	ance: Mid County Ambulance	ALS
Mutual Aid:	North of(but not including) Rt 162 1. Rural/Metro 2. GAVAC 3. St. Johnsville Ambulance	ALS
	<ul><li>Rt. 162 and south</li><li>1. Mid-County Ambulance</li><li>2. Rural/Metro</li><li>3. St. Johnsville Ambulance</li></ul>	ALS ALS ALS

#### Town of St. Johnsville

(includes the village of St. Johnsville)

The primary BLS / ALS ambulance service will be provided by **St. Johnsville Ambulance** in accordance with the procedures hereinbefore set forth.

In the event St. Johnsville Ambulance is unavailable, or additional resources are needed, the first mutual aid service to be dispatched is:

#### **Rural/Metro Medical Services**

In the event that Rural/Metro is unavailable, or additional resources are needed, the next mutual aid service to be dispatched is:

#### **Mid County Volunteer Ambulance Service**

Upon request for another ambulance, the EMS provider shall be informed whether BLS or ALS is responding if the same is known to the dispatcher.

When an EMS provider is unable to grant the request for the level of service requested, the next available agency shall be dispatched.

#### Note:

All mutual aid EMS providers who respond to Town of St. Johnsville have the capability of ALS through Paramedic level.

SUMMARY:		
Primary Ambulance:	St. Johnsville Ambulance	ALS
Mutual Aid:	<ol> <li>Rural/Metro</li> <li>Mid-County</li> </ol>	ALS

## Attachment to Resolution

**2007 – Resolution 148** 

#### Attachment A

Architectural / Engineering Consultant Agreement
Project Description and Funding

PIN:	2753.82	Term of Agr	eement	
PIN:	2133.02	Ends:	December 31, 2007	
BIN:	4425030	_	-	
Main Agreeme	ent Amendment	to Agreement #	Supplement to #	
	Phase o	f Project Consultant	to work on:	
P.E. / Design	ROW Incidentals	ROW Acquisition	Construction, C/I & C/S	
Dates or term Start Date: Finish Date:	of Consultant Perform	nance:		
PROJECT DESCRIPTION:  This project provides for the preliminary and final highway design services for the relocation of River Road (CR 65) and the stabilization of the 2-span structure over the abandoned West Shore Railroad.				
This project is considered to be a Class II action under USDOT Regulations and an Unlisted, Non-Type II under SEQR. A Design Approval Document has been prepared. The project will be Federally funded; the estimated cost of construction is \$1,100,000.				
Project Location: The project involves CR 65 River Road from the Herkimer County line to the Hamlet of Mindenville, it is located in the Town of Minden, Montgomery County, New York.				
Consultant Work Type(s): See Attachment B for more detailed Task List.  Construction Phase services				

MAXIMUM AMOUNT OF FUNDS FOR ALL COMPENSATION PAYABLE UNDER THIS AGREEMENT FOR THE SCOPE OF WORK DESCRIBED IN ATTACHMENT B FOR THE PROJECT DESCRIBED IN THIS ATTACHMENT A, OTHERWISE IN ACCORDANCE WITH THE CHOSEN METHOD OF COMPENSATION AND OTHER TERMS OF THIS AGREEMENT:

Original Contract Amount - Design Phase Services \$ 215,000

This Supplement - Design Phase Services 17,000

This Supplement - Constructon Phase Services 129,000

Revised Contract Amount \$ 361,000

#### Ichment B- Task List)

#### Section 1 - General

#### 1.01 Project Description and Location

This project is known as:

PIN:

2753.82

Project Description:

CR 65 River Road Relocation

Municipality:

Town of Minden

County:

**Montgomery County** 

All work performed by the **Consultant** at the **Consultant's** initiative must be within the current project limits specified above.

#### 1.02 Contract Administrator

The **Municipality's** Contract Administrator for this project is Paul H. Clayburn, Commissioner, Montgomery County Department of Public Works, who can be reached at (518) 853-3814.

All correspondence to the Municipality should be addressed to:

Paul H. Clayburn, Commissioner Montgomery County Department of Public Works 6 Park Street Fonda, New York 12068

The Contract Administrator should receive copies of all project correspondence directed other than to the **Municipality**.

#### 1.03 Project Classification

This project is a Class II action with documentation under USDOT Regulations, 23 CFR 771.

Classification under the New York State Environmental Quality Review Act (SEQRA) Part 617, Title 6 of the Official Compilation of Codes, Rules, and Regulations of New York State (6 NYCRR Part 617) is Unlisted – Non-Type II.

#### 1.04 Categorization of Work

Project work is generally divided into the following sections:

Section 1 General

Section 4 Environmental

Section 8 Construction Support Section 9 Construction Inspection

Section 10 Estimating & Technical Assumptions

When specifically authorized in writing to begin work the Consultant will render all services and furnish all materials and equipment necessary to provide the

**Municipality** with reports, plans, estimates, and other data specifically described in Sections <u>1</u>, <u>4</u>, <u>8</u>, <u>9</u> and <u>10</u>.

1.05 Project Familiarization. Not applicable to this supplement.

#### 1.06 Meetings

The **Consultant** will prepare for and attend all meetings as directed by the **Municipality's** Contract Administrator. Meetings may be held to:

- Present, discuss, and receive direction on the progress and scheduling of work in this agreement.
- Present, discuss, and receive direction on project specifics.
- Discuss and resolve comments resulting from review of project documents, advisory agency review, and coordination with other agencies.
- Preview visual aids for public meetings.
- Manage subconsultants and subcontractors.

The **Consultant** will be responsible for the preparation of all meeting minutes; the minutes will be submitted to meeting attendees within one (1) week of the meeting date.

Five meetings were assumed for the Design Phase; there were eight meetings attended including three in Albany with NYS Canal Corporation and SHPO.

#### 1.07 Cost and Progress Reporting

For the duration of this agreement, the **Consultant** will prepare and submit to the **Municipality** on a monthly basis a Progress Report in a format approved by the **Municipality**. The Progress Report must contain the "Progress Report Summary Sheet" (Appendix 6-H of the "Locally Administered Federal Aid Procedures Manual"). The beginning and ending dates defining the reporting period must correspond to the beginning and ending dates for billing periods, so that this reporting process can also serve to explain billing charges. (In cases where all work under this contract is officially suspended by the **Municipality**, this task will not be performed during the suspension period.)

#### 1.08 Policy and Procedures

The design of this project will be progressed in accordance with the current version of the "Locally Administered Federal Aid Procedures Manual," including the latest updates.

#### 1.09 Specifications

The project will be designed and constructed in accordance with the current edition of the NYSDOT Standard Specifications for Construction and Materials, including all applicable revisions.

- 1.10 Subconsultants Not applicable to this supplement.
- **1.11 Subcontractors** Not applicable to this supplement.

#### Section 4 - Environmental

- **4.01 NEPA Classification.** Not applicable to this supplement.
- **4.02 SEQRA Classification.** Not applicable to this supplement.
- 4.03 Screenings and Preliminary Investigations. Not applicable to this supplement.
- 4.04 Detailed Studies and Analyses

#### <u>Wetlands</u>

Screenings and delineation of wetlands were assumed in the original scope of services. Technical Assumption 10.02-3 states that no special design provisions for the remediation of wetlands have been assumed. Considerable coordination with the Corps of Engineers on the impacts of the project on existing wetlands and design provisions for the creation of new wetlands along with enhancement of existing wetlands is needed.

Mitigation Goals and Objectives: To compensate for permitted unavoidable wetland losses, the Consultant shall establish mitigation goals and objectives and propose a conceptual compensatory mitigation plan including specific mitigation site. The Consultant shall coordinate closely with the Corps of Engineers to ensure that the wetland mitigation proposed is consistent with the project goals and objectives and works within the project constraints. The Consultant shall establish the mitigation goals as part of the conceptual wetland mitigation planning. The goals shall relate to the functions and values of the impacted wetlands and the proposed compensatory mitigation wetlands, and shall be expressed in terms that can be quantified and field-measured. They will form the basis for determining the relative success or failure of the mitigation efforts.

<u>Conceptual Wetland Mitigation Analysis</u>: The **Consultant** shall analyze how the proposed mitigation site would compensate for unavoidable wetland impacts. Mitigation may include, but is not limited to, best management practices, restoration of temporary fills or work areas, wetland restoration, on-site and in-kind replacement, off-site replacement, habitat enhancement, or mitigation banking.

Conceptual Wetland Mitigation Site Plans: The Consultant shall develop conceptual plans of the proposed mitigation site(s) and (its) (their) relation to the project.

<u>Detailed Design of Wetland Mitigation Site</u>: During Detailed Design, the **Consultant** shall develop specific wetland mitigation site plan drawings, details, notes and written specifications to become part of the contract bid documents. They will be pursuant to and consistent with the goals and objectives of the conceptual wetland mitigation plan. The drawing(s) shall show:

- Proposed wetland location, size and configuration
- Proposed grading at one foot contours
- Temporary and permanent erosion and sediment control practices
- Proposed planting locations and water control structures, as appropriate.

#### 1.05 Permits and Approvals

Three permit applications were assumed for this project; four were required:

- Joint Application for Permits (Army Corps of Engineers and NYSDEC)
- Canal Corporation Permit Application
- OPRHP Work Permit.
- SPDES Permit (NYSDEC) and Storm Water Pollution Prevention Plan (SWPPP)

#### **Section 8 - Construction Support**

#### 8.01 Construction Support

The **Consultant** will provide design response to unanticipated or changed field conditions, analyze and participate in proposed design changes, and interpret design plans.

Work under this section will always be in response to a specific assignment from the **Municipality** under one of the tasks below:

- In response to unanticipated and/or varying field conditions or changes in construction procedures, the Consultant will conduct on-site field reconnaissance and, where required, prepare Field Change Sheets modifying pertinent contract plan sheets.
- The Consultant will analyze and make recommendations on the implementation of changes proposed by the Municipality or the construction contractor. This includes the Traffic Control Plan.
- The Consultant will interpret and clarify design concepts, plans and specifications.
- The Consultant will review and approve structural shop drawings for construction.

Not reimbursable under this Section are:

- Corrections of design errors and omissions
- Straightforward interpretations of plans and designer intentions

#### Section 9 - Construction Inspection

#### 9.01 Equipment

The **Contractor** will furnish office space and basic office furnishings for the **Consultant**, as part of the contract.

The **Consultant** will furnish all other office, field and field laboratory supplies and equipment required to properly perform the inspection services listed below.

#### 9.02 Inspection

The **Consultant** must provide, to the satisfaction of the **Municipality**, contract administration and construction inspection services from such time as directed to proceed until the completion of the final agreement and issuance of final payment for the contract. The **Consultant** must assume responsibility, as appropriate, for the administration of the contract including maintaining complete project records, processing payments, performing detailed inspection work and on-site field tests of all materials and items of work incorporated into the contract consistent with federal policies and the specifications and plans applicable to the project.

#### 9.03 Municipal Project Engineer

The **Municipality** will assign a Project Engineer to the contract covered by this agreement. This Project Engineer will be the **Municipal's** official representative on the contract and the **Consultant** must report to and be directly responsible to said Project Engineer.

#### 9.04 Ethics

Prior to the start of work, the **Consultant** will submit to the **Municipality** a statement regarding conflicts of interest.

#### 9.05 Health and Safety Requirements

The **Consultant** must provide all necessary health and safety related training, supervision, equipment and programs for their inspection staff assigned to the project.

#### 9.06 Staff Qualifications and Training

The **Consultant** must provide sufficient trained personnel to adequately and competently perform the requirements of this agreement.

#### 9.07 Scope of Services/Performance Requirements

#### A. Quality

The Consultant will enforce the specifications and identify in a timely manner to the **Municipality** local conditions, methods of construction, errors on the plans or defects in the work or materials which would conflict with the quality of work, and conflict with the successful completion of the project.

#### B. Record Keeping & Payments to the Contractor

- All records must be kept in accordance with the directions of the
   Municipality. The Consultant must take all measurements and collect
   all other pertinent information necessary to prepare daily inspection
   reports, monthly and final estimates, survey notes, record plans showing
   all changes from contract plans, photographs of various phases of
   construction, and other pertinent data, records and reports for proper
   completion of records of the contract.
- Any record plans, engineering data, survey notes or other data provided by the Municipality should be returned to the Municipality at the completion of the contract. Original tracings of record plans, maps, engineering data, the final estimate and any other engineering data produced by the Consultant will bear the endorsement of the Consultant. Any documents that require an appropriate review and approval of a Professional Engineer (P.E.) licensed and registered to practice in New York State must be signed by the P.E.
- Unless otherwise modified by this agreement, the Municipality will check, and when acceptable, approve all structural shop drawings.
- The Consultant must submit the final estimate of the contract to the Municipality within four (4) weeks after the date of acceptance of the contract. All project records must be cataloged, indexed, packaged, and delivered to the Municipality within five (5) weeks after the date of the acceptance of the contract.
- The Consultant shall prepare and submit to the Municipality two copies of Completed Construction Drawings that reflect any changes made during construction.
- C. Health & Safety/Maintenance and Protection of Traffic
  - 1. The **Consultant** must ensure that all inspection staff assigned to the project are knowledgeable concerning the health and safety requirements of the contract per **Municipality** policy, procedures and specifications and adhere to all standards. Individual inspectors must be instructed relative to the safety concerns for construction operations they are assigned to inspect to protect their personal safety, and to ensure they are prepared to recognize and address any contractor oversight or disregard of project safety requirements.
  - The Consultant is responsible for monitoring the Contractor's and Subcontractor's efforts to maintain traffic and protect the public from damage to person and property within the limits of, and for the duration of the contract.
- D. Monitoring Equal Opportunity/Labor Requirements

The **Consultant** must assign to one individual the responsibility of monitoring the Contractor's adherence to Equal Opportunity and Labor requirements contained in the contract. The Consultant, when monitoring the Contractor's Equal Opportunity and Labor compliance, will utilize the guidance contained in the contract, standard specifications and the **Municipality's** policies.

#### Section 10 - Estimating & Technical Assumptions

#### 10.01 Estimating Assumptions

The following assumptions have been made for estimating purposes:

Section 1 Estimate 6 meetings during the life of this supplemental

agreement including 3 additional meetings during the design

phase plus 12 job meetings during construction.

Estimate 8 additional cost and progress reporting periods will

occur during the life of this supplemental agreement.

Section 4 Include an additional permit for the NYSDEC and remediation

design for wetland mitigation.

Section 8 Estimate no requests that require effort will be made during the

construction phase of the project.

Section 9 Estimate that construction will take <u>24</u> weeks to complete.

# Attachment to Resolution

**2007 – Resolution 155** 

Updated: 05/22/07 REB

**COUNTY OF MONTGOMERY** 

Personnel Policy

Non-Represented Employees

1. <u>Introduction</u>

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, 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.

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#### 4. <u>Compensatory Time</u>

- 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. <u>Mileage Allowance</u>

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, with copy made to the Personnel Chairman. Request for payment by a Department Head must be submitted, in writing, for approval by the Chairman of the Board, with copy made to the Personnel Chairman.
- 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, <u>may</u> 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. <u>Sick Leave Credit Upon Retirement</u>

- 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 20 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. <u>Hospitalization and Major Medical Insurance</u>

- 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 percent (30%) of the premium savings for voluntarily not receiving health coverage. (This Section also applies to Elected officials identified in

#### Appendix A)

#### 19. <u>Dental and Vision Insurance</u>

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.
  - 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 there 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. <u>Employees Assistance Program</u>

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**

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

# Attachment to Resolution

**2007 – Resolution 187** 

### MONTGOMERY COUNTY MULTIPLE CASUALTY INCIDENT PLAN FOR EMS



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3/19/2008

#### MONTGOMERY COUNTY EMERGENCY SERVICES

#### Multiple Casualty Incident Plan for EMS

#### I. <u>INTRODUCTION</u>

The role of Montgomery County Emergency Services in the event of a Multiple Casualty Incident (MCI) is essential. The responders to such an incident are drawn from volunteer and paid ambulance service, fire departments, police agencies and various other organizations. This plan is to be used as a guide for all responding EMS agencies. All responders must work together, using the Incident Command System (ICS), to make this plan effective.

#### II. PURPOSE

The purpose of this plan is to provide responding agencies with an orderly and efficient guideline that uses the ICS to manage incidents, which would tax our normal day-to-day routine. Use of the ICS must be practiced on a frequent basis in order to develop command and organizational skills. Accordingly, this plan recommends the use of the ICS at daily EMS incidents. In addition, use of the ICS facilitates interagency cooperation by unifying command at all incidents.

#### III. <u>DECLARATION OF A MULTIPLE CASUALTY INCIDENT</u>

- A. An MCI shall be declared in all cases where three or more people are ill or injured and the primary responding agency resources are immediately exhausted.
- B. MCI's shall be broken down in the following levels:

1. 3 to 8 patients = Level 1 MCI 2. 9 to 20 patients = Level 2 MCI 3. 20+ patients = Level 3 MCI

C. In addition to command activities outlined in section IV, the following actions should be taken by Medical Sector:

#### 1. 3 to 8 patients (Level 1 MCI)

Declare/Confirm an MCI and the number of patients
Transmit to the Dispatch Center the level MCI and the location
Request number of units needed / mutual aid
Arrange for stand-by coverage
Roll calls the area hospitals for bed availability\*\*
Designate sector officers\*\*

#### 2. 9 – 20 patients (Level 2 MCI)

Declare/Confirm an MCI and the number of patients Transmit to the Dispatch Center the level MCI and the location

3/19/2008

Ensure that Dispatch Center is roll-calling area hospitals for bed availability Arrange for stand-by coverage Consider setting up a rehab sector Designate sector officers\*\*

#### 3. <u>20+ patients (Level 3 MCI)</u>

Declare/Confirm an MCI and the number of patients
Transmit to the Dispatch Center the level MCI and location
Designate sector officers
Arrange for stand-by coverage
Consider setting up a rehab sector
Consider requesting a bus to the scene for transportation of P-3 patients

\*\* = As necessary

#### IV. <u>ESTABLISHING UNIFIED COMMAND</u>

- A. Medical Sector shall be established by the first EMT in the first arriving unit in all of the following circumstances:
  - 1. Personal injury automobile accidents
  - 2. Fire / Hazmat calls
  - 3. Search & Rescue calls / Drowning
  - 4. Multiple casualty incidents
- B. Medical Sector shall be unified with Fire, Police, and other involved agencies as soon as possible after scene arrival.
- C. The first arriving unit shall do the following:
  - 1. Establish Medical Sector
  - 2. Provide a brief initial size up to the Dispatch Center
  - 3. Declare / Confirm appropriate level MCI
  - 4. Advise inbound units where to stage their unit
  - 5. Advise all units to switch to common frequency
- D. It shall be the role of Medical Sector to direct all aspects of EMS operations at the scene in cooperation with Fire and Police Sector personnel.
- E. The Medical Sector shall remain in command unless it is transferred to another fully qualified or higher member of an EMS agency.
- F. Medical Sector shall assume all of the following sector functions for EMS personnel, unless a sector officer is designated to handle that function. Once a function is delegated, the person responsible shall wear the appropriate bib/identification. The following are EMS sector functions:
  - 1. Triage
  - 2. Treatment
  - 3. Transportation

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- 4. Staging
- 5. Rehab
- 6. Safety
- 7. Operations
- 8. Other functions as indicated by Incident Command

#### V. SECTOR OFFICER ROLES AND RESPONSIBILITIES

#### A. TRIAGE SECTOR OFFICER

 $\underline{RADIO\ ID}$  = TRIAGE $\underline{LOCATION}$  =  $TRIAGE\ AREA$ 

- 1. Ensures that all patients receive primary triage using triage tags
- 2. Supervises initial patient care at site
- 3. Supervises patient packaging and transportation back to a treatment area
- 4. Coordinates EMS activities including equipment and manpower needs within the Triage Sector
- 5. Appoints triage support personnel (as needed)
- 6. Coordinates patient movement through 2<sup>nd</sup> stage triage to treatment or Transportation Sectors (may have fire personnel help do this)

#### B. TREATMENT SECTOR OFFICER

 $\underline{RADIO\ ID}$  = TREATMENT  $\underline{LOCATION}$  = TREATMENT (PATIENT HOLDING) AREA

- 1. Establishes a treatment area (if requested by Medical Sector)
- 2. Supervises treatment, re-triage and tagging of patients in the treatment area or any area set up to hold patients prior to transport from the scene
- 3. Coordinates the activities of all EMS Personnel assigned to the sector
- 4. Oversees the provision of patient care by all assigned providers
- 5. Determines need for and request manpower and equipment
- 6. Coordinates patient evacuation in conjunction with the Transportation Officer

#### C. TRANSPORTATION SECTOR OFFICER

 $\underline{RADIO\ ID} = TRANSPORTATION \\ \underline{LOCATION} = TRANSPORTATION\ (PATIENT\ LOADING)\ AREA$ 

- 1. Establishes and maintains patient loading area
- 2. Supervises patient evacuation in conjunction with Treatment Officer
- 3. Determines and monitors area hospital capabilities
- 4. Coordinates helicopter evacuation in conjunction with Fire Command
- 5. Prior to the patient leaving the scene, the person functioning as Transportation Officer shall keep part of their MCI tag and log the following information:
  - A. Tag #
  - B. Priority
  - C. Patients Name
  - D. Unit Transporting

- E. Time Out
- F. Destination / Disposition
- 6. May appoint hospital communicator and other support staff (as needed)
- 7. Instructs units not to encode hospitals with patient reports

#### D. STAGING SECTOR OFFICER

 $\underline{RADIO\ ID} = STAGING$  $LOCATION = STAGING\ AREA$ 

- 1. Establishes safe assembly and mobilization area for EMS personnel and equipment
- 2. Releases resources to incident based on operational needs as requested by Sector Officers
- 3. Works with Fire Service to ensure a safe Landing Zone is established and maintained (A representative of the Fire Service shall act as Landing Zone Officer per normal protocol)

It is essential that the Staging Sector be established early in any incident to preclude resources being exposed to any hazard or blocked in by later arriving units.

#### E. REHAB SECTOR OFFICER

<u>RADIO ID</u> = REHAB LOCATION – REHAB AREA

- 1. Set up and maintain sector to handle the physical and emotional needs of personnel
- 2. Arranges for water, food, etc., in conjunction with the Fire Dept.
- 3. Monitors the vital signs and general condition of those in the rehab area
- 4. Requests CISD Team and other resources as needed

Rehab Sector is set up away from the Triage-Treatment areas.

#### F. SAFTEY OFFICER

 $\frac{RADIO\ ID}{LOCATION} = SCENE\ SAFETY$   $\frac{LOCATION}{LOCATION} = ROAM\ SITE$ 

1. Monitor the activities of personnel and assist in the correction of any safety problems

#### VI. INCIDENT REPORTING

#### A. AMBULANCE CREWS

- 1. On Level 1 incidents, crews shall complete a PCR on each patient or keep copy of the completed MCI tag receipt
- 2. On Level 2 & 3 incidents, the crew shall keep a copy of the completed MCI tag receipt

While serving in EMS Sectors (i.e. assisting in treatment area), Fire personnel shall work under the direction of Medical Sector or appropriate Sector Officer.

# VII. <u>FIRE PERSONNEL</u>

- A. EMS Personnel shall work in a unified command structure with on scene Fire Services to provide the most expedient care possible to all patients
- B. Fire Services shall be responsible for the following on scene tasks.
- 1. Fire Suppression
- 2. Extrication of patients
- 3. Assist with spinal immobilization of patients for transport to treatment sector/hospital
- 4. Assist with moving patients to treatment area/ambulances

# VIII. <u>DISPATCH PROCEDURE</u>

#### A. LEVEL 1 MCI: (3 to 8 patients)

- 1. Normal Dispatch of local agency
- 2. Make routine notifications (Emergency Management Director & Deputies, County EMS Coordinator & Deputies, and if needed Deputy County Fire Coordinators)
- 3. Dispatch mutual aid as requested by Medical Sector

#### B. LEVEL 2 MCI: (9to 20 patients)

- 1. Normal dispatch of local agency
- 2. Using the EMS Mutual Aid Plan, dispatch each agency from respective Zone with 1 ambulance to the staging area
- 3. Make routine notifications (Emergency Management Director & Deputies, County EMS Coordinator & Deputies, and if needed Deputy County Fire Coordinators)
- 4. Dispatch other mutual aid/stand-by assignments as requested by Medical Sector
- 5. Notify CISD Team \*\*

#### C. LEVEL 3 MCI: (20+ patients)

- 1. Normal dispatch of local agency
- 2. Using the EMS Mutual Aid Plan, dispatch each agency from respective Zone with 2 ambulances to the staging area
- 3. Make routine notifications (Emergency Management Director & Deputies, County EMS Coordinator & Deputies, and if needed Deputy County Fire Coordinators)
- 4. Activate the Montgomery County EMS Mutual Aid Plan
- 5. Place Medi-Vac units on stand-by
- 6. Dispatch other mutual aid/stand-by assignments as requested by Medical Sector
- 7. Notify County and Local Chief Executive Officers
- 8. Request CISD Team to the scene

# (\*\* =On the request of Medical Sector)

Notifications to hospitals will be done by EMS Coordinator / Deputy Coordinator as well as surge

# ~Montgomery County Department of Emergency Services EMS Program~

# TRANSPORTATION OFFICER – PATIENT STATUS SHEET

Incident Location: Date:					
Hospitals					
Can Handle					
# Sent					

\*\* Retain Yellow Copy of Patient Triage Tag \*\*

		y of Faticili Triage Tag			
TAG#	PRIORITY	PATIENTS NAME	UNIT TRANS.	TIME OUT	HOSPITAL

NOMEG	
NOTES:	

NOTES:	
	,

# ~Montgomery County Department of Emergency Services EMS Program~

# TRIAGE SECTOR WORKSHEET

Supplies:	
Vest / Bib	
Radio	
Triage Tags / Ribbons	
Lighting	
Marking Pens	
	· · ·

CHECK	ITEM
	Ensure Safety
	Coordinate Triage with Medical Sector
	Test Communications
	Triage All Patients
	Establish Additional Triage Areas as needed
	Direct Patient Flow to Transport
	Coordinate with Treatment Officer
	Appoint Support Personnel as needed

# ~Montgomery County Department of Emergency Services EMS Program~

# STAGING SECTOR WORKSHEET

Supplies:		
Vest / Bib		
Radio		
Unit Tracking Forms		
Lighting		
Marking Pens		

CHECK	ITEM
	Ensure Safety
	Coordinate Staging with Medical Sector
	Coordinate with Transport Officer
	Test Communications
	Establish Adequate Staging Area
	Appoint Support Personnel as needed

# TREATMENT SECTOR WORKSHEET

S	Supplies:	
-		
Ve	est / Bib	
M	fedical Supplies	

Scene Ribbon

Treatment Flags

Lighting

Marking Pens

Patient Status Sheets

CHECK	ITEM
	Ensure Safety
	Coordinate Treatment with Medical Sector
	Test Communications
	Mark Treatment Area (Red, Yellow, Green)
	Complete Patient Status Sheets
	Direct Patient Status Sheets
	Establish / Coordinate Patient Flow to Transport
	Appoint Support Personnel as needed

# TRANSPORT SECTOR WORKSHEET

Supplies:	
Vest / Bib	
Radio	
Triage Tags / Ribbons	
Lighting	
Marking Pens	
Patient Disposition Log	

CHECK	ITEM
	The same of a factor
	Ensure Safety
	Coordinate Transport with Medical Sector
	Test Communications
	Complete Patient Disposition Log
	Coordinate Patient Reports to Hospitals
	Coordinate with Treatment Officer
	Appoint Support Personnel as needed

# <u>Level 1 (3 to 8 patients)</u> Multiple Casualty Incident (MCI)

# EMS COMMUNICATIONS SEQUENCE

	TIME: DATE:	DISPATCHER	
	DISPATCHER SHOULD OBTAIN THE	FOLLOWING INFORM	<u>IATION</u> :
1.	Incident location:		
2.	Type and cause of incident:		
	a. Cause has ceased OR danger continues:	Contained /Continues	<u>5</u>
3.	Need extrication:		
4.	Initial victim estimate		
5.	Types of injuries (if known):		
6.	Best access route to incident:		
	Vehicle staging located at:		
	Potential Helicopter LZ:		
7.	Total number of ambulances needed:		
8.	Other resources needed:		
	Equipment:		
	Manpower:		
9.	Common radio frequency on scene:		
DI	SPATCHER NEEDS TO DO THE FOLLOW	ING:	
	[ ] Normal dispatch of local EMS agenc [ ] Make routine notifications (Emergency Man Coordinator & Deputies, and if needed Depu	agement Director & Deputies,	County EMS
	[ ] Dispatch Mutual Aid as requested by		
	(** = If requested to do so by Medical Sec	tor)	

# Level 2 (9 to 20 patients) Multiple Casualty Incident (MCI) EMS COMMUNICATIONS SEQUENCE

	TIME:	DATE:	DISPATCHER:
	DISPATCHI	ER SHOULD OBTAIN THE	FOLLOWING INFORMATION:
1.	Incident location	on:	
2.	Type and cause	e of incident:	
	a. Cause has	ceased OR danger continues:	Contained /Continues
3.	Need extrication	on:	
4.	Initial victim e	stimate	
5.	Types of injuri	es (if known):	
6.	Best access rou	ite to incident:	
	Vehicle	staging located at:	
	Potenti	al Helicopter LZ:	
7.	Total numb	per of ambulances needed:	
8.	Other resor	rces needed:	
		Equipment:	
		Manpower:	
9.	Common r	adio frequency on scene:	
DΙ	SPATCHER NEE	DS TO DO THE FOLLOWI	NG:
	[ ] Using wall was a County Coordinate of County Coordinate of County [ ] Dispate of County [ ] Place Market of County [ ] Notify	ith 1 ambulance to staging are outine notifications (Emergence EMS Coordinator & Deputies nators) In Mutual Aid/Stand-by assign to Montgomery County EMS Med-Vac Units on stand-by CISD Team **	patch each agency from respective Zone a cy Management Director & Deputies, s, and if needed Deputy County Fire ments as requested by Medical Sector Mutual Aid Plan **
	(** = If re	quested to do so by Medical S	Sector)

# <u>Level 3 (20+ patients)</u> Multiple Casualty Incident (MCI)

# EMS COMMUNICATIONS SEQUENCE

Γ	ΓΙΜΕ:	DATE:	_ DIS	PATCHER:
	DISPATCH	ER SHOULD OBTAIN THE	FOLLOWING	GINFORMATION:
1.	Incident locat	tion:		
2.	Type and cau	se of incident:		
3.	a. Cause ha	as ceased OR danger continues:	Contained	/Continues
4.	Need extrica	ation:		
5.	Initial vict	im estimate		
6.	Types of i	njuries (if known):		
7.	Best acces	s route to incident:		
	Vehi	cle staging located at:		
	Pote	ntial Helicopter LZ:		
8.	Total num	ber of ambulances needed:		
9.	Other reso	ources needed:		
		Equipment:		
		Manpower:		
10.	Common	radio frequency on scene:		
<u>DISI</u>	PATCHER NEI	EDS TO DO THE FOLLOWI	NG:	
	[ ]Make :     County     Coord [ ]Dispat [ ]Activa [ ]Place ] [ ]Notify	al dispatch of local EMS agency routine notifications (Emergency EMS Coordinator & Deputies inators) ch Mutual Aid/Stand-by assignate Montgomery County EMS Med-Vac units on standby County and Local Chief Executh CISD Team to the scene	y Management, and if needed ments as reques Iutual Aid Plan	Deputy County Fire sted by Medical Sector

# Attachment to Resolution

**2007 – Resolution 235** 

# Montgomery County REQUEST FOR PROPOSALS

REQUEST FOR PROPOSALS

Montgomery County Municipal Building
PROJECT

# RFP #04-07

QUALIFIED OWNER/DEVELOPER FOR THE CONSTRUCTION OF A NEW MUNICIPAL BUILDING

#### Montgomery County PURCHASING DEPARTMENT 20 Park Street Fonda, NY 12068

#### NON-PROPOSER RESPONSE

RFP #04-07

The Montgomery County Purchasing Department is interested in the reasons why proposers fail to submit proposals. Please indicate your reason(s) by checking all appropriate item(s) below and returning this form to the above address.

- Could not meet Scope of Services.
- o Items or materials requested not manufactured by us or not available to our company.
- o Insurance requirements too restricting.
- o Bond requirements too restricting.
- o Scope of Services not clearly understood or applicable (too vague, too rigid, etc.).
- o Project not suited to firm.
- o Quantities too small.
- o Insufficient time allowed for preparation of proposal.
- Other reasons; please state and define:

Vendor Name: Contact Person: Vendor Address: Vendor Telephone:

#### Montgomery County PURCHASING DEPARTMENT County Annex Building 20 Park Street Fonda, NY 12068

RFP NUMBER: 04-07

TITLE: Qualified Owner/Developer for the Construction of a New Municipal Building

#### **Receipt Confirmation Form**

Please complete and return this confirmation form as soon as possible to:

Scott Surento Purchasing Agent Montgomery County

County Annex Bulding, 20 Park Street Fonda, NY 12068

IF YOU PLAN TO SUBMIT PROPOSAL, YOU MUST RETURN THIS FORM TO ENSURE THAT YOU WILL RECEIVE ALL FURTHER COMMUNICATION REGARDING THIS RFP.

Company Name:		
Address:		
City:	State:	Zip Code:
Contact Person:		
Title:		
Phone Number:	Fax Number:	E-Mail:
If a Bidders/Proposers meeti	ng has been arranged for this	RFP, please indicate if you plan to
attend: Yes	/ No	
I authorize Montgomery Cou urgent nature by the following	•	dence that the County deems to be of an
Courier Collect:		Mail

#### NOTICE TO PROPOSERS – Montgomery County REQUEST FOR PROPOSALS #04-07

Sealed Proposals for RFP #04-07 for a **Qualified Owner/Developer for the Construction of a New Municipal Building** as requested by Montgomery County will be received by the Montgomery County Purchasing Agent, County Annex Building, 20 Park Street, Fonda, NY 12068 until 4:00 PM local time on October 11, 2007.

Any Proposal not received and time stamped by the Montgomery County Purchasing Department by 4:00 PM on October 11, 2007, will not be accepted.

Complete Request for Proposal (RFP) documents may be obtained at the office of the Montgomery County Purchasing Department, County Annex Building, 20 Park Street, Fonda, New York 12068 by the prospective Proposer or a designated representative.

The Purchasing Department shall keep a record of all prospective Proposers obtaining RFP documents. Any Proposer not on record as having received RFP documents from the Purchasing Department shall not be considered for a Proposal award.

A pre-proposal conference will be held on September 18, 2007 at 10:00am at the Montgomery County Annex Building, 20 Park Street, Fonda, NY 12068 This will be the only scheduled conference. Interested Proposers are strongly encouraged to attend.

Montgomery County reserves its right to reject any and all Proposals, to waive any and all informalities and to disregard all non-conforming, non-responsive or conditional Proposals.

Minority Business Enterprises and Women's Business Enterprises are encouraged to respond.

Scott Surento Purchasing Agent PH 518-853-3351

Dated: September 7,2007 Fonda, New York

PUBLISH ONE DAY B	
PUBLISH ONE DAY B	

#### Montgomery County REQUEST FOR PROPOSALS #04-07 Municipal Office Building

#### **SECTION 1: PROJECT OVERVIEW AND PURPOSE**

- 1.1 Montgomery County is seeking proposals from a qualified owner/developer for the construction of a new Municipal Office Building to be leased to Montgomery County. The proposed site location must be within the geographic limits of Montgomery County, New York.
- 1.2 The building must be constructed by the proposer at its own expense in accord with the guidelines set forth in this RFP and in compliance with the New York State Building Code and Mongomery County Office Building Design Criteria a copy which is attached hereto as "Exhibit B". Proposer must demonstrate their financial ability to perform this project.
  - A PRE-PROPOSAL CONFERENCE WILL BE HELD ON SEPTEMBER 18, 2007, at the County Annex Building, 20 Park Street, Fonda, NY 12068, at 10:00 a.m. This will be the only scheduled conference. Proposers interested in submitting Proposals are strongly urged to attend.
- 1.3 The lease should be for a thirty (30) year term, commencing **January 1, 2009** with the County reserving a purchase option at year(s) 7, 15, and 20 together with such other terms as set forth in greater detail in Lease Agreement annexed hereto and made part of this RFP as "Exhibit A@.
- 1.4 The new building must be constructed and ready for occupancy, as evidenced by the issuance of a certificate of occupancy by the local municipality having jurisdiction on or before **December 31, 2008**. **TIME IS OF THE ESSENCE.**
- 1.5 It is anticipated that the new building will be approximately 75,000 square feet in gross area.
- 1.6 Acceptance of a proposal and authorization for the County to enter into a Lease Agreement to go forward with this project is subject to and contingent upon a duly enacted approval resolution by the Montgomery County Board of Supervisors, including SEQRA approval.
- 1.7 The facility design is subject to the review and approval of the Montgomery County Board of Supervisors. In the event, said approvals are not obtained, the County reserves all rights to cancel the Lease Agreement without further obligation to the Proposer/Landlord.
- 1.8 a. There should be adequate onsite parking to fulfill the needs of the facility.
  - b. The project site should be located in Montgomery County.
  - c. Proposer must pay prevailing wages to all contractors/subcontractors on this project. (Prevailing Wage Schedule PRC#2007006588 attached)

#### **SECTION 2: QUALIFICATION OF PROPOSER**

Provide a statement of Proposer qualifications including:

- 2.1 Provide the name, a brief history and description of your firm. Include your firm's most recent annual report.
- 2.2 Identify your firm's professional staff members who would be involved in the County engagement and the experience each possesses and the location of the office from which each work.
- 2.3 Name and title of person(s) authorized to bind the Proposer, together with the main office address, and telephone number (including area code).
- 2.4 Detail your firm's experience with the construction of Municipal Buildings.
- 2.5 Provide references from similar projects including name, addresses and telephone numbers.
- 2.6 Provide any additional information that would distinguish your firm in its service to Montgomery County.
- 2.7 In addition, Montgomery County may make such investigations it deems necessary to determine the ability of the Proposer to perform the work. The Proposer shall furnish to the County, within five (5) days of a request, all such information and data for this purpose as may be requested. The County reserves the right to reject any Proposal if the information submitted by, or investigation of, such Proposer fails to satisfy the County that such Proposer is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein. Conditional Proposals will not be accepted.
- 2.8 Signature Requirements, Financial Responsibility and Experience:
  Proposals must be signed by a duly authorized official(s) of the Proposer, consortia, joint ventures, or teams submitting proposal, although permitted, will not be considered responsive unless it is established that all contractual responsibility rests solely with one firm or one legal entity which shall not be a subsidiary or affiliate with limited resources. Each proposal should indicate the entity responsible for contract execution on behalf of the proposal team.

The proposer should submit, as part of its proposal, details with respect to its financial soundness an overall capacity to perform its obligations under the proposed lease with the County. In this regard, the Proposer should submit whatever data and other information it deem pertinent in addition to that indicated below. Care must be taken to ensure that the data submitted, except when otherwise indicated, is directly related to the Proposer as the involved entity and is not derived from data or financial statements of merged entities or a parent company unless the full financial data for the Proposer itself is clearly and separately indicated on the statements.

The following information is specifically required from the Proposer:

- A. Whether the Proposer is the fee owner of the property that is the subject of its proposal.
- B. The source(s) of the Proposer's financing for the work to be undertaken pursuant to its proposal.

- C. Five (5) years of audited financial statements if applicable.
- D. Five (5) years of a parent company's audited financial statements if applicable.
- E. Has the proposer filed for or been in bankruptcy or creditor protection in the last ten years?
- F. Where there is a parent company, does or will the parent guarantee the subsidiary's obligations? See the lease provision for security section 4.C.
- G. The length of time the Proposer has been in the business of providing commercial structures, either through new construction or rehabilitation of existing structures.
- H. Examples of commercial construction or rehabilitation performed by the proposer in the past five (5) years.
- I. The inclusion of letters or other forms of references with respect to similar projects performed by the Proposer in the past five (5) years.
- J. The capabilities of the Proposer to perform its obligations should it be selected to enter into a lease agreement with the County, as evidenced by its leadership and management personnel, reputation, size of organization, experience, financial stability and resources.
- 2.9 Prohibited Interest or Members, Officials, or Employees of the State of New York, Montgomery County and Local Public Bodies:

No official, employee or member of a governing body of Montgomery County, New York State, or a local public body having jurisdiction within Montgomery County, shall have any interest, direct or indirect, in any resultant contract or the proceeds thereof during his or her tenure or one year thereafter. The award of a contract is subject to provisions of all Federal, State and County laws. All firms must disclose with their proposals the name of any officer, director or agent who is also an employee of Montgomery County. Further, all firms must disclose the name of any County employee who owns, directly or indirectly, an interest of ten percent (10%) or more in the firm or any of its subsidiaries or affiliates.

#### 2.10 Avoidance of Conflict of Interest:

All proposals shall contain an affirmation that the Proposer, and its employees, consultants, and contractors, if any, will not seek to participate in this project, either directly or indirectly, except in accordance with the definitive terms of the Request for Proposal or those which may be sequel to it.

#### 2.11 Equal Employment Opportunity:

In connection with this proposal, the Proposer shall not discriminate against any person for any reason of race, color, religion, national origin, age, marital status, handicap, social disadvantage, or disabled Vietnam-era veteran status. The Proposer will take affirmative action to assure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, national origin, age, marital status, handicap, social disadvantage, or disabled Vietnam-era veteran status. Such action shall include, but not limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

The Proposer will furnish all necessary information and reports and will permit access to its books, records and accounts by the County for purposes of investigation to ascertain compliance with the provisions of any resultant contract.

#### 2.12 Sexual Harassment Policy:

As with discrimination involving race, color, religion, age, sexual orientation, disability and national origin. Montgomery County also prohibits sex discrimination, including sexual

harassment of its employees in any form. The County will take all steps necessary to prevent and stop the occurrence of sexual harassment in the workplace.

- A. This policy applies to all County Employees and all personnel in a contractual relationship with the County. Depending on the extent of the County's exercise of control, this policy may be applied to the conduct of non-County employees in the workplace.
- B. This sexual harassment policy includes, but not limited to, inappropriate forms of behavior described by the Equal Employment Opportunity Commission.

Sexual Advances that are not welcome, requests for sexual favors and other verbal or physical conduct of sexual nature constitutes sexual harassment when:

- 1. Submission to such conduct is made either explicitly or implicitly a term of condition of an individual's employment; -OR
- 2. Submission or rejection of such conduct by an individual is used as a basis for employment decisions, such as a promotion, transfer, or termination, affecting such individual: -OR
- 3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

#### 2.13 Non-Collusion:

The Proposer, by signing the proposal, hereby warrants and represents that any ensuing agreement has not been solicited or secured, directly or indirectly, in a manner contrary to the laws of the State of New York and Montgomery County, and that said laws have not been violated and shall not be violated as they relate to the procurement of the performance of the agreement by any conduct, including the paying or giving of any fee, commission, compensation, gift, gratuity or consideration of any kind, directly or indirectly, to any County employee, officer or official.

#### 2.14 Freedom of Information Law:

The New York State Freedom of Information Law as set forth in Public Officers Law, Article 6, Sections 84-90, mandates public access to government records. However, proposal submitted in response to this RFP may contain technical, financial background or other data, public disclosure of which could cause substantial injury to the Proposer's competitive position or constitute a trade secret. Proposers who have good faith belief that the information submitted in their proposals is protected from disclosure under the New York Freedom of Information Law shall clearly identify in a separate letter submitted with the proposal the pages of the proposals containing such information, together with the line or other appropriate designation. The Proposer shall also type in bold face on the top of each page, "THE PROPOSER BELIEVES THAT THIS INFORMATION IS PROTECTED FROM DISCLOSURE UNDER THE STATE FREEDOM OF INFORMATION **LAW."** The Proposer shall explain in sufficient detail why such information should not be disclosed. The County assumes no liability for disclosure of information so identified, provided that the County has made a good faith legal determnation that the information is not protected under applicable law or where disclosure is required to comply with an order or judgment of a court of competent jurisdiction.

The contents of the proposal, except portions "Protected from Disclosure" which is accepted by the County may become part of any agreement resulting from this RFP.

# SECTION 3: PROPOSAL SUBMISSION REQUIREMENTS RECEIPT OF PROPOSALS

- 3.1 Each proposal shall state that it is a firm offer for a period of ninety (90) days from the proposal opening date. After the expiration of the firm offer period, if no award has been made, a proposal may be withdrawn if the Proposer does so in writing to the name and address identified in Section 3.3 below otherwise proposals remain in effect. Post submission modification requirements are set forth in Section 3.9 below, and are only applicable where a material and substantial mistake is identified.
- 3.2 The proposals submitted must include the following items:
  - A. Location Plan of the proposed building indicating the location of all available public transportation, parking facilities highways, etc.
  - B. Site Plan of the proposed building indicating location of required parking, building entrance and other pertinent features.
  - C. Floor Plans of the proposed building with indications of square footage and areas proposed for occupancy by the Municipal Building.
  - D. Rendered Building Elevations.
  - E. Description of Materials and Finishes as well as other key features that characterize the proposed building. Provide photographs if available.
  - F. Proposed Project Schedule indicating duration of design phase, contract document phase, approvals and construction of the facility.
  - G. Resumes of key personnel to be assigned to this project.
  - H. Descriptions of recent and relative experience in past projects. Demonstrate ability to perform, manage and operate projects of this nature.
  - I. Total Costs Projected costs shall be provided by a pro-forma financial statement.
  - J. Project Budget . Financial Statement Each proposal shall include the Proposer's current corporate financial statement.
  - L. MWDBE Plan Description of policies, programs and initiatives utilized to achieve the participation of MWDBE firms (i.e. supplier diversity programs, mentorship programs, training/seminars, opportunity fairs).

In addition, after the proposals are submitted to the County, interviews with the most qualified responsive parties may be scheduled. Each party may be expected to make a formal presentation on the content of its proposal and its ability to undertake the required work.

#### 3.3 Inquiries

All inquiries regarding the County and the proposal arising during the process of proposal preparation are to be made in writing and submitted via certified, return receipt mail no later than two weeks prior to the proposal due date. Answers to those inquiries will be made via certified, return receipt mail to all potential proposers. Questions must be received at least two (2) weeks prior to the proposal due date; or otherwise will not be answered. Only questions in writing will be binding, oral or other interpretation or clarifications will be without legal effect.

Inquiries are to be directed in writing to:

Scott Surento
Montgomery County Purchasing Agent
County Annex Building, 20 Park Street
Telephone: (518) 853-3351

Fonda, NY 12068

3.4 Proposal Delivery:

Six (6) copies of the proposal and all attachments shall be delivered in sealed envelopes. All proposals must be received no later than 4:00 pm on October 11, 2007 and should be addressed as follows:

Scott Surento Montgomery County Purchasing Agent County Annex Building, 20 Park Street Fonda, NY 12068 Telephone: (518) 853-3351

- 3.5 Addenda and Supplements to Requests for Proposal
  - In the event that it becomes necessary to revise any part if this RFP, or if additional information is necessary to enable the Proposer to make adequate interpretation of the provisions of this RFP, a supplement to the RFP will be provided to each Proposer via certified, return receipt mail.
- 3.6 Cost of Proposal Preparation

  No reimbursement will be made for any costs incurred for preparation of proposal and/or interviews.
- 3.7 Submission of any proposal indicates acceptance of the conditions contained in the RFP, unless the Proposer clearly and specifically notes otherwise in its proposal.
- 3.8 The County reserves the right to waive any and all informalities and to disregard all non-conforming, non-responsive or conditional proposals.
- 3.9 Modification and Withdrawal of Proposals
  - A. Proposals may be modified or withdrawn at any time prior to the opening of the proposals by an appropriate document duly executed (in a manner that a proposal must be executed) and delivered to the place where proposals are to be submitted.
  - B. If within twenty-four (24) hours after the proposals are opened, any Proposer files a duly signed written notice and promptly thereafter demonstrates to the reasonable satisfaction of the County that there was a material and substantial mistake in the preparation of its proposal, that Proposer may withdraw its Proposal and the Proposal Security will be returned. Thereafter that Proposer will be disqualified from making a further or additional proposal on the services contemplated by this RFP.

#### **SECTION 4: PROJECT REQUIREMENTS**

#### Section 4.1 Codes and Standards

Design and construction shall be in compliance with all applicable codes, rules and regulations including, but not limited to the following:

- a) Building Code of New York State
- b) NFPA 101 Life Safety Code
- c) American Disabilities Act (ADA)
- d) American National Standard Institute (ANSI)
- e) All work to comply with the IBCO Construction and Energy Codes that New York State has adopted, reference Standards
- f) Local zoning ordinances
- g) All plans must be approved by Montgomery County and local building officials.

All plans must be reviewed and approved and should comply with the Requirements of Exhibit B attached hereto.

#### **SECTION 5: PROPOSAL EVALUATION**

- 5.1 Proposals will remain valid until the execution of a contract by Montgomery County, unless otherwise rejected consistent with this RFP.
- 5.2 Proposals received will be evaluated and scored by Montgomery County. Proposals shall be evaluated based upon a set of weighted criteria. The weight for each criterion, based on a scale of 1 3, with higher weight indicating greater importance of criterion, has been established by Montgomery County.
- 5.3 Criteria will be rated on a scale of 1 10, with higher scores indicating greater degree of approval by the evaluation team. A rating will be assessed by Montgomery County for each criterion for each proposal.
- 5.4 The evaluation process is designed to award the proposal not necessarily to the proposer of least cost, but rather to the proposer with the best combination of attributes based on the evaluation criteria. A score shall be calculated for each criterion for each proposal. The score shall be the product of the rating assessed by the evaluation team for any given criterion, multiplied by the pre-established weight for that criterion. The total of the scores for all criteria in each proposal will be known as the Proposer's final score.

#### 5.5 Criteria and weights are as follows:

CRITERIA	WEIGHT $(1-3)$
Proposer's comprehension of the required (work) Scope of Services	3
Prior experience in similar projects	3
Professional Qualifications	3

Total proposed price	3	
Proposer's demostrated capabilities (equipment, financial solvency, location)	2	
Length of time in business	2	
Client references	2	
Staffing – (Evaluation of Employees' Resumes)	1	
Appropriateness of Site	3	
Site preparedness – Schedule	3	
Proposer's demonstrated capability to achieve adequate levels of MWDBE		1

5.6 Proposals will be examined and evaluated by Montgomery County with the advice of the Montgomery County Purchasing Agent to determine whether the requirements of this RFP are met and to make a recommendation to the Montgomery County Board of Supervisors for contract award.

#### **SECTION 6: INDEMNIFICATION**

6.1 The Successful Proposer shall defend, indemnify and save harmless the County, its employees and agents, from and against all claims, damages, losses and expenses (including without limitations, reasonable attorneys' fees) arising out of, or in consequence of, any negligent or intentional act or omission of the Successful Proposer, its employees or agents, to the extent of its or their responsibility for such claims, damages, losses and expenses.

#### **SECTION 7: PROPOSAL SECURITY**

- 7.1 Each Proposal must be accompanied by a bid bond or certified check in the amount of One Million dollars (\$1,000,000) in United States currency drawn upon a national or state bank or trust company, to the order of Montgomery County, Fonda, New York. If a proposal is accepted, the successful Proposer will enter into a contract for the same and will execute such further security as may be required for the performance of the contract. PROPOSAL SECURITY SHALL BE INCLUDED WITH THE PROPOSAL AT TIME OF PROPOSAL OPENING; FAILURE TO DO SO WILL CAUSE REJECTION OF PROPOSAL.
- 7.2 The Proposal Security of the Successful Proposer will be retained until such Proposer has executed the lease, whereupon it will be returned. If the Successful Proposer fails to execute and deliver the lease within fifteen (15) days of the Notice of Award, the County may annul the Notice of Award and the Proposal Security of that Proposer will be forfeited.
- 7.3 Proposal Security of other Proposers will be returned within seven (7) days after the contract has been fully executed with the successful Proposer.

#### **SECTION 8: INSURANCE AND SECURITY REQUIREMENTS**

8.1 The Successful Proposer will be required to procure and maintain at its own expense, the

following insurance coverage:

- A. Worker's Compensation and Employer's Liability Insurance: A policy or policies providing protection for Employees in the event of job related injuries.
- B. **Automobile Liability Insurance:** A policy or policies of insurance with the limits of not less than \$1,000,000 combined for each accident because of bodily injury sickness or disease, sustained by any person, caused by accident, and arising out of the ownership, maintenance or use of any automobile for damage because of injury to or destruction of property, including the loss of use thereof, caused by accident and arising out of the ownership, maintenance or use of any automobile.
- C. **General Liability Insurance:** A policy or policies or comprehensive all-risk insurance with limits of not less than:

Liability For: Combined Single Limit

Property Damage \$2,000,000 Bodily Injury \$2,000,000 Personal Injury \$2,000,000

- 8.2 Each policy of insurance required shall be of form and content satisfactory to the Montgomery County Attorney:
  - A. Montgomery County shall be named as an additional insured on all liability and workers' compensation policies. **Proposal number must appear on insurance certificate.**
  - B. The policy shall not be changed or canceled until the expiration of thirty (30) days after written notice to Montgomery County. It shall be automatically renewed upon expiration and continued in force unless Montgomery County is given at least thirty (30) days written notice to the contrary.
- 8.3 No work shall be commenced under the lease until the successful Proposer has delivered to the County Purchasing Agent or his designee proof of issuance of all policies of insurance required by the lease to be procured by the successful Proposer. If at any time, any of said policies shall expire or become unsatisfactory to the County, the successful Proposer shall promptly obtain a new policy and submit proof of insurance of the same to the County for approval. Upon failure of the successful Proposer to furnish, deliver and maintain such insurance as above provided, the lease may, at the election of the County, be forthwith declared suspended, discontinued or terminated. Failure of the successful Proposer to procure and maintain any required insurance, shall not relieve the successful Proposer from any liability under the lease, nor shall the insurance requirements be construed to conflict with the obligations of the successful Proposer concerning indemnification.

#### **SECTION 9: APPROVALS**

Any lease agreement is conditioned upon approval by the Montgomery County Board of Supervisors pursuant to a duly enacted resolution;

#### **SECTION 10: LIQUIDATED DAMAGES**

10.1 Time is of the essence of this Agreement and that Montgomery County will suffer financial loss if the requested work is not completed within the times specified, plus any extensions thereof. Delays, expense and difficulties will be involved in proving the actual loss suffered by Montgomery County if the requested work is not completed on time. Accordingly, instead of requiring such proof, Montgomery County and the Successful Proposer will agree that as liquidated damages for delay (but not as a penalty) the Successful Proposer shall pay Montgomery County One Thousand Dollars (\$1,000.00) for each day that expires after the time specified for Substantial Completion until the requested work is substantially complete. After substantial completion, if the successful Proposer shall neglect, refuse, or fail to complete the remaining work within the time specified for completion and readiness for final payment or any proper extension thereof granted by Montgomery County, the successful Proposer shall pay Montgomery County One Thousand Dollars (\$1,000.00) for each day that expires after the time specified for completion and readiness for final payment.

#### **SECTION 11: ALTERNATIVES**

11.1 Proposer may include in its Proposal items not specified in this RFP, which it would consider pertinent. All such alternatives must be listed separately from the Proposal and the cost thereof must be separate and itemized.

#### NOTICE OF JOB VACANCIES

- 1. The Contractor recognizes the continuing commitment on the part of Montgomery County to assist those receiving temporary assistance to become employed in jobs for which they are qualified, and the County's need to know when jobs become available in the community.
- 2. The Contractor is encouraged to notify the County when the Contractor has or is about to have a job opening for a <u>full time position</u> within Montgomery County or any contiguous County. The County requests that notice be given as soon as practicable after the Contractor has knowledge that a job opening will occur. The notice should contain information that will facilitate the identification and referral of appropriate candidates. This would include at least a description of conditions for employment, including the job title and information concerning wages, hours per week, location and qualifications (education and experience).
- 3. Please provide notice of job vacancies in writing to:

Montgomery Workforce Solutions Center 2620 Riverfront Center Amsterdam, NY 12010

Phone: 518.842.3676

Montgomery County Department of Social Services County Office Building, P.O. Box 745 Fonda, NY 12068

Phone: 518.853.4646

4. The Contractor recognizes that this is an opportunity to make a good faith effort to work with Montgomery County for the benefit of the community. Nothing contained in this provision however, shall be interpreted as an obligation on the part of the Contractor to employ any individual who may be referred by or through the County for job openings as a result of the above notice.

#### NON-COLLUSIVE BIDDING CERTIFICATE PURSUANT TO SECTION 103-D OF THE NEW YORK STATE GENERAL MUNICIPAL LAW

- A. By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organizations, under penalty of perjury, that to the best of knowledge and belief:
- (1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor.
- (2) Unless otherwise required by law, the prices which have been quoted in this bid have not knowingly been disclosed by the bidder and will not knowingly be disclosed by the bidder, directly or indirectly, prior to opening, to any bidder or to any competitor.
- (3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

A bid shall not be considered for award nor shall any award be made where (1), (2), and (3) above have not been complied with; provided, however, that in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons thereof. Where (1), (2), and (3) above have not been complied with, the bid shall not be considered for any award nor shall any award be made unless the head of the Purchasing Unit to the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customer of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of paragraph "A" above.

B. Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, local law, and where such bid contains the certification referred to in paragraph "A" of this section, shall be deemed to have been authorized by the Board of Directors of the bidder, and such authorization shall be deemed to include the submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation

	Signature
	Title
Date	Company Name

## ACKNOWLEDGMENT BY PROPOSER

STATE OF NEW	YORK	) ) SS.:	
COUNTY OF		) 55	
On theappeared	_day of _		in the year 2007 before me, the undersigned, personally, personally known to me or proved to me on the dividual(s) whose name(s) is (are) subscribed to the within
instrument and ack	nowledge /their sign	ed to me that hat that the ature(s) on the	ne/she/they executed the same in his/her/their capacity(ies) he instrument, the individual(s), or the person upon behalf
			Notary Public
STATE OF NEW	YORK	) ) SS.:	
COUNTY OF		)	
On the	_day of _		in the year 2007 before me, the undersigned, personally, personally known to me or proved to me on the
basis of satisfactor instrument and ack	y evidenc nowledge /their sign	e to be the ined to me that lature(s) on the	dividual(s) whose name(s) is(are) subscribed to the within ne/she/they executed the same in his/her/their capacity(ies) he instrument, the individual(s), or the person upon behalf
			Notary Public

# EXHIBIT A

## LEASE AGREEMENT

# **PARTIES**

AGREEMENT OF LEASE, made as of the _between Landlord, and Montgomery County, State of Ne existing under the laws of the State of New York referred to as the County or Tenant:	ew York a municipa	al corporation duly organized and
WITNESSETH; the parties hereto for the consideration as follows:	derations hereinaft	er mentioned covenant and agree
LETTING		
1. The Landlord hereby leases to the Ter the following described premises for the term agreements and conditions hereinafter set fort hereby mutually agree.	of this Lease and	subject to the terms, covenants,
PREMISES:	.4.1.4	TTI .
A new municipal office building loc premisies are to be used primarily for the	ated at coperation of Me	. The ontgomery County Municipal
services.		
2.TOHAVEANDTOHOLD the said pr for the term	remises with the ap	purtenances, rights and privileges
beginning with, 2008		
and ending , 2038		
In the event Landlord has not obtained 2008, then Tenants obligation to pay rent sha Certificate of Occupancy.		
RENT		
3a. The Tenant shall pay the Landlord annum:	for the premises be	ase rent at the following rate per
Payable to:		
in equal monthly installments on the first day Agreement.	of each month th	roughout the term of this Lease

The Tenant agrees to pay the Landlord the specified rent herein provided upon receipt of proper vouchers therefor. Vouchers are to be provided to the County by the Landlord on or before the first day of each month.

#### **EXECUTORY CLAUSE**

3b. It is understood and agreed by and between the parties hereto that the contract of the County hereunder shall be deemed executory only to the extent of the monies available for the leasing of said premises and that no liability shall be incurred by the County beyond the monies available for such purpose.

#### **POSSESSION**

- 4. a) The parties recognize that the premises described in paragraph 1 above are to be utilized for purposes of Montgomery County and are to be constructed in accord with the Landlord's Proposal dated, \_\_\_\_\_\_, pursuant to the project plan and specifications attached hereto as Exhibit "B" and in accord with Rider "A" annexed hereto and made a part hereof.
- b) Landlord recognizes and acknowledges that the project design must be approved by Montgomery County and the local building officials. In the event the project design is not so approved, then the County reserves the right to cancel this contract upon written notice to Landlord, without further obligation to Landlord.
- c) Landlord agrees that the project must be completed and ready for occupancy by Montgomery County as evidenced by the issuance of a permanent Certificate of Occupancy by the local Building Department on or before **DATE**, **2008**, Time of the Essence. In the event possession of the premises has not been delivered to Tenant by **DATE**, **2008**, then Tenant shall be entitled to assess as "liquidated damages" the sum of \$1,000 per day until such time as Landlord provide a Certificate of Occupancy. Tenant may offset any amounts that accrue as liquidated damages against rent due under this contract; or, in the event, Landlord fails to provide the required Certificate of Occupancy, Tenant may pursue all available legal remedies to recover the damages that accrue under this provision.
- d) Landlord will require that all contractors and subcontractors on this project to provide performance and payment bonds to assure timely project completion. General Contractor to provide a performance and payment bond for the full value of the project.
- e) Landlord will require that all contractors and subcontractors obtain appropriate commercial general liability insurance for this project, which insurance shall be primary for any and all claims for bodily injury, death and property damage arising.

Montgomery County shall be named as an "additional insured" on all such insurance policies, and be given at least thirty (30) days prior written notice before the termination of any such policies.

f) Landlord agrees that the County may have access to the building no later than DATE , 2008 for purposes of completing telephone, computer and furniture installation and such other items as the County may need to complete prior to taking occupancy on DATE  $\,$  , 2008.

#### **HOLDOVER**

5. Any holdover after the expiration of the said term or any extensions thereof shall be construed to be a tenancy from month-to-month and shall otherwise be on the terms and conditions herein specified, as far as applicable.

#### ELECTRIC AND NATURAL GAS SERVICE

To be installed and maintained in accordance with the Codes, Rules and Regulations of the State of New York.

- 6a. To be supplied by landlord as part of lease agreement and monthly payment, or
- 6b. Usage cost shall be paid by tenant.

#### HEATING AND AIR CONDITIONING

To be installed and maintained in accordance with the Codes, Rules and Regulations of the State of New York.

- 7a. To be supplied by landlord as part of lease agreement and monthly payment, or
- 7b. Usage cost shall be paid by tenant.

#### **BUILDING ACCESS**

8. Landlord shall furnish sufficient sets of keys to provide Tenant access to the premises at will.

#### WATER

To be installed and maintained in accordance with the Codes, Rules and Regulations of the State of New York.

#### JANITOR SERVICE

- 9a. To be supplied by landlord as part of lease agreement and monthly payment, or
- 9b. To be the responsibilty of the tenant.

#### **FURNISHINGS**

- 10a. To be furnished by landlord before occupancy, or
- 10b. To be furnished by tenant.

#### **REPAIRS**

11. Landlord shall be reponsible for repairs of the facility.

#### MAINTENANCE - PARKING AREAS, BUILDING EXTERIOR AND GROUNDS

12a. Throughout the term of this Lease, Landlord shall maintain and keep in good order, condition and repair the parking area and exterior area of the demised premises at its own cost and expense. If the costs of maintenance of the parking area (including snow removal) and exterior

premises increases during any lease year subsequent to the first year of the lease, Tenant shall pay its pro rata share of the costs of any such increase. Tenant shall pay such charge within sixty (60) days after receipt of a statement therefor. Requests for adjustments must be made within one (1) year following the close of the period during which the scalations were incurred or no adjustments will be allowed.

12b. Shall be the responsibility of the tenant.

#### **COMPLIANCE WITH LAWS**

13. The Landlord shall, at its own cost and expense ensure that the premises comply with all laws, rules, orders, ordinances and regulations at any time issued or in force, applicable to the demised premises, of the city, county or other municipality, state or federal governments, and each and every department, bureau and official thereof, and of any insurance services organizations having jurisdiction in the premises. The Tenant agrees that it will not use the premises for any purpose which shall be violative of applicable laws, rules, orders, ordinances and regulations.

#### LANDLORD'S RIGHT OF ENTRY

14. The Tenant shall permit the Landlord at all usual proper times to enter the premises for the purposes of inspection or sale; and suffer the Landlord to make repairs and improvements to all parts of the building and to comply with all governmental orders and requirements applicable to the building. The Landlord, in exercising the right under this clause, shall not unreasonably interfere with the Tenant's access use and occupancy of the premises. Landlord will take reasonable precautions to respect the confidentiality of Tenant's papers and materials in the event of entry by the Landlord.

#### TO LET SIGNS

15. The Tenant shall permit the Landlord during the six (6) months next prior to the expiration of the term to place the usual notices of "To Let" upon the exterior of the demised premises.

#### **DESTRUCTION OF PREMISES**

16. If the demised premises are destroyed or so injured by free or the elements or any cause as to render the premises untenantable are unfit for occupancy for the Tenant's uses, as the Tenant in its sole discretion may determine, the Tenant may serve written notice by Certified Mail, Return Receipt, declaring its intent to vacate the premises and may thereafter, as soon as practicable subsequent to the provision of notice, quit and surrender the entire demised premises, in which event rent shall abate from the time of destruction and Tenant shall be relieved of further liability under the Lease.

If however, the demised premises shall be so injured by any cause aforesaid as not to be rendered unfit for occupancy, then the Landlord shall repair the same with reasonable promptness, and may utilize the proceeds of any insurance policy obtained by the County and in that case the rent shall cease or be abated during such repair period, except only that the Tenant shall during such time pay a pro-rata portion of such rent apportioned to the portion of the demised premises which are in condition for occupancy or which may be actually occupied during such repairing period.

All improvements or betterments placed by the Tenant on the demised premises shall, however, in any event be repaired and replaced by the Tenant at his own expense and not at the expense of the Landlord, provided the injury and damage to such improvements or betterments have been caused without the fault of neglect of the Landlord, his agents or employees.

If the demised premises are destroyed or injured by fire or the elements or any other cause the Tenant shall give notice thereof to the Landlord with reasonable promptness.

In the event the Premises are so insured or destroyed as above described, any advance rental paid by Tenant to Landlord shall be apportioned to the date of the destruction and the difference promptly returned by the Landlord to the Tenant

#### **INSURANCE**

17. Tenant, at its sole cost and expense shall maintain in force throughout the term of this Lease, or any extension or renewal thereof, from an insurance company authorized to do business in the State of New York, a combined single limit (bodily injury and property damage on an occurrence basis) liability insurance policy with limits no less than Two Million Dollars (\$2,000,000) plus excess umbrella coverage of Two Million Dollars (\$2,000,000), and a policy of fire and extended coverage, vandalism and malicious mischief, hazard insurance having an amount of insurance equal to the full replacement values of the building in which the premises are located, which Policies shall name \_\_\_\_\_\_\_\_ its successors and/or assign as an additional insured (in the case of fire insurance. as an insurable interest may appear). The Tenant shall deliver certificates of such insurance to Landlord prior to the beginning of the term of this Lease and thereafter not less than thirty (30) days prior to the expiration of any such policy. All such policies shall contain a provision that Landlord shall receive at least thirty (30) days notice prior to material change or cancellation.

#### **INDEMNIFICATION**

18. Tenant agrees that neither Landlord nor its partners, employees, agents or representatives shall be liable and hereby waives all claims against Landlord, its partners, employees, agents and representatives for damage to any property or injury or death of any person in, upon or about the premises arising at any time and from any cause other than by reason of the negligence or intentional misconduct of Landlord, its authorized employees, agents and representatives, and Tenant shall indemnify and hold harmless Landlord, and its partners, employees, agents and representatives from any and all loss, cost, damage and expense incurred or suffered by Landlord or said other parties arising out of or resulting from (i) the use or occupancy of the premises, except such as is caused by negligence or intentional misconduct of Landlord, its authorized agents or employees, or (ii) the willful misconduct or negligence of Tenant or its agents, contractors, employees, licensees or invitees. The provisions of clause 16 shall survive the termination of this Lease with respect to any damage, injury or death prior to its termination.

#### **REAL ESTATE TAXES**

19. In addition to the Base Rental payable pursuant to paragraph 3(a), for each calendar year (or partial year) of the term of this Lease, Tenant shall pay all real property and school taxes promptly when billed. Landlord agrees that Tenant may, at its sole cost and expense, in its own name or in the name of Landlord, or in the name of both, file such applications or protests for the

correction or reduction of tentative assessed valuations and bring such actions or proceedings as Tenant may deem advisable, and Landlord agrees to sign, at the request of Tenant, such applications, protests and other instruments as may be reasonably necessary for a review by the applicable municipalities, or by any court, of such assessed valuation. In connection with any such proceedings, Landlord agrees to make available to Tenant, for a presentation before such municipalities, or any such court, such books, records, and other evidence as in the reasonable opinion, of counsel for Tenant may be necessary or advisable for the proper prosecution of any such action or proceeding. Landlord will reasonably cooperate with Tenant in filing any application necessary for obtaining any partial exemption from taxes to which the Building may be entitled including but not limited to, any exemption permitted pursuant to Real Property Tax Law Section 485-b.

#### **SET OFF**

20. In the event Landlord refuses or fails to make repairs or provide services for which it is responsible under the terms and conditions of this Lease the Tenant, upon reasonable notice to the Landlord, and, at its sole option, may either: (i) make such repairs or provide such services, deducting all the costs incurred thereby from the rental which is or shall be owing Landlord: or (ii) not make such repairs nor provide such services and deduct from said rental a reasonable amount for the diminution in value of the premises due to such disrepair or lack of services. The provisions of this paragraph are in addition to, and not in lieu of, any and all rights and remedies available to Tenant at law or in equity.

In the event Tenant quits the demised premises such that it remains responsible for payment of rent to the Landlord, the total rental to be paid the Landlord shall be reduced by that portion of the rental reserved attributable to charges for utility and other services for which Landlord is obligated to provide pursuant to terms of this Lease whether or not such charges have been itemized.

Furthermore, in the event Tenant shall so quit the premises Landlord shall be obligated to make all reasonable efforts to re-let the demised premises in order to minimize the losses of the Tenant. The Landlord shall not in any event be required to pay the Tenant any surplus of any sums received by the Landlord on a reletting of said premises in excess of the rent reserved in the Lease. In no event shall the Landlord, without the consent of the Tenant, grant free rent for the use of said premises.

#### **SUBORDINATION**

21. This Lease is subject and subordinate to all ground, or underlying leases, and to all mortgages which may now or hereafter affect such leases, or the real property of which the demised premises form a part, and to all renewals, modifications, consolidations, replacements and extensions thereof. However, no property owned or removable by the Tenant shall be subject to the lien or paramount mortgages. This provision shall be self-operative, and no further instrument of subordination shall be required by any mortgagee. In confirmation of such subordination, Tenant shall execute promptly any certificate that Landlord may request that comports with this Agreement.

However, this Lease shall be subject and subordinate to the lien of any future mortgage or any future underlying lease provided that the holder of any such mortgage or the Landlord under any such underlying lease shall agree in the mortgage or lease or otherwise that this Lease shall not be terminated or otherwise affected by the enforcement of any such mortgage or underlying lease, provided that at the time thereof this Lease shall not be in default, and the Lessee when requested by the holder of such mortgage or the Landlord under any such underlying lease shall execute an

attornment and non-disturbance agreement to the holder of such mortgage or the Landlord under any such underlying lease should either succeed to the rights of the Lessor under this Lease.

#### **QUIET ENJOYMENT**

22. The Landlord covenants with the Tenant that the Tenant, on complying with the terms of the Lease, shall and may peacefully and quietly have and enjoy the said premises.

#### **CONDITION OF PREMISES**

23. The Tenant shall at the end of the term quit and surrender the demised premises in as good order and condition as when received, normal wear and tear and damage by the elements, including fire, excepted.

#### NOTICE

24. Any notice by the Tenant to the Landlord shall be deemed to be duly given if hand delivered or mailed by certified mail, addressed to the Landlord at the address given above, and any notice by the Landlord to the Tenant shall be deemed to be duly given if mailed by certified mail addressed to the Montgomery County Board of Supervisors, ADDRESS.

#### **NEW LANDLORD**

25. In case the demised premises or the building of which the same is a part shall be sold, conveyed, transferred, assigned, leased or sublet, or if the Landlord shall sell, convey, transfer or assign this lease or rents due under this Lease, or if for any reason there shall be a change in the manner of which rental, reserved hereunder shall be paid to the Landlord, proper written notice of such charge shall be filed immediately by the Landlord with The Board of Supervisors, also at ADDRESS. No notice given to the County in the cases provided in this paragraph shall be deemed sufficient until filed as herein provided.

In the event the demised premises or the building of which the same shall be sold, transferred, assigned, leased or sublet, or if the Landlord shall sell transfer or assign this Lease or the rents due hereunder, to a person or persons employed by the County and subject to the provisions of Section 73 of the Public Officers Law, or if subsequent to the execution of this Lease it is found that Landlord is such a person, then upon written notice to Landlord, or his successors and assigns Tenant shall have the right to cancel this Lease effective as of the date given in said notice.

#### **BROKERAGE FEES**

26. The Landlord warrants that no person or selling agency has been employed or retained to solicit or secure this Lease upon an agreement understanding for a commission, percentage, brokerage, contingent fee or other compensation excepting bonafide employees or bonafide established commercial or selling agencies such as licensed Real Estate Brokers or others duly authorized by law to engage in real estate transactions for compensation in the State of New York and retained by the Landlord for the purpose of securing business. For breach or violation of

this warranty the County shall have the right to annul this Lease without liability, or in its discretion to offset the full amount of such commission, percentage, brokerage contingent fee or other compensation against the rental or consideration provided for in the Lease and to recover any balance in excess of such rental or consideration by legal action.

#### MERGER CLAUSE

27. It is understood and agreed by and between the parties hereto that no representations or promises have been made in respect to the demised premises other than those contained herein except those as may be contained in a rider attached to and made a part of this Lease.

#### LANDLORD'S INTEREST

28. The Landlord represents that the demised premises above described are controlled by the Landlord and that there are no underlying leases and ground leases.

#### NO DEVIATIONS

29. It is understood and agreed by and between the parties hereto that the agency in possession is not authorized to allow any deviations from the provisions of this Lease, including substitutions for, or additions to, items of construction or alterations, or commit the County in any way, absent further approval of the County Board of Supervisors.

#### REMOVAL OF PERSONAL PROPERTY

30. Any and all articles of personal property including, without limitation, business and trade fixtures, machinery, equipment, cabinet work, furniture, movable partitions, carpeting and water coolers, owned or installed by the Tenant at its sole expense are and shall remain the property of the Tenant and may be removed by it at any time during the Lease term, renewal, extension or holdover period, but Tenant shall not be required to remove them at the end of the Lease term, renewal, extension or holdover period unless it so elects, providing that if such fixtures, machinery, equipment, cabinet work, furniture, movable partitions, carpeting, and water coolers are removed, the cost of repairing any damage to the building arising from such removal shall be paid by Tenant.

#### **ALTERATIONS BY TENANT**

31. It is understood and agreed by and between the parties hereto that during the Lease period, or holdover period the Tenant reserves the right to make minor alterations or installations, including but not limited to carpeting, installation of telephone and related equipment, etc.

#### ALTERATIONS BY LANDLORD

32. It is understood and agreed by and between the parties hereto that relative to any alterations or improvements, other than minor alterations as mentioned above, which may subsequently be required, by the agency in possession, the Landlord agrees to provide the Tenant with estimates based upon Tenants plans and specifications for the work to be performed. Upon

approval by the Tenant the Landlord shall promptly proceed with the subject alterations or improvements. Payment shall be made within sixty (60) days of completion of the work to the satisfaction of the Tenant in possession, and submission of proper vouchers.

#### NON-DISCRIMINATION

33. In accordance with Article 15 of the NYS Executive Law (also known as the Human Rights Law) and all other local, State and Federal statutory and constitutional non-discrimination provisions, during the performance of its obligations under this Lease Agreement, Landlord agrees that it shall not by reason of race, creed, color, national origin, age, sex, disability or marital status: (a) discriminate in hiring or contracting with any person who is qualified and available to perform the Landlord services required under this agreement; or (b) discriminate against or intimidate any employee or contractor hired for the performance of work under this agreement.

#### **SIGNS**

34. The Tenant may post and maintain such signs and notices as is reasonably required to inform the public as to its location in the building and shall have a right to have its name and other pertinent information on Landlord's lobby directory board.

#### MARGINAL NOTES

35. The marginal notes as to contents of particular paragraphs herein are inserted only for convenience, and are in no way to be construed as a part of this Lease or as limitation of the scope of the particular paragraphs to which they refer.

#### **CONSENT**

36. The Landlord hereby covenants that whenever the Landlord's consent is required under any provisions of this Lease such consent shall not be unreasonably withheld.

#### **NECESSARY SIGNATURES**

37. This Lease shall not be binding and effective upon Montgomery County unless and until the same shall have been approved by duly enacted Resolutions (including under SEQRA) of the Montgomery County Board of Supervisors.

#### **OPTION TO PURCHASE**

38a. If Tenant is not in default hereunder, and provided that Tenant shall then be in occupancy of substantially all of the leased Premises, Tenant shall have the right, exercisable, by giving written notice to Landlord after the 7<sup>th</sup>, 15<sup>th</sup> and 20<sup>th</sup> anniversary date of this Lease, to purchase the entire premises for a fair market value sum upon the following terms:

Notice must be in writing and delivered by hand or by registered mail to Landlord at the above address or delivered personally to Landlord. If Tenant does not notify Landlord of its decision

to exercise this purchase option during the option period, Tenant's right to buy ends.

The purchase price of the Premises, as determined through the appraisal process described below shall be due and payable at closing.

- a) The County may offer to buy the property at fair market value as determined through a Limited Appraisal prepared by a NYS Certified General Appraiser, MAI.
- b) In the event Landlord does not accept the offer, then within sixty (60) days of receiving the County's appraisal Landlord shall obtain and deliver to the County a Limited Appraisal prepared by a NYS Certified General Appraiser MAI determining fair market value.
- c) In the event the parties are unable to agree on a fair market value purchase price for the property as determined by an exchange of the appraisals obtained pursuant to (a) and (b) above, then within thirty (30) days of the date Landlord appraisal is provided to the County the respective appraisers retained by each party shall select a mutually agreeable third appraiser (NYS Certified General Appraiser, MAI) to prepare a Limited Appraised determining fair market value. The cost of this third party appraisal shall be paid equally by the parties. The purchase price shall be determined by averaging the difference in value between this third party appraisal and whichever appraisal prepared pursuant to (a) and (b) above is closest in value to said third party appraisal.

The closing will take place at the offices of the Montgomery County Board of Supervisors Office, ADDRESS on or before sixty (60) days after the date of delivery of the aforesaid Notice of Tenant's Decision to buy the Premises.

The Closing Payment shall be paid in good certified check or official check of any bank, savings bank, trust company, or savings and loan association having a banking office in the State of New York. A check must be payable to the order of Landlord, or to the order of Tenant and endorsed by Tenant to order of Landlord in the presence of Landlord or Landlord's attorney.

The Premises are to be conveyed subject to: (i) building and zoning regulations; (ii) conditions, agreements, restrictions and easements of record (iii) any state of facts an inspection or survey of the Premises may show as long as does not make the title to the Premises unmarketable; and (iv) unpaid assessments payable after the date of the transfer of title.

Landlord may pay and discharge any liens and encumbrances not provided for in this option. Landlord may make payment out of the balance of the Purchase Price paid by Tenant on the transfer of title.

At the closing, Landlord shall deliver to Tenant a Warranty Deed so as to convey a fee simple title to the Premises free and clear of all encumbrances. The deed shall be prepared, signed and acknowledged by Landlord in a form acceptable to the Montgomery County Attorney and transfer tax stamps in the correct amount shall be affixed to the deed, all at Landlord's expense.

The following are to be apportioned pro-rata as of the date of delivery of the deed: (i) rents as and when collected; (ii) taxes, water rates and sewer rents based upon the fiscal period for which assessed; and (iii) fuel, if any.

38b. In the event Tenant does not exercise the purchase option during the period described in paragraph 38a above, then after said option period or through the end of the lease term, Tenant shall have a right of first refusal to purchase the premises. In the event Landlord receives a bona fide purchase offer from a third party, Landlord shall provide Tenant with a full copy of the contract

proposal and Tenant shall thereafter have 75 days in which to exercise its election to purchase the premises in accord with the terms of said contract offer. Upon such election to purchase, the closing will take place within sixty (60) days in accord with the conditions recited in paragraph 38a above.

IN WITNESS WHEREOF, the parties hereto have caused this Lease to be executed in duplicate originals the day and year first written above.

		LANDLORD/OWNER
Dated:	, 2007	BY:
		<b>Montgomery County</b>
Dated:	, 2007	BY:
		Montgomery County

STATE OF NEW	YORK	) ) SS.:	
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			Notary Public

#### RIDER "A"

39. Landlord will at its sole cost and expense construct the new Municipal Building in accord with the Project plans and specifications annexed hereto as Exhibit "B".

Landlord and its contractor, agents and/or employees shall coordinate the project with the Montgomery County Board of Supervisors. It is understood and agreed that the County's Project Manager or a designated third party representation shall be the County representative who will have full access to the site throughout the project. Any change orders for the project requested by the County may be approved by the Montgomery County Supervisor or their respective designees if less than \$20,000.00. Any change order so requested in excess of \$20,000.00 shall require Board of Supervisors approval.

- 40. If Tenant shall default in the performance of any of Tenant's obligations under this Lease, Landlord, without thereby waiving such default, may (but shall not be obligated to) perform the same for the account and at the expense of Tenant, without notice, in a case of emergency, and in any other case, only if such default continues after the expiration of ten (10) business days from the date Landlord gives Tenant notice of intention so to do.
- 41. Bills for any expenses incurred by Landlord in connections with any such performance by it for the account of Tenant, as well as bills for any Property, material, labor or service provided, furnished, or rendered, by Landlord or at its instance to Tenant, may be sent by Landlord to Tenant monthly, or immediately, at Landlord's option, and shall be due and payable in accordance with terms of such bills.
- 42. Landlord represents and warrants as an inducement to encourage Tenant's occupation of the premises described herein, and as a material term of this Lease, that the said premises are free from hazard, particularly with reference to United States Department of Labor, Occupational Health and Safety Administration Standards for permissible exposure limits for asbestos fibers.
- 43. Landlord warrants that he will, at no cost to Tenant, either direct or indirect, and notwithstanding any contrary provision of the Lease or any Rider hereto to the contrary, maintain the premises at all times in compliance with Federal, State and Municipal or Local Laws, rules, regulations or other governmental declarations relating to permissible exposure limits for asbestos fibers or relating to the handling, treatment or removal, of asbestos containing materials as such standards exist as of the date hereof or as such standards may be changed at any time in the future.
- 44. Notwithstanding any provision of this Lease or any rider or addendum hereto, Landlord agrees and stipulates that each and every breach of any warranty or representation contained in this clause, and without regard to any measure or relative magnitude of the breach, shall constitute a default under this Lease which shall entitle Tenant, in addition to all other rights and remedies of Tenant, to deduct from the rental or other monetary obligation of Tenant, or to recover by action all costs, direct or indirect and resulting from any cause whatsoever, incurred by Tenant as a result of such breach.
- 45. In the construction of this project the Landlord shall abide by the provisions of Article 8 of the State Labor Law. The Landlord agrees that the wages to be paid any workman, laborer, mechanic, floor waxer, or office cleaner for cleaning and maintenance of the demised premises, shall not be less than the prevailing wage for the locality in which the work is to be performed. The prevailing wage schedule will be provided by the Department of Labor to the

reto have caused this Lease to be executed in bove.
LANDLORD/OWNER
BY:
<b>Montgomery County</b>

BY:\_\_\_\_\_\_
Montgomery County

Landlord at the request of Montgomery County .

Dated: \_\_\_\_\_\_, 2007

STATE OF NEW	YORK	) ) SS.:	
COUNTY OF		) 33	
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			Notary Public
STATE OF NEW	YORK	) ) SS.: )	
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			Notary Public

#### EXHIBIT B

#### MONTGOMERY COUNTY OFFICE BUILDING DESIGN CRITERIA

#### The following general guidelines apply:

- 1. There are to be two major public areas. The Departement of Social Services and the Public Lobby area for other County functions included in the program. In addition, there are offices for various agencies that support the County functions and are open to the public.
- 2. The Public Lobby provides access to these areas which are to be separated from one another and may be on different floors.
- 3. The lobby is to have two public elevators that connect all floors. The elevators are to be handicapped accessible and 4500-pound capacity. Stairs will connect the first and second floors.
- 7. This is a "Public Assembly" occupancy and construction type, fire areas, exit capacity and public toilets must comply with the standards for this occupancy.
- 8. Toilets for staff should be separated from public toilet rooms.

#### **Materials and Finishes:**

- A. County Office Buildings are heavily used facilities and important assets to the community. The design concept should reflect the dignity and purpose of the facility and its locale and neighborhood. Materials and finishes should be selected for resistance to abuse and, ease of maintenance.
- B. All wall surfaces in public areas, waiting rooms, corridors and large meeting rooms should be covered in heavy duty vinyls. Toilet rooms should be tiled. Public lobbies should have hard wearing, non-slip floor surfaces.
- C. Partitions between County agencies, waiting rooms, conference rooms, consultation rooms and between these rooms and public spaces shall have acoustic treatment that effectively isolates conversations from being heard in adjacent spaces. This may require that partitions extend to the deck above or to alternative ceiling treatment.
- D. Floor coverings in several selected offices will be carpeted. Vinyl composition floors will be used elsewhere.
- E. Ceilings will generally be mineral acoustic tile in a 2'x4' grid pattern. Public lobbies and waiting rooms will have a premium level of ceiling finish.
- F. Utility and mechanical spaces can be without ceilings, unless required by Code.
- G. Toilets will have  $\frac{1}{2}$  gypsum ceilings.
- H. All gypsum ceilings will be painted with two coats of semi-gloss acrylic paint.
- M. Doors are to be oak or birch plain sliced wood veneer, fire rated when required.
- N. Utility / Mechanical closet doors and exterior stair doors will be custom steel in welded steel bucks.
- O. Exterior and interior lobby doors will be tempered glass in heavy-duty aluminum frames.
- P. Door latching will be heavy-duty mortise locksets with removable cores. The building will be supplied with construction cores until the facility is turned over to the County. Hinges will be heavy-duty ball bearing type. Trim will comply with handicapped codes.

#### The Building Shell:

A. The exterior of the building should be substantial masonry. Steel stud backup will be

- permitted.
- B. Windows should be fixed double paned, thermal break anodized aluminum with tinted glass. It is desired to have windows in waiting areas.
- C. The building envelope will be insulated to comply with the ICBO energy code.
- D. The roof covering will be a modified bituminous membrane with a 15-year warrantee.
- E. Roof mounted mechanical equipment should be housed in a readily accessible enclosed penthouse if applicable.
- F. Exits and entrances will be protected by a roof unless they are on the property line and directly adjacent to a public sidewalk.
- G. Include Stone Entablature over front door, "MONTGOMERY COUNTY OFFICE BUILDING". Letters should be eight (8) inches tall, carved into the stone.

#### **Heating and Cooling:**

- A. The building is to be fully ventilated, heated and cooled. The type of system used will be determined by its applicability to the spaces served and its ease of maintenance.
- B. Public areas must be effectively sound isolated from waiting rooms and conference areas as should each of these spaces be separated from one another. Aural privacy is needed between spaces such as conference rooms and offices.
- C. The building will be provided with an energy management system that will allow monitoring and setting of temperatures remotely to all zones. Each space exceeding 200 square feet in area will be separately controlled. In addition this system will monitor the status and operation of fans, pumps and chillers.
- D. Mechanical Provide a HVAC system which includes, as a minimum, gas fired hot water boilers, and appropriate hydronic accessories and pumps. Provide an air distribution system consisting of variable air volume air handlers with reheat coils. Provide airside economizers for the air handling equipment.
- E. Plumbing Providing all plumbing including all necessary fixtures with potable and sanitary piping.
- F. Fire Protection The facility should have a fully sprinklered NFPA 13 wet pipe system.

#### **Security:**

- A. Access and internal circulation will be restricted and controlled. The following are some but not all components of the security protocol.
- B. Exits shall be arranged such that secure areas exit separately from public areas.
- C. The exterior of the building and selected. areas within will be monitored by security cameras. There will be an office where all security systems are monitored.
- D. There will be a personal alarm system that allows selected staff to summon aid.
- E. Entrances and selected doors will be released by a monitored pass card system.
- F. A door alarm system will be provided at all exterior doors.

There will be full fire alarm system and smoke detection system as required by the Code.

#### **Data and Communications:**

A. Every room occupied by county staff and all conference, meeting, security rooms and staff lounges will have data outlets in addition to telephone outlets and required convenience outlets. All wiring will be provided by the developer. All telephone instruments, switches and controls will be provided by the County. Fiber optic data wiring to a central point will be provided by the developer. Computers, servers and monitors will be provided by the County.

#### **Electric Service and Emergency Generator:**

- A. The normal electric service will be supplemented by a diesel or natural gas driven generator that will be sized to operate all emergency lighting, security systems, telephones, elevators and required smoke purge devices. Battery operated lighting will not be permitted.
- B. Electric outlets will be supplied in sufficient number to accommodate each workstation/area plus code required convenience outlets.
- C. Activation of the generator will be automatic and transfer to required circuits will, also, be automatic, The generator will bring required loads on line within ten seconds of loss of power.
- D. The fire alarm system and computer system will be provided with instantaneous battery backup that will sustain the systems for 48 hours.
- E. The generator will be provided with status indicators and emergency alarms that annunciate in the security office.
- F. Electrical Service Provide a secondary metered, 480/277 volt, 3 phase, 4 wire electrical service from a Niagara Mohawk (NMPC) source. Excavation, backfill and primary conduits shall be by this contract. Concrete pad for transformer, excavation and backfill at transformer pad and for this service lateral by this contract. Grounding at transformer by this contract. Service lateral by this contract. Assume 1200 amp, 480/277 volt, 3 phase, 4 wire electrical service with (5) 4" conduits, each conduit with (4) 500 kcmil and (1) 4" spare conduit.
- G. Provide a main switchboard with 1200 amp main- switch with ground fault interrupter, utility metering section, customer metering equipment, transient voltage surge suppression (TVSS) and distribution section(s) with branch feeder devices.
- H. Power Distribution and Utilization As a minimum, the electrical design shall include the following:
  - 1. (2) 600 amp distribution switchboards
  - 2. (3) 225 amp 480/277 volt lighting panels
  - 3. (3) 400 amp 480/277 volt power panels
  - 4. (3) 75kVA transformers
  - 5. (3) 45kVA transformers
  - 6. 480-208/120 volt, 3 phase 4 wire
  - 7. (3) 225 amp main circuit breaker panelboards, each 42 circuits
  - 8. (3) 150 amp main circuit breaker panelboards, each 42 circuits
- I. Provide convenience outlets throughout building with minimum of one outlet on each wall in individual offices and maximum spacing of 12 feet between outlets in all staff areas. Provide GFI outlets on outside walls at all exterior doors. Provide dedicated circuits and outlets for copiers, fax machines, data and telephone head end equipment. Provide dedicated circuits for kitchenette appliances. (e.g. microwave oven, refrigerator, etc.)
- J. Provide branch feeders and equipment connections for (2) 40 HP elevators and for all HVAC and plumbing equipment.
- K. Standby Power Level 1 emergency power system shall include the generator, automatic transfer switches and equipment to support the facility without refueling for a minimum of 4 hours. Size equipment to operate all required life safety circuitry including: emergency light fixtures, fire alarm system, public address system, as well as non essential systems such as telephone system, security systems, dataprocessing head end equipment, elevators, building management system and designated convenience outlets. The generator's output voltage shall be 480/277 volt, 3 phase 4 wire. Provide with control panel, automatic transfer switch(es) remote annunciator panels, outlets, heaters, etc. Provide a 480/277 volt panelboard, step down transformer and 280/120 volt panelboard on each floor.

- L. Assume 10% of convenience outlets on generator power.
- M. Grounding Provide grounding for the electric service, generator and emergency power system, telephone service, gas service, building steel, metal siding, metal roofs and additional grounding and bonding as required per NEC.

#### Lighting:

- A. Wherever possible, low wattage energy efficient lighting shall be used.
- B. Waiting areas and public spaces will have-decorative fixtures selected by the owner and offices and other spaces will generally be lighted by recessed fluorescent fixtures with acrylic lenses.
- C. Lighting levels are to be such that task lighting is not needed in workspaces. Emergency lighting is to be provided by normal fixtures in sufficient quantity to light the path to exits.
- D. Individual rooms are to be switched locally except for emergency lighting.
- E. Fixtures shall be selected to minimize the variety of bulbs needed.
- F. Minimum lighting levels shall be 50 foot candles in offices and staff area. 2 x 4 and 2 x 2 recesses fluorescent light fixtures with electronic ballasts and T5 lamps. Provide fixtures with parabolic louvers for offices and staff stations. Provide fixtures with (3) lamps and provide automatic control as required by applicable codes. Provide decorative and accent lighting in waiting rooms, reception areas, executive areas, conference rooms, etc.
- G. Site lighting with automatic light control.

#### **Telephone / Conduit Distribution:**

Excavation and backfill for telephone service by this contract

- A. (2) 4" conduits from source to main telephone board
- B. Service cable and equipment by others
- C. Telephone closet per floor
- D. (4) 4" conduits between main floor and each closet
- E. 3/4" conduit stub up to accessible space above ceilings for each telephone outlet
- F. 3/4 conduit for all exposed areas
- G. Wiring inside building shall be by this contract
- H. Telephone outlets and teiniinations by this contract

#### Fire Alarm:

- A. Fire alarm control panel
- B. Remote annunciator panel
- C. No open wiring in exposed areas
- D. Full coverage with automatic detection
- E. ADA compliant devices and appliances
- F. Office monitoring
- G. Elevator recall and fire fighter service for elevators
- H. Fan shut down
- I. Monitor fire suppression system

#### **Miscellaneous:**

Provide public address equipment and PA speakers in public areas. Provide equipment and components to make announcements from the owner's phone system.

#### Site Design:

A. Meet the Montgomery County Zoning Ordinance, for Schedule of Use Area and Height Control including but not limited to lot area, lot depth, lot width, lot

- coverage, setbacks and building heights.
- B. Provide a landscaped Plaza area defining the arrival point to the County Office Building.
- C. Provide for a turn out lane at the main entrance to the County Office Building to allow for public drop off.
- D. Provide for separate access location for delivery vehicles.
- F. Materials for the site construction and streetscape amenities must be compatible with the materials and finishes being used for the County Office Building: These include but are not necessarily limited to granite, curbing, concrete pavers, ornamental tree grates, bollards and benches.
- G. Site lighting should inleude decorative poles and fixtures

# Attachment to Resolution

**2007 – Resolution 236** 

## Montgomery County REQUEST FOR PROPOSALS

REQUEST FOR PROPOSALS

Montgomery County Department of Public

Works Project

#### RFP #05-07

QUALIFIED OWNER/DEVELOPER FOR THE CONSTRUCTION OF A DEPARTMENT OF PUBLIC WORKS FACILITY

#### Montgomery County PURCHASING DEPARTMENT 20 Park Street Fonda, NY 12068

#### **NON-PROPOSER RESPONSE**

RFP #05-07

The Montgomery County Purchasing Department is interested in the reasons why proposers fail to submit proposals. Please indicate your reason(s) by checking all appropriate item(s) below and returning this form to the above address.

- Could not meet Scope of Services.
- o Items or materials requested not manufactured by us or not available to our company.
- o Insurance requirements too restricting.
- o Bond requirements too restricting.
- o Scope of Services not clearly understood or applicable (too vague, too rigid, etc.).
- o Project not suited to firm.
- o Quantities too small.
- o Insufficient time allowed for preparation of proposal.
- Other reasons; please state and define:

Vendor Name: Contact Person: Vendor Address: Vendor Telephone:

## Montgomery County PURCHASING DEPARTMENT County Annex Building 20 Park Street Fonda, NY 12068

RFP NUMBER: 05-07

TITLE: Qualified Owner/Developer for the Construction of a New Municipal Building

#### **Receipt Confirmation Form**

Please complete and return this confirmation form as soon as possible to:

Scott Surento Purchasing Agent Montgomery County

County Annex Building, 20 Park Street Fonda, NY 12068

IF YOU PLAN TO SUBMIT PROPOSAL, YOU MUST RETURN THIS FORM TO ENSURE THAT YOU WILL RECEIVE ALL FURTHER COMMUNICATION REGARDING THIS RFP.

Company Name:			
Address:			
City:	State:	Zip Code:	
Contact Person:			
Title:			
Phone Number:	Fax Number:	E-Mail:	
If a Bidders/Proposers me	eting has been arranged	for this RFP, please indicate if	you plan to
attend:Yes	/ No		
I authorize Montgomery C an urgent nature by the fo		respondence that the County de	ems to be of
Courier Collect:		Mail	

#### NOTICE TO PROPOSERS – Montgomery County REQUEST FOR PROPOSALS #05-07

Sealed Proposals for RFP #05-07 for a **Qualified Owner/Developer for the Construction of a New Department of Public Works Facility** as requested by Montgomery County will be received by the Montgomery County Purchasing Agent, County Annex Building, 20 Park Street, Fonda, NY 12068 until 4:00 PM, local time on October 11, 2007.

Any Proposal not received and time stamped by the Montgomery County Purchasing Department by 4:00 PM on October 11, 2007, will not be accepted.

Complete Request for Proposal (RFP) documents may be obtained at the office of the Montgomery County Purchasing Department, County Annex Building, 20 Park Steert, Fonda, New York 12068 by the prospective Proposer or a designated representative.

The Purchasing Department shall keep a record of all prospective Proposers obtaining RFP documents. Any Proposer not on record as having received RFP documents from the Purchasing Department shall not be considered for a Proposal award.

A pre-proposal conference will be held on September 18, 2007 at 10:00am at the Montgomery County Annex Building, 20 Park Street, Fonda, NY 12068 This will be the only scheduled conference. Interested Proposers are strongly encouraged to attend.

Montgomery County reserves its right to reject any and all Proposals, to waive any and all informalities and to disregard all non-conforming, non-responsive or conditional Proposals.

Minority Business Enterprises and Women's Business Enterprises are encouraged to respond.

PUBLISH ONE DAY B \_\_\_\_\_

Scott Surento Purchasing Agent PH 518-853-3351

PUBLISH ONE DAY B	

Dated: September 7,2007

Fonda, New York

#### Montgomery County REQUEST FOR PROPOSALS #05-07 Department of Public Works Facility

#### SECTION 1: PROJECT OVERVIEW AND PURPOSE

- 1.1 Montgomery County is seeking proposals from a qualified owner/developer for the construction of a new Department of Public Works Facility to be leased to Montgomery County. The proposed site location must be within the geographic limits of Montgomery County, New York.
- 1.2 The facility must be constructed by the proposer at its own expense in accord with the guidelines set forth in this RFP and in compliance with the New York State Building Code and Mongomery County Department of Public Works Facility Design Criteria a copy which is attached hereto as "Exhibit B". Proposer must demonstrate their financial ability to perform this project.

A PRE-PROPOSAL CONFERENCE WILL BE HELD ON SEPTEMBER 18, 2007, at the County Annex Building, 20 Park Street, Fonda, NY 12068, at 10:00 a.m. This will be the only scheduled conference. Proposers interested in submitting Proposals are strongly urged to attend.

- 1.3 The lease should be for a thirty (30) year term, commencing <u>January 1, 2009</u> with the County reserving a purchase option at year(s) 7, 15, and 20 together with such other terms as set forth in greater detail in Lease Agreement annexed hereto and made part of this RFP as ''Exhibit A@.
- 1.4 The new facility must be constructed and ready for occupancy, as evidenced by the issuance of a certificate of occupancy by the local municipality having jurisdiction on or before **December 31, 2008. TIME IS OF THE ESSENCE.**
- 1.5 It is anticipated that the new building will be approximately 86,000 square feet in gross area
- 1.6 Acceptance of a proposal and authorization for the County to enter into a Lease Agreement to go forward with this project is subject to and contingent upon a duly enacted approval resolution by the Montgomery County Board of Supervisors, including SEQRA approval.
- 1.7 The facility design is subject to the review and approval of the Montgomery County Board of Supervisors. In the event, said approvals are not obtained, the County reserves all rights to cancel the Lease Agreement without further obligation to the Proposer/Landlord.
- 1.8 a. There should be adequate onsite parking to fulfill the needs of the facility.
  - b. The project site should be located in Montgomery County.
  - c. Proposer must pay prevailing wages to all contractors/subcontractors on this project. (Prevailing Wage Schedule PRC#2007006590 attached)

#### **SECTION 2: QUALIFICATION OF PROPOSER**

Provide a statement of Proposer qualifications including:

- 2.1 Provide the name, a brief history and description of your firm. Include your firm's most recent annual report.
- 2.2 Identify your firm's professional staff members who would be involved in the County engagement and the experience each possesses and the location of the office from which each work.
- 2.3 Name and title of person(s) authorized to bind the Proposer, together with the main office address, and telephone number (including area code).
- 2.4 Detail your firm's experience with the construction of Municipal Buildings.
- 2.5 Provide references from similar projects including name, addresses and telephone numbers.
- 2.6 Provide any additional information that would distinguish your firm in its service to Montgomery County.
- 2.7 In addition, Montgomery County may make such investigations it deems necessary to determine the ability of the Proposer to perform the work. The Proposer shall furnish to the County, within five (5) days of a request, all such information and data for this purpose as may be requested. The County reserves the right to reject any Proposal if the information submitted by, or investigation of, such Proposer fails to satisfy the County that such Proposer is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein. Conditional Proposals will not be accepted.
- 2.8 Signature Requirements, Financial Responsibility and Experience:
  Proposals must be signed by a duly authorized official(s) of the Proposer, consortia, joint ventures, or teams submitting proposal, although permitted, will not be considered responsive unless it is established that all contractual responsibility rests solely with one firm or one legal entity which shall not be a subsidiary or affiliate with limited resources. Each proposal should indicate the entity responsible for contract execution on behalf of the proposal team.

The proposer should submit, as part of its proposal, details with respect to its financial soundness an overall capacity to perform its obligations under the proposed lease with the County. In this regard, the Proposer should submit whatever data and other information it deem pertinent in addition to that indicated below. Care must be taken to ensure that the data submitted, except when otherwise indicated, is directly related to the Proposer as the involved entity and is not derived from data or financial statements of merged entities or a parent company unless the full financial data for the Proposer itself is clearly and separately indicated on the statements.

The following information is specifically required from the Proposer:

- A. Whether the Proposer is the fee owner of the property that is the subject of its proposal.
- B. The source(s) of the Proposer's financing for the work to be undertaken pursuant to its proposal.
- C. Five (5) years of audited financial statements if applicable.
- D. Five (5) years of a parent company's audited financial statements if applicable.
- E. Has the proposer filed for or been in bankruptcy or creditor protection in the last ten years?

- F. Where there is a parent company, does or will the parent guarantee the subsidiary's obligations? See the lease provision for security section 4.C.
- G. The length of time the Proposer has been in the business of providing commercial structures, either through new construction or rehabilitation of existing structures.
- H. Examples of commercial construction or rehabilitation performed by the proposer in the past five (5) years.
- I. The inclusion of letters or other forms of references with respect to similar projects performed by the Proposer in the past five (5) years.
- J. The capabilities of the Proposer to perform its obligations should it be selected to enter into a lease agreement with the County, as evidenced by its leadership and management personnel, reputation, size of organization, experience, financial stability and resources.
- 2.9 Prohibited Interest or Members, Officials, or Employees of the State of New York, Montgomery County and Local Public Bodies:

No official, employee or member of a governing body of Montgomery County, New York State, or a local public body having jurisdiction within Montgomery County, shall have any interest, direct or indirect, in any resultant contract or the proceeds thereof during his or her tenure or one year thereafter. The award of a contract is subject to provisions of all Federal, State and County laws. All firms must disclose with their proposals the name of any officer, director or agent who is also an employee of Montgomery County. Further, all firms must disclose the name of any County employee who owns, directly or indirectly, an interest of ten percent (10%) or more in the firm or any of its subsidiaries or affiliates.

#### 2.10 Avoidance of Conflict of Interest:

All proposals shall contain an affirmation that the Proposer, and its employees, consultants, and contractors, if any, will not seek to participate in this project, either directly or indirectly, except in accordance with the definitive terms of the Request for Proposal or those which may be sequel to it.

#### 2.11 Equal Employment Opportunity:

In connection with this proposal, the Proposer shall not discriminate against any person for any reason of race, color, religion, national origin, age, marital status, handicap, social disadvantage, or disabled Vietnam-era veteran status. The Proposer will take affirmative action to assure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, national origin, age, marital status, handicap, social disadvantage, or disabled Vietnam-era veteran status. Such action shall include, but not limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

The Proposer will furnish all necessary information and reports and will permit access to its books, records and accounts by the County for purposes of investigation to ascertain compliance with the provisions of any resultant contract.

#### 2.12 Sexual Harassment Policy:

As with discrimination involving race, color, religion, age, sexual orientation, disability and national origin. Montgomery County also prohibits sex discrimination, including sexual harassment of its employees in any form. The County will take all steps necessary to prevent and stop the occurrence of sexual harassment in the workplace.

A. This policy applies to all County Employees and all personnel in a contractual relationship with the County. Depending on the extent of the County's exercise of control, this policy may be applied to the conduct of non-County employees in the workplace.

B. This sexual harassment policy includes, but not limited to, inappropriate forms of behavior described by the Equal Employment Opportunity Commission.

Sexual Advances that are not welcome, requests for sexual favors and other verbal or physical conduct of sexual nature constitutes sexual harassment when:

- 1. Submission to such conduct is made either explicitly or implicitly a term of condition of an individual's employment; -OR
- 2. Submission or rejection of such conduct by an individual is used as a basis for employment decisions, such as a promotion, transfer, or termination, affecting such individual; -OR
- 3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

#### 2.13 Non-Collusion:

The Proposer, by signing the proposal, hereby warrants and represents that any ensuing agreement has not been solicited or secured, directly or indirectly, in a manner contrary to the laws of the State of New York and Montgomery County, and that said laws have not been violated and shall not be violated as they relate to the procurement of the performance of the agreement by any conduct, including the paying or giving of any fee, commission, compensation, gift, gratuity or consideration of any kind, directly or indirectly, to any County employee, officer or official.

#### 2.14 Freedom of Information Law:

The New York State Freedom of Information Law as set forth in Public Officers Law, Article 6, Sections 84-90, mandates public access to government records. However, proposal submitted in response to this RFP may contain technical, financial background or other data, public disclosure of which could cause substantial injury to the Proposer's competitive position or constitute a trade secret. Proposers who have good faith belief that the information submitted in their proposals is protected from disclosure under the New York Freedom of Information Law shall clearly identify in a separate letter submitted with the proposal the pages of the proposals containing such information, together with the line or other appropriate designation. The Proposer shall also type in bold face on the top of each page, "THE PROPOSER BELIEVES THAT THIS INFORMATION IS PROTECTED FROM DISCLOSURE UNDER THE STATE FREEDOM OF INFORMATION LAW." The Proposer shall explain in sufficient detail why such information should not be disclosed. The County assumes no liability for disclosure of information so identified, provided that the County has made a good faith legal determination that the information is not protected under applicable law or where disclosure is required to comply with an order or judgment of a court of competent jurisdiction.

The contents of the proposal, except portions "Protected from Disclosure" which is accepted by the County may become part of any agreement resulting from this RFP.

#### SECTION 3: PROPOSAL SUBMISSION REQUIREMENTS RECEIPT OF PROPOSALS

- 3.1 Each proposal shall state that it is a firm offer for a period of ninety (90) days from the proposal opening date. After the expiration of the firm offer period, if no award has been made, a proposal may be withdrawn if the Proposer does so in writing to the name and address identified in Section 3.3 below otherwise proposals remain in effect. Post submission modification requirements are set forth in Section 3.9 below, and are only applicable where a material and substantial mistake is identified.
- 3.2 The proposals submitted must include the following items:

- A. Location Plan of the proposed building indicating the location of all available public transportation, parking facilities highways, etc.
- B. Site Plan of the proposed building indicating location of required parking, building entrance and other pertinent features.
- C. Floor Plans of the proposed building with indications of square footage and areas proposed for occupancy by the Municipal Building.
- D. Rendered Building Elevations.
- E. Description of Materials and Finishes as well as other key features that characterize the proposed building. Provide photographs if available.
- F. Proposed Project Schedule indicating duration of design phase, contract document phase, approvals and construction of the facility.
- G. Resumes of key personnel to be assigned to this project.
- H. Descriptions of recent and relative experience in past projects. Demonstrate ability to perform, manage and operate projects of this nature.
- I. Total Costs Projected costs shall be provided by a pro-forma financial statement.
- J. Project Budget . Financial Statement Each proposal shall include the Proposer's current corporate financial statement.
- L. MWDBE Plan Description of policies, programs and initiatives utilized to achieve the participation of MWDBE firms (i.e. supplier diversity programs, mentorship programs, training/seminars, opportunity fairs).

In addition, after the proposals are submitted to the County, interviews with the most qualified responsive parties may be scheduled. Each party may be expected to make a formal presentation on the content of its proposal and its ability to undertake the required work.

#### 3.3 Inquiries

All inquiries regarding the County and the proposal arising during the process of proposal preparation are to be made in writing and submitted via certified, return receipt mail no later than two weeks prior to the proposal due date. Answers to those inquiries will be made via certified, return receipt mail to all potential proposers. Questions must be received at least two (2) weeks prior to the proposal due date; or otherwise will not be answered. Only questions in writing will be binding, oral or other interpretation or clarifications will be without legal effect.

Telephone: (518) 853-3351

Telephone: (518) 853-3351

Inquiries are to be directed in writing to:

Scott Surento Montgomery County Purchasing Agent County Annex Building, 20 Park Street Fonda, NY 12068

#### 3.4 Proposal Delivery:

Six (6) copies of the proposal and all attachments shall be delivered in sealed envelopes. All proposals must be received no later than 4:00 pm on October 11, 2007 and should be addressed as follows:

Scott Surento Montgomery County Purchasing Agent County Annex Building, 20 Park Street Fonda, NY 12068

### 3.5 Addenda and Supplements to Requests for Proposal In the event that it becomes necessary to revise any part if this RFP, or if additional information is necessary to enable the Proposer to make adequate interpretation of the

provisions of this RFP, a supplement to the RFP will be provided to each Proposer via certified, return receipt mail.

- 3.6 Cost of Proposal Preparation

  No reimbursement will be made for any costs incurred for preparation of proposal and/or interviews.
- 3.7 Submission of any proposal indicates acceptance of the conditions contained in the RFP, unless the Proposer clearly and specifically notes otherwise in its proposal.
- 3.8 The County reserves the right to waive any and all informalities and to disregard all nonconforming, non-responsive or conditional proposals.
- 3.9 Modification and Withdrawal of Proposals
  - A. Proposals may be modified or withdrawn at any time prior to the opening of the proposals by an appropriate document duly executed (in a manner that a proposal must be executed) and delivered to the place where proposals are to be submitted.
  - B. If within twenty-four (24) hours after the proposals are opened, any Proposer files a duly signed written notice and promptly thereafter demonstrates to the reasonable satisfaction of the County that there was a material and substantial mistake in the preparation of its proposal, that Proposer may withdraw its Proposal and the Proposal Security will be returned. Thereafter that Proposer will be disqualified from making a further or additional proposal on the services contemplated by this RFP.

#### **SECTION 4: PROJECT REQUIREMENTS**

#### Section 4.1 Codes and Standards

Design and construction shall be in compliance with all applicable codes, rules and regulations including, but not limited to the following:

- a) Building Code of New York State
- b) NFPA 101 Life Safety Code
- c) American Disabilities Act (ADA)
- d) American National Standard Institute (ANSI)
- e) All work to comply with the IBCO Construction and Energy Codes that New York State has adopted, reference Standards
- f) Local zoning ordinances
- g) All plans must be approved by Montgomery County and local building officials.

All plans must be reviewed and approved and should comply with the Requirements of Exhibit B attached hereto.

#### **SECTION 5: PROPOSAL EVALUATION**

- 5.1 Proposals will remain valid until the execution of a contract by Montgomery County, unless otherwise rejected consistent with this RFP.
- 5.2 Proposals received will be evaluated and scored by Montgomery County. Proposals shall be evaluated based upon a set of weighted criteria. The weight for each criterion, based on a scale of 1 3, with higher weight indicating greater importance of criterion, has been established by Montgomery County.
- 5.3 Criteria will be rated on a scale of 1 10, with higher scores indicating greater degree of approval by the evaluation team. A rating will be assessed by Montgomery County for each criterion for each proposal.
- 5.4 The evaluation process is designed to award the proposal not necessarily to the proposer of least cost, but rather to the proposer with the best combination of attributes based on the evaluation criteria. A score shall be calculated for each criterion for each proposal. The score shall be the product of the rating assessed by the evaluation team for any given criterion, multiplied by the pre-established weight for that criterion. The total of the scores for all criteria in each proposal will be known as the Proposer's final score.

#### 5.5 Criteria and weights are as follows:

CRITERIA	WEIGHT $(1-3)$
Proposer's comprehension of the required (work) Scope of Services	3
Prior experience in similar projects	3
Professional Qualifications	3
Total proposed price	3
Proposer's demostrated capabilities (equipment, financial solvency, locat	ion) 2
Length of time in business	2

Client references	2	
Staffing – (Evaluation of Employees' Resumes)	1	
Appropriateness of Site	3	
Site preparedness – Schedule	3	
Proposer's demonstrated capability to achieve adequate levels of MWDBE		1

5.6 Proposals will be examined and evaluated by Montgomery County with the advice of the Montgomery County Purchasing Agent to determine whether the requirements of this RFP are met and to make a recommendation to the Montgomery County Board of Supervisors for contract award.

#### **SECTION 6: INDEMNIFICATION**

6.1 The Successful Proposer shall defend, indemnify and save harmless the County, its employees and agents, from and against all claims, damages, losses and expenses (including without limitations, reasonable attorneys' fees) arising out of, or in consequence of, any negligent or intentional act or omission of the Successful Proposer, its employees or agents, to the extent of its or their responsibility for such claims, damages, losses and expenses.

#### **SECTION 7: PROPOSAL SECURITY**

- 7.1 Each Proposal must be accompanied by a bid bond or certified check in the amount of One Million dollars (\$1,000,000) in United States currency drawn upon a national or state bank or trust company, to the order of Montgomery County, Fonda, New York. If a proposal is accepted, the successful Proposer will enter into a contract for the same and will execute such further security as may be required for the performance of the contract. PROPOSAL SECURITY SHALL BE INCLUDED WITH THE PROPOSAL AT TIME OF PROPOSAL OPENING; FAILURE TO DO SO WILL CAUSE REJECTION OF PROPOSAL.
- 7.2 The Proposal Security of the Successful Proposer will be retained until such Proposer has executed the lease, whereupon it will be returned. If the Successful Proposer fails to execute and deliver the lease within fifteen (15) days of the Notice of Award, the County may annul the Notice of Award and the Proposal Security of that Proposer will be forfeited.
- 7.3 Proposal Security of other Proposers will be returned within seven (7) days after the contract has been fully executed with the successful Proposer.

#### **SECTION 8: INSURANCE AND SECURITY REQUIREMENTS**

- 8.1 The Successful Proposer will be required to procure and maintain at its own expense, the following insurance coverage:
  - A. **Worker's Compensation and Employer's Liability Insurance:** A policy or policies providing protection for Employees in the event of job related injuries.
  - B. **Automobile Liability Insurance:** A policy or policies of insurance with the limits of not less than \$1,000,000 combined for each accident because of bodily injury sickness or disease, sustained by any person, caused by accident, and

arising out of the ownership, maintenance or use of any automobile for damage because of injury to or destruction of property, including the loss of use thereof, caused by accident and arising out of the ownership, maintenance or use of any automobile.

C. **General Liability Insurance:** A policy or policies or comprehensive all-risk insurance with limits of not less than:

Liability For:	Combined Single Limit

Property Damage	\$2,000,000
Bodily Injury	\$2,000,000
Personal İnjury	\$2,000,000

- 8.2 Each policy of insurance required shall be of form and content satisfactory to the Montgomery County Attorney:
  - A. Montgomery County shall be named as an additional insured on all liability and workers' compensation policies. **Proposal number must appear on insurance certificate.**
  - B. The policy shall not be changed or canceled until the expiration of thirty (30) days after written notice to Montgomery County. It shall be automatically renewed upon expiration and continued in force unless Montgomery County is given at least thirty (30) days written notice to the contrary.
- 8.3 No work shall be commenced under the lease until the successful Proposer has delivered to the County Purchasing Agent or his designee proof of issuance of all policies of insurance required by the lease to be procured by the successful Proposer. If at any time, any of said policies shall expire or become unsatisfactory to the County, the successful Proposer shall promptly obtain a new policy and submit proof of insurance of the same to the County for approval. Upon failure of the successful Proposer to furnish, deliver and maintain such insurance as above provided, the lease may, at the election of the County, be forthwith declared suspended, discontinued or terminated. Failure of the successful Proposer to procure and maintain any required insurance, shall not relieve the successful Proposer from any liability under the lease, nor shall the insurance requirements be construed to conflict with the obligations of the successful Proposer concerning indemnification.

#### **SECTION 9: APPROVALS**

Any lease agreement is conditioned upon approval by the Montgomery County Board of Supervisors pursuant to a duly enacted resolution;

#### **SECTION 10: LIQUIDATED DAMAGES**

10.1 Time is of the essence of this Agreement and that Montgomery County will suffer financial loss if the requested work is not completed within the times specified, plus any extensions thereof. Delays, expense and difficulties will be involved in proving the actual loss suffered by Montgomery County if the requested work is not completed on time. Accordingly, instead of requiring such proof, Montgomery County and the Successful Proposer will agree that as liquidated damages for delay (but not as a penalty) the Successful Proposer shall pay Montgomery County One Thousand Dollars (\$1,000.00) for each day that expires after the time specified for Substantial Completion until the requested work is substantially complete. After substantial completion, if the successful Proposer shall neglect, refuse, or fail to complete the remaining work within the time specified for completion and readiness for final payment or any proper extension thereof granted by Montgomery County, the successful Proposer shall pay Montgomery County One Thousand Dollars (\$1,000.00) for each day that expires after the time specified for completion and readiness for final payment.

#### **SECTION 11: ALTERNATIVES**

11.1 Proposer may include in its Proposal items not specified in this RFP, which it would consider pertinent. All such alternatives must be listed separately from the Proposal and the cost thereof must be separate and itemized.

#### NOTICE OF JOB VACANCIES

- 1. The Contractor recognizes the continuing commitment on the part of Montgomery County to assist those receiving temporary assistance to become employed in jobs for which they are qualified, and the County's need to know when jobs become available in the community.
- 2. The Contractor is encouraged to notify the County when the Contractor has or is about to have a job opening for a <u>full time position</u> within Montgomery County or any contiguous County. The County requests that notice be given as soon as practicable after the Contractor has knowledge that a job opening will occur. The notice should contain information that will facilitate the identification and referral of appropriate candidates. This would include at least a description of conditions for employment, including the job title and information concerning wages, hours per week, location and qualifications (education and experience).
- 3. Please provide notice of job vacancies in writing to:

Montgomery Workforce Solutions Center 2620 Riverfront Center Amsterdam, NY 12010 Phone: 518.842.3676

Montgomery County Department of Social Services County Office Building, P.O. Box 745 Fonda, NY 12068

Phone: 518.853.4646

4. The Contractor recognizes that this is an opportunity to make a good faith effort to work with Montgomery County for the benefit of the community. Nothing contained in this

provision however, shall be interpreted as an obligation on the part of the Contractor to employ any individual who may be referred by or through the County for job openings as a result of the above notice.

#### NON-COLLUSIVE BIDDING CERTIFICATE PURSUANT TO SECTION 103-D OF THE NEW YORK STATE GENERAL MUNICIPAL LAW

- A. By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organizations, under penalty of perjury, that to the best of knowledge and belief:
- (1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor.
- (2) Unless otherwise required by law, the prices which have been quoted in this bid have not knowingly been disclosed by the bidder and will not knowingly be disclosed by the bidder, directly or indirectly, prior to opening, to any bidder or to any competitor.
- (3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

A bid shall not be considered for award nor shall any award be made where (1), (2), and (3) above have not been complied with; provided, however, that in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons thereof. Where (1), (2), and (3) above have not been complied with, the bid shall not be considered for any award nor shall any award be made unless the head of the Purchasing Unit to the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customer of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning of paragraph "A" above.

B. Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, local law, and where such bid contains the certification referred to in paragraph "A" of this section, shall be deemed to have been authorized by the Board of Directors of the bidder, and such authorization shall be deemed to include the submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation

	Signature	
	Title	
Date	Company Name	

# ACKNOWLEDGMENT BY PROPOSER

STATE OF NEW YORK	
COUNTY OF	) SS.: )
personally appeared to me on the basis of satisfa subscribed to the within instru in his/her/their capacity(ies),	in the year 2007 before me, the undersigned,, personally known to me or proved actory evidence to be the individual(s) whose name(s) is (are) ment and acknowledged to me that he/she/they executed the same, and that by his/her/their signature(s) on the instrument, the upon behalf of which the individual(s) acted, executed the
	Notary Public
STATE OF NEW YORK	) ) SS.:
COUNTY OF	)
personally appeared to me on the basis of satisfa subscribed to the within instru in his/her/their capacity(ies),	in the year 2007 before me, the undersigned, personally known to me or proved actory evidence to be the individual(s) whose name(s) is (are) ment and acknowledged to me that he/she/they executed the same, and that by his/her/their signature(s) on the instrument, the upon behalf of which the individual(s) acted, executed the
	Notary Public

### EXHIBIT A

# LEASE AGREEMENT

# **PARTIES**

AGREEMENT OF LEASE, made as of the day of in the year 2007 by and between hereinafter referred to as Landlord, and Montgomery County , State of New York a municipal corporation duly organized and existing under the laws of the State of New York with offices at, hereinafter referred to as the County or Tenant:
WITNESSETH; the parties hereto for the considerations hereinafter mentioned covenant and agree as follows:
LETTING
1. The Landlord hereby leases to the Tenant and the Tenant hereby hires from the Landlord the following described premises for the term of this Lease and subject to the terms, covenants, agreements and conditions hereinafter set forth, to each and all of which Landlord and Tenant hereby mutually agree.
PREMISES:
A new Department of Public Works Facility located at . The premisies are to be used primarily for the
at . The premisies are to be used primarily for the operation of Montgomery County Municipal services.
2.TO HAVE AND TO HOLD the said premises with the appurtenances, rights and privileges for the term
beginning with, 2008
and ending , 2038
In the event Landlord has not obtained a Certificate of Occupancy on or before DATE , 2008, then Tenants obligation to pay rent shall not begin until such time as Landlord obtains a Certificate of Occupancy.
RENT
3a. The Tenant shall pay the Landlord for the premises base rent at the following rate per annum:
Payable to:
in equal monthly installments on the first day of each month throughout the term of this Lease Agreement.
The Tenant agrees to pay the Landlord the specified rent herein provided upon receipt of proper vouchers therefor. Vouchers are to be provided to the County by the Landlord on or before the first day of each month.

**EXECUTORY CLAUSE** 

3b. It is understood and agreed by and between the parties hereto that the contract of the County hereunder shall be deemed executory only to the extent of the monies available for the leasing of said premises and that no liability shall be incurred by the County beyond the monies available for such purpose.

### **POSSESSION**

- 4. a) The parties recognize that the premises described in paragraph 1 above are to be utilized for purposes of Montgomery County and are to be constructed in accord with the Landlord's Proposal dated, \_\_\_\_\_\_\_, pursuant to the project plan and specifications attached hereto as Exhibit "B" and in accord with Rider "A" annexed hereto and made a part hereof.
- b) Landlord recognizes and acknowledges that the project design must be approved by Montgomery County and the local building officials . In the event the project design is not so approved, then the County reserves the right to cancel this contract upon written notice to Landlord, without further obligation to Landlord.
- c) Landlord agrees that the project must be completed and ready for occupancy by Montgomery County as evidenced by the issuance of a permanent Certificate of Occupancy by the local Building Department on or before **DATE**, **2008**, Time of the Essence. In the event possession of the premises has not been delivered to Tenant by **DATE**, **2008**, then Tenant shall be entitled to assess as "liquidated damages" the sum of \$1,000 per day until such time as Landlord provide a Certificate of Occupancy. Tenant may offset any amounts that accrue as liquidated damages against rent due under this contract; or, in the event, Landlord fails to provide the required Certificate of Occupancy, Tenant may pursue all available legal remedies to recover the damages that accrue under this provision.
- d) Landlord will require that all contractors and subcontractors on this project to provide performance and payment bonds to assure timely project completion. General Contractor to provide a performance and payment bond for the full value of the project.
- e) Landlord will require that all contractors and subcontractors obtain appropriate commercial general liability insurance for this project, which insurance shall be primary for any and all claims for bodily injury, death and property damage arising.

Montgomery County shall be named as an "additional insured" on all such insurance policies, and be given at least thirty (30) days prior written notice before the termination of any such policies.

f) Landlord agrees that the County may have access to the building no later than DATE, 2008 for purposes of completing telephone, computer and furniture installation and such other items as the County may need to complete prior to taking occupancy on DATE, 2008.

### **HOLDOVER**

5. Any holdover after the expiration of the said term or any extensions thereof shall be construed to be a tenancy from month-to-month and shall otherwise be on the terms and conditions herein specified, as far as applicable.

### ELECTRIC AND NATURAL GAS SERVICE

To be installed and maintained in accordance with the Codes, Rules and Regulations of the State of New York.

6a. To be supplied by landlord as part of lease agreement and monthly payment, or

6b. Usage cost shall be paid by tenant.

### HEATING AND AIR CONDITIONING

To be installed and maintained in accordance with the Codes, Rules and Regulations of the State of New York.

- 7a. To be supplied by landlord as part of lease agreement and monthly payment, or
- 7b. Usage cost shall be paid by tenant.

### **BUILDING ACCESS**

8. Landlord shall furnish sufficient sets of keys to provide Tenant access to the premises at will.

### WATER

To be installed and maintained in accordance with the Codes, Rules and Regulations of the State of New York.

### **JANITOR SERVICE**

- 9a. To be supplied by landlord as part of lease agreement and monthly payment, or
- 9b. To be the responsibilty of the tenant.

### **FURNISHINGS**

- 10a. To be furnished by landlord before occupancy, or
- 10b. To be furnished by tenant.

### **REPAIRS**

11. Landlord shall be reponsible for repairs of the facility.

### MAINTENANCE - PARKING AREAS, BUILDING EXTERIOR AND GROUNDS

- 12a. Throughout the term of this Lease, Landlord shall maintain and keep in good order, condition and repair the parking area and exterior area of the demised premises at its own cost and expense. If the costs of maintenance of the parking area (including snow removal) and exterior premises increases during any lease year subsequent to the first year of the lease, Tenant shall pay its pro rata share of the costs of any such increase. Tenant shall pay such charge within sixty (60) days after receipt of a statement therefor. Requests for adjustments must be made within one (1) year following the close of the period during which the scalations were incurred or no adjustments will be allowed.
  - 12b. Shall be the responsibility of the tenant.

### **COMPLIANCE WITH LAWS**

13. The Landlord shall, at its own cost and expense ensure that the premises comply with all laws, rules, orders, ordinances and regulations at any time issued or in force, applicable to the demised premises, of the city, county or other municipality, state or federal governments, and each and every department, bureau and official thereof, and of any insurance services organizations having jurisdiction in the premises. The Tenant agrees that it will not use the premises for any purpose which shall be violative of applicable laws, rules, orders, ordinances and regulations.

### LANDLORD'S RIGHT OF ENTRY

14. The Tenant shall permit the Landlord at all usual proper times to enter the premises for the purposes of inspection or sale; and suffer the Landlord to make repairs and improvements to all parts of the building and to comply with all governmental orders and requirements applicable to the building. The Landlord, in exercising the right under this clause, shall not unreasonably interfere with the Tenant's access use and occupancy of the premises. Landlord will take reasonable precautions to respect the confidentiality of Tenant's papers and materials in the event of entry by the Landlord.

### TO LET SIGNS

15. The Tenant shall permit the Landlord during the six (6) months next prior to the expiration of the term to place the usual notices of "To Let" upon the exterior of the demised premises.

### **DESTRUCTION OF PREMISES**

16. If the demised premises are destroyed or so injured by free or the elements or any cause as to render the premises untenantable are unfit for occupancy for the Tenant's uses, as the Tenant in its sole discretion may determine, the Tenant may serve written notice by Certified Mail, Return Receipt, declaring its intent to vacate the premises and may thereafter, as soon as practicable subsequent to the provision of notice, quit and surrender the entire demised premises, in which event rent shall abate from the time of destruction and Tenant shall be relieved of further liability under the Lease.

If however, the demised premises shall be so injured by any cause aforesaid as not to be rendered unfit for occupancy, then the Landlord shall repair the same with reasonable promptness, and may utilize the proceeds of any insurance policy obtained by the County and in that case the rent shall cease or be abated during such repair period, except only that the Tenant shall during such time pay a pro-rata portion of such rent apportioned to the portion of the demised premises which are in condition for occupancy or which may be actually occupied during such repairing period.

All improvements or betterments placed by the Tenant on the demised premises shall, however, in any event be repaired and replaced by the Tenant at his own expense and not at the expense of the Landlord, provided the injury and damage to such improvements or betterments have been caused without the fault of neglect of the Landlord, his agents or employees.

If the demised premises are destroyed or injured by fire or the elements or any other cause the Tenant shall give notice thereof to the Landlord with reasonable promptness.

In the event the Premises are so insured or destroyed as above described, any advance rental paid by Tenant to Landlord shall be apportioned to the date of the destruction and the difference promptly returned by the Landlord to the Tenant

### **INSURANCE**

17. Tenant, at its sole cost and expense shall maintain in force throughout the term of this Lease, or any extension or renewal thereof, from an insurance company authorized to do business in the State of New York, a combined single limit (bodily injury and property damage on an occurrence basis) liability insurance policy with limits no less than Two Million Dollars (\$2,000,000) plus excess umbrella coverage of Two Million Dollars (\$2,000,000), and a policy

of fire and extended coverage, vandalism and malicious mischief, hazard insurance having an amount of insurance equal to the full replacement values of the building in which the premises are located, which Policies shall name \_\_\_\_\_\_\_ its successors and/or assign as an additional insured (in the case of fire insurance. as an insurable interest may appear). The Tenant shall deliver certificates of such insurance to Landlord prior to the beginning of the term of this Lease and thereafter not less than thirty (30) days prior to the expiration of any such policy. All such policies shall contain a provision that Landlord shall receive at least thirty (30) days notice prior to material change or cancellation.

### **INDEMNIFICATION**

18. Tenant agrees that neither Landlord nor its partners, employees, agents or representatives shall be liable and hereby waives all claims against Landlord, its partners, employees, agents and representatives for damage to any property or injury or death of any person in, upon or about the premises arising at any time and from any cause other than by reason of the negligence or intentional misconduct of Landlord, its authorized employees, agents and representatives, and Tenant shall indemnify and hold harmless Landlord, and its partners, employees, agents and representatives from any and all loss, cost, damage and expense incurred or suffered by Landlord or said other parties arising out of or resulting from (i) the use or occupancy of the premises, except such as is caused by negligence or intentional misconduct of Landlord, its authorized agents or employees, or (ii) the willful misconduct or negligence of Tenant or its agents, contractors, employees, licensees or invitees. The provisions of clause 16 shall survive the termination of this Lease with respect to any damage, injury or death prior to its termination.

### **REAL ESTATE TAXES**

19. In addition to the Base Rental payable pursuant to paragraph 3(a), for each calendar year (or partial year) of the term of this Lease, Tenant shall pay all real property and school taxes promptly when billed. Landlord agrees that Tenant may, at its sole cost and expense, in its own name or in the name of Landlord, or in the name of both, file such applications or protests for the correction or reduction of tentative assessed valuations and bring such actions or proceedings as Tenant may deem advisable, and Landlord agrees to sign, at the request of Tenant, such applications, protests and other instruments as may be reasonably necessary for a review by the applicable municipalities, or by any court, of such assessed valuation. In connection with any such proceedings, Landlord agrees to make available to Tenant, for a presentation before such municipalities, or any such court, such books, records, and other evidence as in the reasonable opinion, of counsel for Tenant may be necessary or advisable for the proper prosecution of any such action or proceeding. Landlord will reasonably cooperate with Tenant in filing any application necessary for obtaining any partial exemption from taxes to which the Building may be entitled including but not limited to, any exemption permitted pursuant to Real Property Tax Law Section 485-b.

### **SET OFF**

20. In the event Landlord refuses or fails to make repairs or provide services for which it is responsible under the terms and conditions of this Lease the Tenant, upon reasonable notice to the Landlord, and, at its sole option, may either: (i) make such repairs or provide such services, deducting all the costs incurred thereby from the rental which is or shall be owing Landlord: or (ii) not make such repairs nor provide such services and deduct from said rental a reasonable amount for the diminution in value of the premises due to such disrepair or lack of services. The provisions of this paragraph are in addition to, and not in lieu of, any and all rights and remedies available to Tenant at law or in equity.

In the event Tenant quits the demised premises such that it remains responsible for

payment of rent to the Landlord, the total rental to be paid the Landlord shall be reduced by that portion of the rental reserved attributable to charges for utility and other services for which Landlord is obligated to provide pursuant to terms of this Lease whether or not such charges have been itemized.

Furthermore, in the event Tenant shall so quit the premises Landlord shall be obligated to make all reasonable efforts to re-let the demised premises in order to minimize the losses of the Tenant. The Landlord shall not in any event be required to pay the Tenant any surplus of any sums received by the Landlord on a reletting of said premises in excess of the rent reserved in the Lease. In no event shall the Landlord, without the consent of the Tenant, grant free rent for the use of said premises.

### **SUBORDINATION**

21. This Lease is subject and subordinate to all ground, or underlying leases, and to all mortgages which may now or hereafter affect such leases, or the real property of which the demised premises form a part, and to all renewals, modifications, consolidations, replacements and extensions thereof. However, no property owned or removable by the Tenant shall be subject to the lien or paramount mortgages. This provision shall be self-operative, and no further instrument of subordination shall be required by any mortgagee. In confirmation of such subordination, Tenant shall execute promptly any certificate that Landlord may request that comports with this Agreement.

However, this Lease shall be subject and subordinate to the lien of any future mortgage or any future underlying lease provided that the holder of any such mortgage or the Landlord under any such underlying lease shall agree in the mortgage or lease or otherwise that this Lease shall not be terminated or otherwise affected by the enforcement of any such mortgage or underlying lease, provided that at the time thereof this Lease shall not be in default, and the Lessee when requested by the holder of such mortgage or the Landlord under any such underlying lease shall execute an attornment and non-disturbance agreement to the holder of such mortgage or the Landlord under any such underlying lease should either succeed to the rights of the Lessor under this Lease.

### **QUIET ENJOYMENT**

22. The Landlord covenants with the Tenant that the Tenant, on complying with the terms of the Lease, shall and may peacefully and quietly have and enjoy the said premises.

### **CONDITION OF PREMISES**

23. The Tenant shall at the end of the term quit and surrender the demised premises in as good order and condition as when received, normal wear and tear and damage by the elements, including fire, excepted.

### **NOTICE**

24. Any notice by the Tenant to the Landlord shall be deemed to be duly given if hand delivered or mailed by certified mail, addressed to the Landlord at the address given above, and any notice by the Landlord to the Tenant shall be deemed to be duly given if mailed by certified mail addressed to the Montgomery County Board of Supervisors, ADDRESS.

### **NEW LANDLORD**

25. In case the demised premises or the building of which the same is a part shall be sold, conveyed, transferred, assigned, leased or sublet, or if the Landlord shall sell, convey, transfer or assign this lease or rents due under this Lease, or if for any reason there shall be a change in the manner of which rental, reserved hereunder shall be paid to the Landlord, proper written notice of such charge shall be filed immediately by the Landlord with The Board of Supervisors, also at ADDRESS. No notice given to the County in the cases provided in this paragraph shall be deemed sufficient until filed as herein provided.

In the event the demised premises or the building of which the same shall be sold, transferred, assigned, leased or sublet, or if the Landlord shall sell transfer or assign this Lease or the rents due hereunder, to a person or persons employed by the County and subject to the provisions of Section 73 of the Public Officers Law, or if subsequent to the execution of this Lease it is found that Landlord is such a person, then upon written notice to Landlord, or his successors and assigns Tenant shall have the right to cancel this Lease effective as of the date given in said notice.

### **BROKERAGE FEES**

26. The Landlord warrants that no person or selling agency has been employed or retained to solicit or secure this Lease upon an agreement understanding for a commission, percentage, brokerage, contingent fee or other compensation excepting bonafide employees or bonafide established commercial or selling agencies such as licensed Real Estate Brokers or others duly authorized by law to engage in real estate transactions for compensation in the State of New York and retained by the Landlord for the purpose of securing business. For breach or violation of this warranty the County shall have the right to annul this Lease without liability, or in its discretion to offset the full amount of such commission, percentage, brokerage contingent fee or other compensation against the rental or consideration provided for in the Lease and to recover any balance in excess of such rental or consideration by legal action.

### MERGER CLAUSE

27. It is understood and agreed by and between the parties hereto that no representations or promises have been made in respect to the demised premises other than those contained herein except those as may be contained in a rider attached to and made a part of this Lease.

### LANDLORD'S INTEREST

28. The Landlord represents that the demised premises above described are controlled by the Landlord and that there are no underlying leases and ground leases.

### **NO DEVIATIONS**

29. It is understood and agreed by and between the parties hereto that the agency in possession is not authorized to allow any deviations from the provisions of this Lease, including substitutions for, or additions to, items of construction or alterations, or commit the County in any way, absent further approval of the County Board of Supervisors.

### **REMOVAL OF PERSONAL PROPERTY**

30. Any and all articles of personal property including, without limitation, business and trade fixtures, machinery, equipment, cabinet work, furniture, movable partitions, carpeting and water coolers, owned or installed by the Tenant at its sole expense are and shall remain the

property of the Tenant and may be removed by it at any time during the Lease term, renewal, extension or holdover period, but Tenant shall not be required to remove them at the end of the Lease term, renewal, extension or holdover period unless it so elects, providing that if such fixtures, machinery, equipment, cabinet work, furniture, movable partitions, carpeting, and water coolers are removed, the cost of repairing any damage to the building arising from such removal shall be paid by Tenant.

### ALTERATIONS BY TENANT

31. It is understood and agreed by and between the parties hereto that during the Lease period, or holdover period the Tenant reserves the right to make minor alterations or installations, including but not limited to carpeting, installation of telephone and related equipment, etc.

### ALTERATIONS BY LANDLORD

32. It is understood and agreed by and between the parties hereto that relative to any alterations or improvements, other than minor alterations as mentioned above, which may subsequently be required, by the agency in possession, the Landlord agrees to provide the Tenant with estimates based upon Tenants plans and specifications for the work to be performed. Upon approval by the Tenant the Landlord shall promptly proceed with the subject alterations or improvements. Payment shall be made within sixty (60) days of completion of the work to the satisfaction of the Tenant in possession, and submission of proper vouchers.

### NON-DISCRIMINATION

33. In accordance with Article 15 of the NYS Executive Law (also known as the Human Rights Law) and all other local, State and Federal statutory and constitutional non-discrimination provisions, during the performance of its obligations under this Lease Agreement, Landlord agrees that it shall not by reason of race, creed, color, national origin, age, sex, disability or marital status: (a) discriminate in hiring or contracting with any person who is qualified and available to perform the Landlord services required under this agreement; or (b) discriminate against or intimidate any employee or contractor hired for the performance of work under this agreement.

### **SIGNS**

34. The Tenant may post and maintain such signs and notices as is reasonably required to inform the public as to its location in the building and shall have a right to have its name and other pertinent information on Landlord's lobby directory board.

### **MARGINAL NOTES**

35. The marginal notes as to contents of particular paragraphs herein are inserted only for convenience, and are in no way to be construed as a part of this Lease or as limitation of the scope of the particular paragraphs to which they refer.

### **CONSENT**

36. The Landlord hereby covenants that whenever the Landlord's consent is required under any provisions of this Lease such consent shall not be unreasonably withheld.

### **NECESSARY SIGNATURES**

37. This Lease shall not be binding and effective upon Montgomery County unless and until the same shall have been approved by duly enacted Resolutions (including under SEQRA) of the Montgomery County Board of Supervisors.

### **OPTION TO PURCHASE**

38a. If Tenant is not in default hereunder, and provided that Tenant shall then be in occupancy of substantially all of the leased Premises, Tenant shall have the right, exercisable, by giving written notice to Landlord after the 7<sup>th</sup>, 15<sup>th</sup> and 20<sup>th</sup> anniversary date of this Lease, to purchase the entire premises for a fair market value sum upon the following terms:

Notice must be in writing and delivered by hand or by registered mail to Landlord at the above address or delivered personally to Landlord. If Tenant does not notify Landlord of its decision to exercise this purchase option during the option period, Tenant's right to buy ends.

The purchase price of the Premises, as determined through the appraisal process described below shall be due and payable at closing.

- a) The County may offer to buy the property at fair market value as determined through a Limited Appraisal prepared by a NYS Certified General Appraiser, MAI.
- b) In the event Landlord does not accept the offer, then within sixty (60) days of receiving the County's appraisal Landlord shall obtain and deliver to the County a Limited Appraisal prepared by a NYS Certified General Appraiser MAI determining fair market value.
- c) In the event the parties are unable to agree on a fair market value purchase price for the property as determined by an exchange of the appraisals obtained pursuant to (a) and (b) above, then within thirty (30) days of the date Landlord appraisal is provided to the County the respective appraisers retained by each party shall select a mutually agreeable third appraiser (NYS Certified General Appraiser, MAI) to prepare a Limited Appraised determining fair market value. The cost of this third party appraisal shall be paid equally by the parties. The purchase price shall be determined by averaging the difference in value between this third party appraisal and whichever appraisal prepared pursuant to (a) and (b) above is closest in value to said third party appraisal.

The closing will take place at the offices of the Montgomery County Board of Supervisors Office, ADDRESS New York, on or before sixty (60) days after the date of delivery of the aforesaid Notice of Tenant's Decision to buy the Premises.

The Closing Payment shall be paid in good certified check or official check of any bank, savings bank, trust company, or savings and loan association having a banking office in the State of New York. A check must be payable to the order of Landlord, or to the order of Tenant and endorsed by Tenant to order of Landlord in the presence of Landlord or Landlord's attorney.

The Premises are to be conveyed subject to: (i) building and zoning regulations; (ii) conditions, agreements, restrictions and easements of record (iii) any state of facts an inspection or survey of the Premises may show as long as does not make the title to the Premises unmarketable; and (iv) unpaid assessments payable after the date of the transfer of title.

Landlord may pay and discharge any liens and encumbrances not provided for in this option. Landlord may make payment out of the balance of the Purchase Price paid by Tenant on the transfer of title.

At the closing, Landlord shall deliver to Tenant a Warranty Deed so as to convey a fee

simple title to the Premises free and clear of all encumbrances. The deed shall be prepared, signed and acknowledged by Landlord in a form acceptable to the Montgomery County Attorney and transfer tax stamps in the correct amount shall be affixed to the deed, all at Landlord's expense.

The following are to be apportioned pro-rata as of the date of delivery of the deed: (i) rents as and when collected; (ii) taxes, water rates and sewer rents based upon the fiscal period for which assessed; and (iii) fuel, if any.

38b. In the event Tenant does not exercise the purchase option during the period described in paragraph 38a above, then after said option period or through the end of the lease term, Tenant shall have a right of first refusal to purchase the premises. In the event Landlord receives a bona fide purchase offer from a third party, Landlord shall provide Tenant with a full copy of the contract proposal and Tenant shall thereafter have 75 days in which to exercise its election to purchase the premises in accord with the terms of said contract offer. Upon such election to purchase, the closing will take place within sixty (60) days in accord with the conditions recited in paragraph 38a above.

IN WITNESS WHEREOF, the parties hereto have caused this Lease to be executed in duplicate originals the day and year first written above.

Dated:	, 2007	BY:	
		M	ontgomery County
Dated:	, 2007	BY:	Montgomery County

STATE OF NEW	YORK	)	
COUNTY OF		) SS.: )	
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			Notary Public

### RIDER "A"

39. Landlord will at its sole cost and expense construct the new Municipal Building in accord with the Project plans and specifications annexed hereto as Exhibit "B".

Landlord and its contractor, agents and/or employees shall coordinate the project with the Montgomery County Board of Supervisors. It is understood and agreed that the County's Project Manager or a designated third party representation shall be the County representative who will have full access to the site throughout the project. Any change orders for the project requested by the County may be approved by the Montgomery County Supervisor or their respective designees if less than \$20,000.00. Any change order so requested in excess of \$20,000.00 shall require Board of Supervisors approval.

- 40. If Tenant shall default in the performance of any of Tenant's obligations under this Lease, Landlord, without thereby waiving such default, may (but shall not be obligated to) perform the same for the account and at the expense of Tenant, without notice, in a case of emergency, and in any other case, only if such default continues after the expiration of ten (10) business days from the date Landlord gives Tenant notice of intention so to do.
- 41. Bills for any expenses incurred by Landlord in connections with any such performance by it for the account of Tenant, as well as bills for any Property, material, labor or service provided, furnished, or rendered, by Landlord or at its instance to Tenant, may be sent by Landlord to Tenant monthly, or immediately, at Landlord's option, and shall be due and payable in accordance with terms of such bills.
- 42. Landlord represents and warrants as an inducement to encourage Tenant's occupation of the premises described herein, and as a material term of this Lease, that the said premises are free from hazard, particularly with reference to United States Department of Labor, Occupational Health and Safety Administration Standards for permissible exposure limits for asbestos fibers.
- 43. Landlord warrants that he will, at no cost to Tenant, either direct or indirect, and notwithstanding any contrary provision of the Lease or any Rider hereto to the contrary, maintain the premises at all times in compliance with Federal, State and Municipal or Local Laws, rules, regulations or other governmental declarations relating to permissible exposure limits for asbestos fibers or relating to the handling, treatment or removal, of asbestos containing materials as such standards exist as of the date hereof or as such standards may be changed at any time in the future.
- 44. Notwithstanding any provision of this Lease or any rider or addendum hereto, Landlord agrees and stipulates that each and every breach of any warranty or representation contained in this clause, and without regard to any measure or relative magnitude of the breach, shall constitute a default under this Lease which shall entitle Tenant, in addition to all other rights and remedies of Tenant, to deduct from the rental or other monetary obligation of Tenant, or to recover by action all costs, direct or indirect and resulting from any cause whatsoever, incurred by Tenant as a result of such breach.
- 45. In the construction of this project the Landlord shall abide by the provisions of Article 8 of the State Labor Law. The Landlord agrees that the wages to be paid any workman, laborer, mechanic, floor waxer, or office cleaner for cleaning and maintenance of the demised premises, shall not be less than the prevailing wage for the locality in which the work is to be performed. The prevailing wage schedule will be provided by the Department of Labor to the Landlord at the request of Montgomery County.

IN WITNESS WHEREOF, the parties hereto have caused this Lease to be executed in duplicate originals the day and year first written above.

	LANDLORD/OWNER
Dated:, 2007	BY:
	<b>Montgomery County</b>
Dated:, 2007	BY:
, 2007	Montgomery County

STATE OF NEW	YORK	)	
COUNTY OF		) SS.: )	
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			Notary Public

### EXHIBIT B

### MONTGOMERY COUNTY DEPARTMENT OF PUBLIC WORKS FACILITY DESIGN CRITERIA

# The following general guidelines apply:

- 1. There are to be two separate site entrances. One for the office staff and one for County Equipment.
- 2. The office area for Administation, Engineering, and Accounting shall be separate but adjacent to the Shop / Maintenance area.
- 4. This is a multi use building. Construction type, fire areas, exit capacity and toilets must comply with the standards for this occupancy.

# **Materials and Finishes:**

- A. Department of Public Works Buildings are heavily used facilities. The design concept should reflect the purpose of the facility. Materials and finishes should be selected for resistance to abuse and. ease of maintenance.
- B. All wall surfaces in office areas should be painted. Toilet rooms should be painted with vinyl composite tile (VCT) flooring.
- C. Partitions between offices should extend 6" above the ceiling. Partitions between office space and shop / maintenance area should be constructed full height to deck to isolate noise from the office space.
- D. Floor coverings in selected offices will be carpeted. Vinyl composition floors will be used elsewhere. Shop / maintenance should be exposed concrete with cure-n-seal floor sealer.
- E. Ceilings in office space will generally be mineral acoustic tile in a 2'x4' grid pattern. Shop / maintenance area can be with out ceilings, unless required by code.
- F. Utility, mechanical spaces can be without ceilings, unless required by Code.
- G. Doors are to be welded hollow metal frames with hollow metal doors, fire rated when required.
- H. Utility / Mechanical closet doors and exterior stair doors will be custom steel in welded steel bucks.
- I. Door latching will be heavy-duty mortise locksets with removable cores. The building will be supplied with construction cores until the facility is turned over to the County. Hinges will be heavy-duty ball bearing type. Trim will comply with handicapped codes.

# The Building Shell:

- A. The exterior of the building should be a pre-engineeringed metal building with masonry façade at entrace to office area. Inside of exterior wall should include an eight (8) foot high liner panel. Exterior wall insulation should be included.
- B. Windows in the office area should be fixed double paned, thermal break anodized aluminum with tinted glass.
- C. The building envelope should be a "Star" or equal Pre-Engineered Metal Building.
- D. The roof covering will be MR-24 roof with 6" vinyl faced batt insulation
- E. Exits and entrances will be protected by a roof unless they are on the property line and directly adjacent to a public sidewalk.
- F. Four (4) automated overhead doors should be included. Two (2) should be 14' high.

## **Heating and Cooling:**

A. The office space of the building is to be fully ventilated, heated and cooled. The type of system used will be determined by its applicability to the spaces served and its ease of maintenance. The Shop / maintenance area should be tempered

- (50 degrees F) with heat.
- B. The building will be provided with a vehicle exhaust system and CO monitioring system or as required by code.
- C. Mechanical Provide a HVAC system which includes a variable volume variable temperature (VVT) for the office space. Provide airside economizers for the air handling equipment.
- D. Plumbing Providing all plumbing including all necessary fixtures with potable and sanitary piping as well as in floor oil / grease separators or as required by code.
- E. Fire Protection The facility should have a fully sprinklered NFPA 13 wet pipe system.

### **Security:**

A. There will be full fire alarm system and smoke detection system as required by the Code.

### **Data and Communications:**

A. Every room occupied by county staff will have data outlets in addition to telephone outlets and required convenience outlets. All wiring will be provided by the developer. All telephone instruments, switches and controls will be provided by the County. Fiber optic data wiring to a central point will be provided by the developer. Computers, servers and monitors will be provided by the County.

# **Electric Service and Emergency Generator:**

- A. Electric outlets will be supplied in sufficient number to accommodate each office plus code required convenience outlets. County to provide a list of specialty electrical requirements as required including: lift bays, welders, tables, drill presses, break metal machine, metal lathe, wash bay, and fuel station.
- B. Electrical Service Provide a secondary metered, 480/277 volt, 3 phase, 4 wire electrical service from a Niagara Mohawk (NMPC) source. Excavation, backfill and primary conduits shall be by this contract. Concrete pad for transformer, excavation and backfill at transformer pad and for this service lateral by this contract. Grounding at transformer by this contract. Service lateral by this contract. Assume 1200 amp, 480/277 volt, 3 phase, 4 wire electrical service with (5) 4" conduits, each conduit with (4) 500 kcmil and (1) 4" spare conduit.
- C. Provide a main switchboard with 1200 amp main- switch with ground fault interrupter, utility metering section, customer metering equipment, transient voltage surge suppression (TVSS) and distribution section(s) with branch feeder devices.
- D. Power Distribution and Utilization As a minimum, the electrical design shall include the following:
  - 1. (2) 600 amp distribution switchboards
  - 2. (3) 225 amp 480/277 volt lighting panels
  - 3. (3) 400 amp 480/277 volt power panels
  - 4. (3) 75kVA transformers
  - 5. (3) 45kVA transformers

- 6. 480-208/120 volt, 3 phase 4 wire
- 7. (3) 225 amp main circuit breaker panelboards, each 42 circuits
- 8. (3) 150 amp main circuit breaker panelboards, each 42 circuits
- E. Provide convenience outlets throughout building with minimum of one outlet on each wall in individual offices and maximum spacing of 12 feet between outlets in Shop / maintenance area. Provide GFI outlets on outside walls at all exterior doors. Provide dedicated circuits and outlets for copiers, fax machines, data and telephone head end equipment. Provide dedicated circuits for kitchenette appliances. (e.g. microwave oven, refrigerator, etc.) Also proivde dedicated circuits for specialty equipment listed in the program.
- F. Grounding Provide grounding for the electric service, telephone service, gas service, building steel, metal siding, metal roofs and additional grounding and bonding as required per NEC.

# Lighting:

- A. Wherever possible, low wattage energy efficient lighting shall be used.
- B. Offices will generally be lighted by recessed fluorescent fixtures with acrylic lenses. Shop / maintenance area will be generally lighted by industrial, high bay type lighting.
- C. Fixtures shall be selected to minimize the variety of bulbs needed.
- D. Minimum lighting levels shall be 50 foot candles in offices and staff area. 2 x 4 and 2 x 2 recesses fluorescent light fixtures with electronic ballasts and T5 lamps. Provide fixtures with parabolic louvers for offices and staff stations. Provide fixtures with (3) lamps and provide automatic control as required by applicable codes. Provide industrial, high bay type, lighting in the Shop / maintenance area
- E. Site lighting with automatic light control.

### **Telephone / Conduit Distribution:**

Excavation and backfill for telephone service by this contract

- A. (2) 4" conduits from source to main telephone board
- B. Service cable and equipment by others
- C. Telephone closet per floor
- D. (4) 4" conduits between main floor and each closet
- E. 3/4" conduit stub up to accessible space above ceilings for each telephone outlet
- F. 3/4" conduit for all exposed areas
- G. Wiring inside building shall be by this contract
- H. Telephone outlets and teiniinations by this contract

### Fire Alarm:

- A. Fire alarm control panel
- B. Remote annunciator panel
- A. No open wiring in exposed areas
- B. Full coverage with automatic detection
- C. ADA compliant devices and appliances
- D. Office monitoring
- E. Fan shut down
- F. Monitor fire suppression system

### **Site Design:**

A. Meet the Local Municipal Zoning Ordinance, for Schedule of Use Area and Height Control including but not limited to lot area, lot depth, lot width, lot coverage, setbacks and building heights.

- Provide a defining arrival point to the Department of Public Works Building. B.
- C.
- Provide for separate access location for delivery vehicles.

  Materials for the site construction and streetscape amenities must be compatible D. with the materials and finishes being used for the Department of Public Works building: These include but are not necessarily limited to concrete curbing, and protective bollards.

# Attachment to Resolution

**2007 – Resolution 245** 

# Attachment for Resolution 245 of 2007

# August 29, 2008

- Add to Article XII: L. Subject to the provisions of Article VIII (F) (2), (4) and (5) and XI (F) and (H), which may cause a temporary reduction in total number of teaching faculty, the College agrees that the number of full-time teaching positions will not be less than 53.
- II. Delete Article VIII (D)(a)(b)(c)(d) and all other references to the credit hour pool, and substitute a new VII (D) (a) to read as follows:
  - a. No less than sixty-five percent (65%) of all credit hours taught in the spring or fall semesters shall be taught by full-time FACE members. This restriction shall not apply to the summer and winter terms. Furthermore, credit hours taught as part of the "College in the High School" program will be excluded from the 65% computation.
- III. Add sentence at the end of Article XVI (E)(5): a. This subsection shall expire on August 31, 2008.
- IV. In conjunction with the expiration of Article XVI (E)(5) above, the College will establish a new position to be known as Division Chair, subject to impact bargaining with FACE. Included in the duties of a Division Chair will be the oversight, monitoring, evaluating, observing, mentoring, and reviewing the quality of instruction given by both the teachers in the "College in the High School" program and adjunct faculty at the College. Division Chairs will not supervise other full-time FACE members. This position will be in place as of September 1, 2008.

# V. Revise Article XIII (F) as follows

- 1. Unless waived by the Employer, irrevocable notice of early retirement in writing subscribed by the retiring FACE member must be given by the 31 day of December (2007) by those FACE members electing early retirement as of August 31, 2008 and by the 15th day of October (2009) by those FACE members electing early retirement as of August 31, 2010.
- 2. Early retirement compensation shall be based on accumulated sick leave and years of continuous full-time service as of the early retirement date and shall be payable no later than the month of January following retirement.
- 3. no change
- 4. Years of continuous full-time service (September 1 August 31) shall be payable at the rate of Three Hundred Dollars (\$300) per year.
- 5. In addition to compensation for accumulated sick leave and years of full-time service, FACE members with ten (10) or more years of continuous full-time service shall receive up to one-half their base salary immediately prior to retirement to a maximum early retirement compensation benefit (inclusive of sick leave, years of service and salary) of \$20,000; FACE members with twenty (20) or more years of continuous full-time service shall receive such benefit to a maximum of \$40,000. 6. Employees who, as of August 31 of a year subsequent to 2007, will become fifty-five (55) years of age or who will have accumulated ten (10) years of service and who have given timely notice of early retirement shall

retire as of such August 31 and will be compensated at one hundred percent (100%) of the early retirement incentive herein provided.

- 6. The College will budget up to \$160,000 for Early Retirement
- 7. no change
- 8. delete
- 9. delete
- 10. delete
- 11. It is understood that the total amount of early retirement compensation will not exceed \$160,000.
- 12. no change
- 13. The Early Retirement option terminates August 31, 2010.
- 14. Continuous full-time service includes all years (September 1-August 31) that an individual was employed at the college. Leaves such as sabbatical, medical, maternity or Family Medical Leave Act (FMLA) will not constitute a discontinuity of service.
- 15. The date and time for each FACE member applying for Early Retirement shall be recorded. In the event that early retirement incentive requests exceed \$160,000, the incentive will be granted in the order of time of application.
- 16. In the event that a FACE member who is qualified to receive the early retirement incentive is denied the full benefit due to the total early retirement request exceeding \$160,000, that member will be allowed to revoke their application for retirement.

# Delete Schedule D

- VI. Add new subsection to Article XIII: Benefit for Spouse When both spouses are employees of the College, the following three options are available: (a) two single policies, (b) one two-person policy or (c) one family policy. Payment will be made in accordance with the provisions of this Article. The policy must be issued to a member of the FACE bargaining unit.
- VII. Add the following to Article XIII (E): When both spouses are employed by the college, this benefit will not be available except to those who received this benefit prior to September 1, 2007.

### VIII. Schedule E:

- a. Delete (1) and renumber remaining provisions. Also delete portions of the closing paragraphs that relate to credit hour pool.
- b. Amend current (2) [new (1)] to provide as follows:
  - i. The Administration will provide full-time FACE members with the opportunity to teach two overload courses or 6 contact hours of overload (whichever is greater) in the fall semester, spring semester and summer term, and one overload course or 3 contact hours (whichever is greater) in the winter term.
- IX. Delete the first sentence of Article XVIII and substitute the following:
  - a. This contract shall be effective as of September 1, 2006 and shall continue in effect through August 31, 2010.

- X. Intellectual Property Rights: Revise sentence to the bottom of the second page of the MOA dated August 31, 2005:
  - a. This memorandum of understanding will remain in effect until August 31, 2010, at which point it will be evaluated and revised as necessary before readoption.
- XI. Amend Schedule A as follows:
  - a. Effective 9/1/06, the 2006-07 base annual salary of returning bargaining unit members shall be increased by 3.25%.
  - b. Effective 9/1/07, the 2007-08 base annual salary of returning bargaining unit members shall be increased by 3.50%.
  - c. Effective 9/1/08, the 2008-09 base annual salary of returning bargaining unit members shall be increased by 3.50%.
  - d. Effective 9/1/09, the 2009-10 base annual salary of returning bargaining unit members shall be increased by 3.50%.

Salary ranges (Schedule A (2)), the continuing education salary schedule (Schedule A (5)), weighted student contact hours (Article XVI (D)) and professional development (Article VII (A)) shall be increased by the amounts listed above in each year of the agreement.

Within thirty (30) days of ratification retroactive compensation will be distributed. The new salary structure will commence with the first pay period following ratification.

FOR FACE 8/29/07

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### BACKGROUND

During the 2006-07 Academic Year, representatives from Fulton-Montgomery Community College Administration, the Fulton County Board of Supervisors, the Montgomery County Board of Supervisors, and the FMCC Board of Trustees, and members of the Faculty Association of College Educators were involved in contract negotiations. After several months of discussion and mediation, the two negotiating teams came to a four-year agreement between the College and FACE.

# **RECOMMENDATION**

The President recommends that the Board of Trustees accepts and ratifies the attached modifications to the agreement between Fulton-Montgomery Community College and the Faculty Association of College Educators. The Board directs the President to forward these changes to the Fulton County and Montgomery County Boards of Supervisors for ratification and further to incorporate these changes into the FMCC/FACE contract and distribute the completed contract to members of the Administration and FACE.

Signature, Board Chairman	Date

MOTIONRATIFYFACEAGREEMENTSEPT2007

PLEASE NOTE: The Agreement in its entirety between FMCC and the Fulmont Assoc. of College Educators is located at the Montgomery County Board of Supervisors Office, 20 Park Street, Fonda, New York where it may be inspected or procured by any interested persons during business hours.

# Attachment to Resolution

**2007 – Resolution 247** 

# Scope of Services

# For the

# Montgomery County Board of Supervisors August 14, 2007

# Background

Montgomery County is a "participating county" as defined by the Montgomery, Otsego, Schoharie Solid Waste Management Authority Act of 1987, and the public benefit corporation created thereby (hereinafter referred to as "MOSA") is a "planning unit" within the meaning of the regulations of the NYS Department of Environmental Conservation ("DEC") appearing at 6 NYCRR Subpart 360-15. MOSA has submitted, and DEC has approved, a local solid waste management plan pursuant to those regulations.1

The County is a party to a Service Agreement by and between it, MOSA, and the Counties of Otsego and Schoharie that binds the contracting parties to a term that ends in the spring of 2014. The County is seeking the assistance of counsel as it begins to analyze applicable federal and state requirements and to assess potential strategies for the management of the County's solid waste stream from and after the expiration of the Service Agreement.

It may be noted that the process of developing a new solid waste management facility in New York State (including, among other things, siting, studying, permitting, and constructing the facility) can consume many years of effort, and the County should be commended for its foresight in the initiation of this effort at a suitably early date.<sup>2</sup>

We understand that the County would like counsel to perform two initial tasks (hereinafter referred to as the "work"):

Advise the County regarding (a) the actions that have been taken to date by or on behalf of the County in terms of municipal solid waste management planning and the significance of those actions for the County's new planning effort, (b) the current state of the statutory and regulatory framework governing solid waste management facilities in New York and how that framework could impact the County's effort, and (c) the substantive and procedural requirements that would accompany an attempt to develop a new solid waste management facility pursuant to 6 NYCRR Part 360, and

<sup>2</sup> The regulatory process can involve numerous delays, particularly if litigation interrupts it. A time period

on the order of 5 to 7 years is not to be discounted as a possibility.

<sup>&</sup>lt;sup>1</sup> Extensive engineering work was done in the late 1980's and into the mid 1990's in connection with the planning process, and the primary document was prepared by Smith and Mahoney P.C. in conjunction with Lamont Engineering. It was this document that ultimately created the framework for MOSA.

• Assist the County in developing a formal Request for Proposals ("RFP") designed to elicit offers to provide the County with professional engineering support in connection with its new planning effort.<sup>3</sup>

In terms of deliverables, the advice provided in performing the first task could take the form of one or more memoranda or white papers, one or more briefings or presentations, or any combination of these (at the option of the County) and the assistance provided in performing the second task could include preparation of a preliminary draft model RFP. We expect that performing the work will consume ten to twelve weeks from the time the County officially retains the firm of Green & Seifter Attorneys, PLLC (G & S).

# The First Task

The advice that G & S will provide to the County will include a discussion of a number of provisions of state law as well as relevant local laws and ordinances adopted by municipalities within the County and by the County itself. The state laws that will be addressed include:

- The State Environmental Quality Review Act
- The Uniform Procedures Act
- The Montgomery, Otsego, Schoharie Solid Waste Management Authority Act
- The State Administrative Procedures Act
- The State Solid Waste Management Act
- The County Law
- The General Municipal Law

We will also review and analyze regulations associated with these and other statutes, and we will address relevant developments of federal solid waste law, such as the recent decision of the United States Supreme Court regarding "flow control."

We plan to submit a request to DEC pursuant to the Freedom of Information Law ("FOIL") seeking a review of all filings, submissions, orders, correspondence, and other documentation regarding MOSA and DEC's approval of the local solid waste management plan submitted by MOSA. Finally, we note that we intend to develop a hypothetical "timeline" that will generally identify milestones and discernible time periods associated with developing a new solid waste management facility pursuant to 6 NYCRR Part 360.

<sup>&</sup>lt;sup>3</sup> A key task included in the RFP will be preparation of a comprehensive solid waste management planning document.

<sup>&</sup>lt;sup>4</sup> United Haulers Association v. Oneida-Herkimer Solid Waste Management Authority, 127 S.Ct. 1786 (2007).

<sup>&</sup>lt;sup>5</sup> In the event that DEC does not comply with the FOIL request in a timely fashion, the time for completing the First Task will need to be adjusted appropriately.

# **The Second Task**

The assistance that G & S will provide to the County as it develops an RFP will include a review of similar RFPs issued in the last five years as well as a preliminary assessment of engineering firms that might be good candidates in terms of the services to be sought. In view of the fact that the nature of the services sought will depend in large part on the advice that G & S provides to the County and the decisions reached by the County based on that advice, it is very likely that this task will break down into two sub-tasks, the first involving a review of other RFPs (which would occur prior to the providing of the advice and while that advice is being prepared) and the second involving the design of the RFP (which would take place after the advice has been provided and the County has reacted to it).

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# Attachment to Resolution

**2007 – Resolution 254** 



#### MONTGOMERY COUNTY

Workplace Violence Prevention Policy September 25, 2007

#### **Policy Statement**

Montgomery County has a long-standing commitment to promoting a safe and secure work environment that promotes the achievement of its mission. All members of Montgomery County community are expected to maintain a working and learning environment free from violence, threats of harassment, intimidation or coercion. While these behaviors are not prevalent at Montgomery County, no organization is immune. The purpose of this policy is to address the issue of potential workplace violence in our county, prevent workplace violence from occurring to the fullest extent possible, and set forth procedures to be followed when such violence has occurred.

#### <u>Policy</u>

Montgomery County of New York prohibits workplace violence. Violence, threats of violence, intimidation, harassment, coercion, or other threatening behavior towards people or property will not be tolerated. Complaints involving workplace violence will not be ignored and will be given the serious attention they deserve. Individuals who violate this policy may be removed from Montgomery County property and are subject to disciplinary and/or personnel action up to and including termination, consistent with Montgomery County policies, rules and collective bargaining agreements, and/or referral to law enforcement authorities for criminal prosecution. Complaints of sexual harassment are covered under the Montgomery County's Policy against Sexual Harassment. Montgomery County, at the request of an employee, or at it's own discretion, may prohibit members of the public, including family members, from seeing an employee on Montgomery County property unless necessary to transact Montgomery County related business. This policy particularly applies in cases where the employee will result from an encounter with said individual(s).

#### Scope

All staff, vendors, contractors, consultants, and others, who do business with Montgomery County, whether in Montgomery County facility or off-campus location where Montgomery County business in conducted, are covered by this

policy. This policy also applies to other persons not affiliated with Montgomery County, such as former employees and visitors.

#### **Definitions**

Workplace violence is any behavior that is violent, threatens violence, coerces harasses or intimidates others, interferes with an individual's legal rights of movement or expression, or disrupts the workplace, or Montgomery County's ability to provide services to the public. Examples of workplace violence include, but are not limited to:

- 1. Disruptive behavior intended to disturb, interfere with or prevent normal work activities (such as yelling, using profanity, verbally abusing others, or waving arms and fists).
- 2. Intentional physical contact for the purpose of causing harm (such as slapping, stabbing, punching, striking, shoving, or other physical attack).
- 3. Menacing or treating behavior (such as throwing objects, pounding on a desk or door, damaging property, stalking, or otherwise acting aggressively; or making oral or written statements intended to frighten, coerce, or threaten) where a reasonable person would interrupt such behavior as constituting evidence of intent to cause harm to individuals or property.
- 4. Possessing firearms, imitation firearms, knives or other dangerous weapons, instruments or materials. No one within Montgomery County community, shall have in their possession a firearm or other dangerous weapon, instrument or material that can be used to inflict bodily harm on an individual or damage to Montgomery County property regardless of whether the individual possesses a valid permit to carry the firearm or weapon. This does not include County Law enforcement employees while on duty.

#### Reporting of Incidents

#### 1. General Reporting Responsibilities

Incidents of workplace violence, threats of workplace violence, or observations of workplace violence are not to be ignored by any member of the Montgomery County community. Workplace violence should promptly be reported to the appropriate Montgomery County official. Additionally, employees are encouraged to report behavior that they reasonably believe poses a potential for workplace violence, as defined above. It is important that all members of the Montgomery County community take this responsibility seriously to effectively maintain a safe working and learning environment.

#### 2. Imminent or Actual Violence

Any person experiencing or witnessing imminent danger or actual violence involving weapons or personal injury should call 6-911 immediately.

#### 3. Acts of Violence Not Involving Weapons or Injuries to Persons

Any person who is the subject of a suspected violation of this policy involving violence without weapons or personal injury, or is a witness to such suspected violation, should report the incident to his or her supervisor, or to the Personnel Office.

#### 4. Commission of a Crime

All individuals who believe a crime has been committed against them have the right, and are encouraged, to report the incident to the appropriate law enforcement agency (Montgomery County Sheriffs Office).

#### 5. False Reports

Employees of Montgomery County who make false and malicious complaints of workplace violence, as opposed to complaints which, even if erroneous are made in good faith, will be subject to disciplinary action and/or referral to civil authorities as appropriate.

#### Responsibilities

#### 1. Board of Supervisors

The Board of Supervisors of Montgomery County of New York shall be responsible for the implementation of this policy. The responsibility includes dissemination of this policy to all employees of Montgomery County, ensuring appropriate investigation and follow-up of all alleged incidents of workplace violence, constituting a Workplace Violence Advisory Team, and ensuring that all administrators, managers, and supervisors are aware of their responsibilities under this policy through internal communications and training.

#### 2. Department Heads

Each Department Head, or other person with supervisory responsibility is responsible within his/her area of jurisdiction for the implementation of this policy. Department Heads must report to the Personnel Office any complaint of workplace violence of which he/she becomes aware or reasonably believes to exist. Department Heads are expected to inform Personnel promptly about any complaints, acts, or threats of violence even if the situation has been addressed

and resolved. After having reported such complaint or incident to Personnel, Department Heads should keep incidents confidential and not disclose them further, except as necessary during the investigation process and/or subsequent proceedings. Department Heads are required to contact the Personnel Office immediately in the event of imminent or actual violence involving weapons or potential physical injuries.

#### 3. Personnel Officer

The Personnel Officer is responsible for assisting the Safety Officer and Department Heads in responding to workplace violence; and consulting with, as necessary, counseling services to secure professional intervention. The Personnel Officer or employees of the Personnel Department are responsible for providing new employees with a copy of the Workplace Violence Policy and Procedures and insuring the all county employees receive appropriate training. The Personnel Office will also be responsible annually disseminating this policy to all employees, as well as posting the policy throughout the buildings and on the county website, as appropriate.

#### 4. Workplace Violence Advisory Team

The Workplace Violence Advisory Team consisting of the Safety Officer, Personnel Officer, Sheriff (or sheriff representative) and An Representative of Liability Insurance Carrier. This team will assist in responding to workplace violence; facilitating appropriate responses to reported incidents of workplace violence; assessing the potential problem of workplace violence at its site; assessing the County's readiness for dealing with workplace violence; evaluating incidents to prevent future occurrences; and utilizing prevention, intervention, and interviewing techniques in responding to workplace violence. This team will also develop workplace violence prevention tools (such as pamphlets, guidelines, and handbooks) to further assist in recognizing and preventing workplace violence throughout Montgomery County. It is recommended that this team include representatives from Personnel, Safety and Health, Insurance Carrier, Public Safety, and Law enforcement.

#### Education

Personnel is responsible for the dissemination and enforcement of this policy as described herein, as well as for providing opportunities for training in the prevention and awareness of workplace violence. The Personnel Office will provide assistance in identifying available training opportunities, as well as other resources and tools that can be incorporated into prevention materials for dissemination to Montgomery County employees. Additionally, the Personnel Office will offer periodic (annually) training opportunities to supplement training programs.

#### Confidentiality

Montgomery County shall maintain the confidentiality of investigations of workplace violence to the fullest extent possible. Montgomery County will act on the basis of anonymous complaints where it has reasonable basis to believe that there has been a violation of the Workplace Violence Prevention Policy and that the safety and well being of Montgomery County employees would be served by such action.

#### Retaliation

Retaliation against anyone acting in good faith who has made a complaint of workplace violence, who has reported witnessing workplace violence, or who has been involved in reporting, investigating, or responding to workplace violence is a violation of this policy. Those found guilty of retaliatory action will be subject to discipline up to and including termination.



## Miscellaneous Attachments

## Local Law 1 of 2007

### Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE 41 STATE STREET ALBANY, NY 12231

### (Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

		The state of the s	
		y of Montgomery	
0	Town Village	•	
	Local L	Law No. 1 of the year 20 07	
ΑI	ocal law	ENTITLED "THE MONTGOMERY COUNTY ETHICS RENEWAL LAW"  (Insert Title)	
Ве	it enacte	ed by the Board of Supervisors (Name of Legislative Body)	ofthe
	County City of	•	ollows:
	Town Village	•	
WHE! Monto	REAS, on gomery Co	n January 23, 2007, a proposed Local Law for the County of Montgomery County entitle County Ethics Renewal Law" was presented to the Board of Supervisors for consideration	ed "The on, and
WHEI Hearir and	REAS, on ng be held	n January 23, 2007, Resolution 405 of 2006 was adopted authorizing and directing that ld by the Board of Supervisors on the 27th day of February, 2007 at the time and place	a Public appointed
WHE	REAS, sai	aid public hearing has been held,	
		hat Introductory Local Law No. 1 of 2007 entitled "The Montgomery County Ethics Reno oted and is incorporated as follows:	ewal Law"
A Loc	al Law En	intitled "THE MONTGOMERY COUNTY ETHICS RENEWAL LAW"	
Be it e	enacted by	by the Board of Supervisors of the County of Montgomery, as follows:	
SECT	ION 1. TI	TITLE.	
This lo	ocal law s	shall be known and may be cited as the "Montgomery County Ethics Renewal Law".	
SECT	ION 2. LE	EGISLATIVE FINDINGS.	

(If additional space is needed, attach pages the same size as this sheet, and number each.)

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. The residents and businesses of Montgomery County are entitled to have fair, ethical and accountable local government. Such a government requires that public officials:

- · Comply with both the letter and the spirit of the laws and policies affecting operations of the government.
  - · Be independent, impartial and fair in heir judgment and actions.
  - · Use their public office for the public good, not for personal gain.
- · Conduct public deliberations and processes openly, unless legally confidential, in an atmosphere of respect and civility.

This local ethics law seeks to fulfill these 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;
- (e) Conduct of Members

Board of Supervisors members and municipal officers shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the Board of Supervisors, boards, commissions, committees, staff or the public; and

(f) 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. SUPERSESSION OF GENERAL MUNICIPAL LAW §808; 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.
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#### 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":

- (1) All "local officers or employees," meaning the heads (other than local elected officials) of any agency, department, division, council, board, commission, or bureau of Montgomery County and their deputies and assistants, whether paid or not, and any other officers and employees of such agencies, departments, divisions, boards, bureaus, commissions, or councils who hold policy making positions, whether unpaid or not, as annually determined by the appointing authority and set forth in a written list which shall be promulgated by the Chairman of the Board each year, prior to January 31st after conferring with the relevant department heads. This list shall include the office, title or job classification of such officers and employees. The term "local officer or employee" shall not mean a Judge, Justice, officer or employee of the Unified Court System.
- (2) All "local elected officials," meaning the County Supervisors, the County Clerk, District Attorney, County Treasurer, County Sheriff and County Coroners.
- (3) All officers and employees whose duties are not of a majority ministerial in nature, or which include duties involving the negotiation, authorization, or approval of:
- (i) Contracts, leases, franchises, revocable consents, concessions, variances, special permits, licenses as defined in section seventy-three of the public officers law;
- (ii) the purchase, sale, rental or lease of real property, goods or services, or a contract therefore;
- (iii) the obtaining of grants of money or loans, or
- (iv) the adoption or repeal of any rule or regulation having the force and effect of law
- 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 twelve 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 official who voted for a particular firm, project, and any County official who voted to create policy or guidelines for any firm, or project 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 six months after the termination of his or her County service or employment; however, there shall be a two year ban as to particular matters on which the County official personally worked on and then voted on 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:

Solicit, directly or indirectly, any gifts or receive or accept any gift having the value of seventy five (\$75.00) dollars, or more, whether in the form of money, services, loan, travel entertainment,

hospitality, thing or promise, or in any other form, under circumstances in which it could be reasonably inferred that the gift was intended to influence him or her, or could reasonably be expected to influence him or her, in the performance of his or her official duties or was intended as a reward for any official action on his or her part.

- 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 of 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 through9 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.

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.

## (Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

<ol> <li>(Final adoption by local legisl I hereby certify that the local law an</li> </ol>	lative body only.)	as local law No.		of 20 07	of
the (County)(City)(Tewn)(Village) of Board of Supervisors (Name of Legislative Body)	on	February 27 20	07 in accor	dance with the applicab	le
(Name of Legislative Body)	VII.				
provisions of law.					
2. (Passage by local legislative Chief Executive Officer*.)					
I hereby certify that the local law an	nexed hereto, designated	as local law No		of 20	of
the (County)(City)(Town)(Village) of				was duly passed by th	1e
	on	20	, and was	(approved)(not approve	d)
(Name of Legislative Body)					
(repassed after disapproval) by the			and v	vas deemed duly adopte	bs
	(Elective Chief Executive	Officer*)			
on in	accordance w ith the app	licable provisions of	f law.		
I hereby certify that the local law an the (County)(City)(Town)(Village) of				was duly passed by the	ne
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(repassed after disapproval) by the			on	20	
	(Elective Chief Executive	Officer*)			
Such local law was submitted to the rote of a majority of the qualified elec	people by reason of a (mactors voting thereon at the	andatory)(permissiv (general) (special)(	e) referendum, and (annual) election h	d received the affirmativeld on	re 
20 in accordance with the a	applicable provisions of la	w.			
I. (Subject to permissive reference hereby certify that the local law ann	dum and final adoption bexed hereto, designated a	pecause no valid p as local law No.	etition was filed r	equesting referendum of 20	ı.) of
he (County)(City)(Town)(Village) of				was duly passed by th	1e
	on _				
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rangesed after disapproval) by the			on .	20 Such loc	al
repassed after disapproval) by the	Elective Chief Executive (	Officer*)			
aw was subject to permissive refere					
20, in accordance with the a					
, in accordance with the a	applicable provisions of la	•••			

<sup>\*</sup> Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

<ol> <li>(City local law concerning Charter revisit I hereby certify that the local law annexed here</li> </ol>	ion proposed by petition.) to, designated as local law No	of 20 of
the City of having I	been submitted to referendum pursuant to the pro-	visions of section (36)(37) of
the Municipal Home Rule Law, and having rece	ived the affirmative vote of a majority of the qualified on, became operative	d electors of such city voting
thereon at the (special) (general) disease. Here		
6. (County local law concerning adoption	of Charter.)	
I hereby certify that the local law annexed here	to, designated as local law No	of 20 of
the County ofState of	of New York, having been submitted to the elector	s at the General Election of
November 20, pursuant to	subdivisions 5 and 7 of section 33 of the Municipal	Home Rule Law, and having
received the affirmative vote of a majority of the	ne qualified electors of the cities of said county as	a unit and a majority of the
qualified electors of the towns of said county co	onsidered as a unit voting at said general election,	became operative.
(If any other authorized form of final adoption	on has been followed, please provide an approp	oriate certification.)
I further certify that I have compared the pred	ceding local law with the original on file in this of	fice and that the same is a
paragraph 1, above.	of such original local law, and was finally adopted	in the manner molcated in
paragraph, above.	Ham track	•
	Clerk of the county legislative body,	City. Town or Village Clerk or
	officer designated by local legislative	e body
(Seal)	Date: 2/28/07	
(Octal)		
		1/11 A //
(Certification to be executed by County Att authorized attorney of locality.)	torney, Corporation Counsel, Town Attorney,	village Attorney or other
STATE OF NEW YORK		
COUNTY OF Montgomery		
SOUNTY OF Management	· ·	
	ng local law contains the correct text and that all pro	oper proceedings have beer
had or taken for the enactment of the local law a	innexed hereto.	
	Wanday E Land	a_
·	Signature	
	County Attorney	
	Title	
:	,	
	County	
	City of Montgomery	
	Town	
	Village	
		•
•	M-nd 15	007
	Date: March 15	2007



## STATE OF NEW YORK DEPARTMENT OF STATE 41 STATE STREET ALBANY, NY 12231-0001

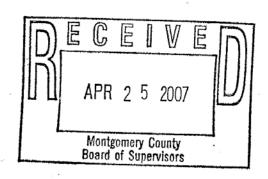
ELIOT SPITZER GOVERNOR April 23, 2007

Montgomery County Board of Supervisors County Annex Building 20 Park Street PO Box 1500 Fonda, NY 12068

RE: County of Montgomery, Local Law No. 1, 2007, filed on 03/22/2007

Dear Sir/Madam:

The above referenced material was received and filed by this office as indicated. Additional local law filing forms will be forwarded upon request.



Sincerely, Linda Lasch Principal Clerk State Records & Law Bureau (518) 474-2755

## Local Law 2 of 2007

Sent 9/12/07

### Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE 41 STATE STREET ALBANY, NY 12231

#### (Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

	County City of Town Village	Montgom	nery		 			
	Local La	aw No.	2		of the year	r <b>20</b> <u>07</u>		
A	local law	which pro		consumption		minors on priv		
Be	it enacted	by the B	oard of Su	ipervisors egislative Body)			of	the
	County City of Town Village	Montgom	ery				as follow	ws:

WHEREAS, on July 24, 2007 a proposed Local Law for the County of Montgomery County which prohibits the consumption of alcoholic beverages by minors on private property was presented to the Board of Supervisors for consideration, and

WHEREAS, on July 24, 2007, Resolution 198 of 2007 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 28th day of August, 2007 at the time and place appointed, and

WHEREAS, said public hearing has been held,

RESOLVED, that Introductory Local Law No. 2 of 2007 which prohibits the consumption of alcoholic beverages by minors on private property hereby is adopted and is incorporated as follows:

BE IT ENACTED, by the County of Montgomery, New York, as follows:

Sec. 1. Prohibition against consumption of alcoholic beverages by minors on private property.

(a) Legislative Intent.

It is the purpose of this section to protect the public interest, welfare, health and safety within the County of Montgomery by prohibiting the services to and consumption of alcoholic beverages and drugs by persons under the age of twenty-one (21) at private premises located in the County. The Montgomery County Board of Supervisors

(If additional space is needed, attach pages the same size as this sheet, and number each.)

finds that the occurrence of social gatherings at private premises where alcoholic beverages or drugs are served to or consumed by persons under the age of twenty-one (21) is harmful to such persons themselves and a threat to public welfare, health and safety. The Montgomery County Board of Supervisors finds further that persons under the age of twenty-one (21) often obtain alcoholic beverages or drugs at such gatherings and that persons who are in control of such premises know or have reason to know of such service and/or consumption and will be more likely to ensure that alcoholic beverages and drugs are neither served to nor consumed by persons under the age of twenty-one (21) at these gatherings.

#### (b) Definitions.

For the purpose of this section, the following terms shall be defined as follows:

Alcoholic beverage means any liquor, wine, beer, spirits, cider or other liquid or solid, patented or not, composed of or containing alcohol or spirits, whether or not brewed, fermented or distilled, and capable of being consumed by a person; except that confectionary containing alcohol as provided in Subsection 12 or 200 Agriculture and Markets Law shall not be considered alcoholic beverage within the meaning of this section.

Control means the authority and ability to regulate, direct of dominate.

Drug means and includes any substance listed in Section 3306 of the Public Health Law.

Minor means any person under the age of twenty-one (21).

Open House Party means a social gathering at a residence or other private property with minors present.

Person means a human being and where appropriate, a public or private corporation, an unincorporated association, a partnership, a government or a governmental instrumentality.

Premises means any home, apartment, condominium, co-operative unit or other dwelling unit of any kind, including yards and open areas adjacent thereto.

#### (c) Prohibition.

No person having control of any premises shall allow an open house party to take place at said residence if such person knows or has reason to know that any alcoholic beverage or drug is being unlawfully possessed, served to or consumed by a minor at said residence.

#### (d) Exceptions.

The provisions of this section shall not apply to:

- (1) The possession or consumption of an alcoholic beverage by persons lawfully permitted to do so pursuant to Section 65-c of the New York State Alcohol Beverage Control Law, or any other applicable law; or
- (2) The possession or consumption of a drug for which the individual has a current, valid prescription or as otherwise permitted by any other applicable law.
- (e) Inconsistency with Other Laws.

- (1) If any part or provision of this section is inconsistent with any federal or sate statute, law, rule or regulation, then such statute, law, rule or regulation shall prevail.
- (2) If any part or provision of this section or the application thereof to any person or circumstance be adjudged invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision of or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this section, or the application thereof to other persons or circumstances.

#### (f) Penalties.

Failure to comply with subsection (c) above shall constitute a violation, punishable by a fine which shall not exceed two hundred fifty dollars (\$250.00), or imprisonment not exceeding fifteen (15) days or a combination of such fine and imprisonment as shall be fixed by the court."

Section 2. This Local Law shall take effect immediately.

, 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.

## (Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legis	ative body only.)	2			
I hereby certify that the local law an	nexed hereto, designated as local law	No	of	20 07	of
the (County)(City)(Tewn)(Village) of	Montgomery		was d	uly passed	by the
Name of Logislative Rody	on August 28	20 07	, in accordance w	vith the app	olicable
provisions of law.					
provisions of law.					
2. (Passage by local legislative Chief Executive Officer*.)	body with approval, no disapproval	or repass	age after disapprova	l by the E	lective
I hereby certify that the local law an	nexed hereto, designated as local law	No	of	20	of
the (County)(City)(Town)(Village) of			was de	uly passed	by the
	on	20	, and was (approv	ed)(not app	proved)
(Name of Legislative Body)					
			and was deer	ned duly a	dopted
	(Elective Chief Executive Officer*)				
on, in	accordance w ith the applicable provis	sions of law	·.		
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(Name of Legislative Body)					
(repassed after disapproval) by the			on	20	<u>.</u>
	(Elective Chief Executive Officer*)				
Such local law was submitted to the prote of a majority of the qualified elec	people by reason of a (mandatory)(per tors voting thereon at the (general) (sp	rmissive) re pecial)(anno	ferendum, and receive ual) election held on	ed the affirm	mative
20 in accordance with the a	pplicable provisions of law.				
I. (Subject to permissive reference hereby certify that the local law anneals	lum and final adoption because no vexed hereto, designated as local law N	valid petitio	on was filed requestir	ng referen	dum.)
he (County)(City)(Town)(Village) of			was du	ly passed	by the
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Name of Legislative Body)	VII		, and was (approve	а)(посары	ovcu,
repassed after disapproval) by the $\overline{(E_{ij})}$	Elective Chief Executive Officer*)	0	n20	Such	ı local
aw was subject to permissive referen	dum and no valid petition requesting s	uch referer	ndum was filed as of _		
0, in accordance with the a					
	PRIORIC PICTICIONO OI IGITA		•		

<sup>\*</sup> Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by I hereby certify that the local law annexed hereto, designated a	s local law No	of 20 of
the City of having been submitted	to referendum pursuant to the	provisions of section (36)(37) of
the Municipal Home Rule Law, and having received the affirmat	ive vote of a majority of the qua	alified electors of such city voting
thereon at the (special)(general) election held on	, became opera	ative.
6. (County local law concerning adoption of Charter.)		100
I hereby certify that the local law annexed hereto, designated a	s local law No.	of 20 of
the County ofState of New York, ha	ving been submitted to the ele	ctors at the General Election of
November, pursuant to subdivisions 5	and 7 of section 33 of the Munic	ipal Home Rule Law, and naving
received the affirmative vote of a majority of the qualified elec-	tors of the cities of said county	as a unit and a majority of the
qualified electors of the towns of said county considered as a u	init voting at said general electi	on, became operative.
(If any other authorized form of final adoption has been fol	lowed, please provide an ap	propriate certification.)
I further certify that I have compared the preceding local law	with the original on file in thi	s office and that the same is a
correct transcript therefrom and of the whole of such original	local law, and was finally ado	pted in the manner indicated in
paragraph 1, above.	. 1 .	
paragraph	Jan Tank	ody, City, Town or Village Clerk or
•	Clerk of the county legislative be	ody, City, Town or Village Clerk or
	officer designated by local legis	lative body
(01)	Date: 9/4/07	
(Seal)	Date.	
Certification to be executed by County Attorney, Corporauthorized attorney of locality.)  STATE OF NEW YORK COUNTY OF Montgomery  , the undersigned, hereby certify that the foregoing local law corporations in the corporation of the corporati		
nad or taken for the enactment of the local law annexed here o.	Signature Signature	rolon
•	County Attorney	
•	Title	
	County City of Montgomery	
		1,40
	Town Village	
	5' nf /	100
	Date: 44	00/
	/	



## STATE OF NEW YORK DEPARTMENT OF STATE

41 STATE STREET ALBANY, NY 12231-0001

ELIOT SPITZER GOVERNOR September 19, 200 TORRAINE A. CORTÉS-VÁZQUEZ SECRETARY OF STATE

Montgomery County Board of Supervisors PO Box 1500 Fonda NY 12068

RE: County of Montgomery, Local Law No. 2, 2007, filed on September

13, 2007

Dear Sir/Madam:

The above referenced material was received and filed by this office as indicated. Additional local law filing forms can be obtained from our website, <a href="https://www.dos.state.ny.us/corp/misc.html">www.dos.state.ny.us/corp/misc.html</a>.

Sincerely, Linda Lasch Principal Clerk State Records and Law Bureau (518) 474-2755



## Local Law 3 of 2007

## Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE 41 STATE STREET ALBANY, NY 12231

### (Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

City of	MONTGO	OMERY		
Town Village				
Local La	w No.	3	of the year 20 07	
local law	(Insert Title)		ES A REAL PROPERTY TAX EXEMPTION FOR COLD	
it enacted	by the B			of the
-	MONTGO	DMERY	•	as follows:
	City of Town Village Local Lad local law it enacted County City of Town	City of MONTGO Town Village  Local Law No.  local law WHICH Is (Insert Title) WAR VE	City of MONTGOMERY Town Village  Local Law No.  WHICH ESTABLISH (Insert Title) WAR VETERANS  Tit enacted by the BOARD OF S (Name of Legis)  County City of MONTGOMERY Town	Town Village  Local Law No. 3 of the year 20 07  local law WHICH ESTABLISHES A REAL PROPERTY TAX EXEMPTION FOR COLD (Insert Title) WAR VETERANS  BOARD OF SUPERVISORS (Name of Legislative Body)  County City of MONTGOMERY Town

WHEREAS, on October 23, 2007 a proposed Local Law which establishes a real property tax exemption for Cold War veterans was presented to the Board of Supervisors for consideration, and

WHEREAS, on October 23, 2007, Resolution 269 of 2007 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 27th day of November, 2007 at the time and place appointed, and

WHEREAS, said public hearing has been held,

RESOLVED, that Introductory Local Law No. 3 a Local Law which establishes a real property tax exemption for Cold War veterans is hereby adopted and incorporated as follows:

SECTION 1. PURPOSE. The General purpose of this Local law is to establish a real property tax exemption for Cold War veterans; provide exemption from taxation and to provide additional exemptions for service-connected disability or death. This local law has been authorized by enabling legislation of an amendment to the Real Property Tax Law of the State of New York, which added a new Section 458-b. The State Legislature and the Governor approved this act in memorandum – No 48 Chapter 655 filed with Senate Bill Number 4697 entitled: "An Act to amend the real property tax law, in relation to authorizing a real property tax exemption for Cold War Veterans".

(If additional space is needed, attach pages the same size as this sheet, and number each.)

SECTION 2. JUSTIFICATION: This Local Law addresses perceived inequity by granting a partial Real property tax exemption to "Cold War Veterans" who served for more than one year on active duty in the United States armed forces between September 2, 1945 and December 26, 1991, who were discharged or released under honorable conditions, and who have been awarded the federal "Cold War Recognition Certificate."

#### SECTION 3. EXEMPTION SCHEDULE:

- 1. Fifteen percent of the assessed value of such property; provided however, that such exemption shall not exceed twelve thousand dollars or the product of twelve thousand dollars multiplied by the latest state equalization rate of the assessing unit, or, in the case of a special assessing unit, the latest class ration, whichever is less.
- B. In addition to the exemption provided by paragraph (a) of this subdivision, where the Cold War veteran received a compensation rating from the United States veterans affairs or from the United States Department of Defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty percent of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed forty thousand dollars, or the product of forty thousand dollars multiplied by the latest state equalization rate for the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.
- C. The exemption provided by paragraph (a) of this Local Law shall be granted for a period of ten years. The commencement of such ten-year period shall be governed pursuant to this subparagraph. Where a qualified owner owns qualifying residential real property on the effective date of this section such ten-year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring on or after the effective date of this section. Where a qualified owner does not own qualifying residential real property on the effective date of this section, such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring at least sixty days after the date of purchase of qualifying residential real property; provided, however, that should the veteran apply for and be granted an exemption on the assessment roll prepared pursuant to a taxable status date occurring within sixty days after the date of purchase of residential real property, such ten year period shall be measured from the first assessment roll in which the exemption occurs. If, before the expiration of such ten-year period, such exempt property is sold and replaced with other residential real property, such exemption may be granted pursuant to this subdivision for the unexpired portion of the ten-year exemption period.

SECTION 4. LIMITATIONS. If a Cold War veteran receives the exemption under Section 458 or 458-a of the New York State Real Property Tax Law, the Cold War veteran shall not be eligible to receive this exemption.

#### SECTION 5. ELIGIBILITY FOR EXEMPTION:

- A. "Cold War veteran" means a person, male or female, who served on Active duty for a period of more than three hundred sixty-five days in The United States armed forces, during the time period from September Second, nineteen hundred forty-five to December twenty-sixth, nineteen Hundred ninety-one, was discharged or released there from under honorable Conditions and has been awarded the Cold War recognition certificate as Authorized under Public Law 105-85, the 1998 national Defense Authorization Act.
- B. "Armed forces" means the United States Army, Navy, Marine Corps, Air force, and Coast Guard.
- C. "Active duty" means full-time duty in the United States armed forces, other than active duty for training.

- D. "Service connected" means, with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in line of duty on Active military, naval or air service.
- E. "Qualified owner" means a Cold War veteran, the spouse of a Cold War veteran, or the unremarried surviving spouse of a deceased Cold War Veteran. Where more than one qualified owner owns property, the exemption to which each is entitled may be combined. Where a veteran is also the unremarried surviving spouse of a veteran, such person may also receive any exemption to which the deceased spouse was entitled.
- F. "Qualified residential real property" means property owned by a qualified owner which is used exclusively for residential purposes; provided, however, that in the event that any portion of such property is not used exclusively for residential purposes, but is used for other purposes, such portion shall be subject to taxation and only the remaining portion used exclusively for residential purposes shall be subject to the exemption provided by this section. Such property shall be the primary residence of the Cold War veteran or the unremarried surviving spouse of a Cold War veteran; unless the Cold War veteran or unremarried surviving spouse is absent from the property due to medical reasons or institutionalization for up to five years.
- G. "Latest state equalization rate" means the latest final equalization rate established by the state board pursuant to article twelve of this chapter.
- H. "Latest class ratio" means the latest final class ratio established by the state board pursuant to title one of article twelve of this chapter for use in a special assessing unit as defined in section eighteen hundred one of this chapter.
- SECTION 6. PROCESS: The owner, or all of the owners, of the property on a form prescribed by the state board, shall make application for exemption. The owner or owners shall file the completed form in the assessor's office on or before the first appropriate taxable status date. The owner or owners of the property shall be required to refile each year. Applicants shall refile on or before the appropriate taxable status date. Any applicant convicted of willfully making any false statement in the application for such exemption shall be subject to the penalties prescribed in the penal law.
- SECTION 7. SAVING CLAUSE: If any court of competent jurisdiction shall adjudge any clause, sentence or paragraph of this Local Law to be invalid, such judgment, decree or order shall affect, impair or invalidate the remainder of the Local Law, which shall as to such remainder remain in effect.

#### SECTION 8. EFFECTIVE DATE:

This act shall take effect January 3, 2008 and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after such date.

, 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.

## (Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body	only.)	3	
I hereby certify that the local law annexed here	to, designated as loca	al law No.	
the (County)(City)(Town)(Village) of MONTGC	DMERY		was duly passed by the
BOARD OF SUPERVISORS	on NOV.	27 20 07	, in accordance with the applicable
(Name of Legislative Body)			
provisions of law.			
•,			
2. (Passage by local legislative body with a Chief Executive Officer*.)			
I hereby certify that the local law annexed here	to, designated as loca	al law No	of 20 of
the (County)(City)(Town)(Village) of			was duly passed by the
	on	20	, and was (approved)(not approved)
(Name of Legislative Body)			(4)
(repassed after disapproval) by the			and was deemed duly adopted
	hief Executive Officer		
on20, in accordance		•	
on n door dank	o ti tai alo applicable	p. 0	
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	on	20	, and was (approved)( not approved)
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Such local law was submitted to the people by revote of a majority of the qualified electors voting	eason of a (mandator thereon at the (gener	ry)(permissive) re ral) (special)(annu	ferendum, and received the affirmative ual) election held on
20, in accordance with the applicable p	provisions of law.	•	
(Subject to permissive referendum and fir I hereby certify that the local law annexed hereto	o, designated as local	law No.	of 20 of
the (County)(City)(Town)(Village) of			was duly passed by the
	on	20	, and was (approved)(not approved)
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(repassed after disapproval) by the ${\textit{(Elective Chi}}$	ief Executive Officer*,	)	on20 Such local andum was filed as of
(repassed after disapproval) by the (Elective Chillaw was subject to permissive referendum and no continuous in accordance with the applicable p	ief Executive Officer*, no valid petition reque	)	

<sup>\*</sup> Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed hereby certify that the local law annexed hereto, designate	ed by petition.)	of 20	of
the City of having been submit	ted to referendum pursuant to the	provisions of section (36)	
the City of that the Municipal Home Rule Law, and having received the affir thereon at the (special)(general) election held on	rmative vote of a majority of the qua	alified electors of such city	voting
6. (County local law concerning adoption of Charter.)			
I hereby certify that the local law annexed hereto, designat	ed as local law No	of 20	of
the County ofState of New York  November20, pursuant to subdivisior  received the affirmative vote of a majority of the qualified equalified electors of the towns of said county considered as	<ul> <li>having been submitted to the elens 5 and 7 of section 33 of the Municelectors of the cities of said county</li> </ul>	ectors at the General Elect sipal Home Rule Law, and y as a unit and a majority	ction of having
(If any other authorized form of final adoption has been I further certify that I have compared the preceding local correct transcript therefrom and of the whole of such original paragraph, above.	I law with the original on file in thi	is office and that the san	ne is a ated in
paragraph, above.	Clerk of the county legislative be	ody, City, Town or Village Cl	lerk or
	officer designated by local legisl	ative body	
(Seal)	Date: 11/28/07		
(Certification to be executed by County Attorney, Cor authorized attorney of locality.)	poration Counsel, Town Attorn	ey, Village Attorney or	other
STATE OF NEW YORK COUNTY OF MONTGOMERY			
I, the undersigned, hereby certify that the foregoing local law had or taken for the enactment of the local law annexed here		Il proper proceedings have	e been
	Title		
	County City of Town		
	V <del>illage</del> ✓ 2	~ -	
	Date: 1001, 2	8, 2007	



# STATE OF NEW YORK DEPARTMENT OF STATE ONE COMMERCE PLAZA 99 WASHINGTON AVENUE ALBANY, NY 12231-0001

LORRAINE A. CORTÉS-VÁZQUEZ SECRETARY OF STATE

ELIOT SPITZER GOVERNOR

March 7, 2008

County Clerk

RE: County of Montgomery, Local Law No. 3, 2007, filed on December 6, 2007

#### Dear Sir/Madam:

The above referenced material was received and filed by this office as indicated. Additional local law filing forms can be obtained from our website: <a href="https://www.dos.state.ny.us/corp/misc.html">www.dos.state.ny.us/corp/misc.html</a>.

Effective 1/22/08, the Department of State, State Records and Law Bureau's new address is: NYS Department of State, State Records and Law Bureau, Suite 600, 99 Washington Avenue (1 Commerce Plaza), Albany, NY 12231.

Sincerely, Linda Lasch Principal Clerk State Records and Law Bureau (518) 474-2755





## **Montgomery County**

20 Park St., PO Box 1500 Fonda, NY 12068-1500

## **Board of Supervisors**

Office (518) 853-4304 Fax (518) 853-8220

July 6, 2007

Kim Sanborn, Clerk of the Board Montgomery County Board of Supervisors 20 Park Street PO Box 1500 Fonda, NY 12068

Dear Ms. Sanborn:

It has come to my attention that the Montgomery County Needs Assessment Committee has met with BBL Construction Services, LLC and/or Columbia Development and potentially may be entering into contract negotiations for a new County Office Building. In accordance with Local Law #1 of 2007, Section 104.2, I am publicly disclosing that I am an employee of BBL Medical Facilities, a division of BBL Construction Services, LLC.

Should the County choose to enter into an agreement with either BBL Construction Services, LLC and/or Columbia Development, the remuneration of my employment will not be affected as a result of such contract and the duties of my employment do not involve the procurement, preparation or performance of any part of such contract. As such, though I may not have a prohibited interest, it is still my intention to recuse myself from any discussion or legislative action.

It is my understanding that this notification will be made part of the official record of the proceedings of the Montgomery County Board of Supervisors and shall be duly filed with the Montgomery County Ethics Board.

Thank you for your attention to this matter.

Sincerely,

Dominick Stagliano

Supervisor, Town of St. Johnsville

Veminick Stagliano

## **Montgomery County**

## **New York**



2007 ADOPTED BUDGET

## **Montgomery County**

Fonda, New York



## 2007 Adopted Budget

Board of Supervisors

Vito L. Greco Barbara M. Johnson Bethany B. Schumann David J. Dybas Albert V. Mancini Thomas P. DiMezza Robert F. McMahon Shayne T. Walters William E. Strevy John B. Thomas Thomas L. Quackenbush Edward R. Paton Sieds Jonker Brian S. Cechnicki Brian R. Haak

County Treasurer/Budget Officer

Shawn J. Bowerman

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## Departmental Budgets:

Fund: A Auditing	pai tilleitta i		200
All Funds	Fund: A  Fund: CD Fund: D Fund: DM Fund: EH Fund: G Fund: MS	Auditing	177 1422545 45365 14227 4556535 1113427 4459 6657 72
Total Appropriations 11	ruliu. ZZ	All Funds	75

1

**BUDGET** Adopted Budget For Department Of Co. Board of Supervisors DEPARTMENT OFFICER EXP/REL ADOPTED MODIFIED REQUESTED RECOMMENDED ADOPTED 2005 2006 2006 2007 2007 2007 **REVENUES** 1290 00 ADMINISTRATION FEES 13,039 14,000 24,500 14,000 1789 00 OTHER TRANSPRTATION INCME 14,000 14,000 2414 00 RENTAL OF EQUIPMENT 28,029 25,000 25,000 20,000 20,000 20,000 2415 00 RENTAL COUNTY BUSES 2680 00 INSURANCE RECOVERIES 2690 00 OTHER COMPENSATION LOSS 0 0 STATE AID 3312 00 ALTRNTIVES TO INCARCERATN STATE AID 3589 00 TRANSPORTATION 44,100 55,900 45,400 45,400 45,400 STATE AID 3594 00 MASS TRANSPORTATION 81,782 86,597 80,000 80,000 80,000 80,000 STATE AID 3889 00 OTHER CULTURE & RECREATN STATE AID 3910 00 CONSERVATION PROGRAMS 75,049 0 0 0 0 FEDERAL AID 4589 00 OTHER TRANSPORTATION-BUS \_0\_ 84,000 163,100 \*\*\*TOTAL REVENUES 197,917 275,997 159,403 159,403 159,403 **APPROPRIATIONS** 1010 00 LEGISLATIVE BOARD 46,838 26,142 1110 ADMINISTRATIVE AIDE 47,372 25,308 47,372 49,459 49,459 122 49,459 1110 CLERK TYPIST 139 8,308 1110 S W RECYCLNG/MKTNG COORD 142 0 0 0 17,000 1110 ACCOUNT CLERK TYPIST 32,783 28,625 28,625 n 0 351 1110 RECEPTIONIST 1110 CLERK TYPIST 554 0 0 0 0 677 n 0 0 n 684 1110 LEGISLATIVE COORDINATOR n 0 n n 699 1110 CONFIDENTIAL AIDE 1110 SR. ACCOUNT CLERK TYPIST n n n 31,000 748 0 n 113,242 \* 78,084 TOTAL FULL-TIME EMPLOYEES 72,980 72,680 72,680 78,084 \* 431 1111 OVERTIME PAY n n n 0 \* OVERTIME PAY TOTAL 0 1120 CHAIRMAN 10,000 10,000 10,000 10,000 10,000 10,000 33 336 1120 PRINCIPAL STENOGRAPHER 7,000 12,500 7,000 7,000 7,000 7,000 7,000 7,000 565 1120 SUPERVISOR 7,000 756 1120 RISK COORDINATOR - P/T 7,000 7,000 7,000 7,000 7,000 1135 1120 SUPERVISOR 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 1136 1120 SUPERVISOR 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 1137 1120 SUPERVISOR 1138 1120 SUPERVISOR 1139 1120 SUPERVISOR 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 1140 1120 SUPERVISOR 1141 1120 SUPERVISOR 7,000 7,000 7,000 7,000 7,000 1120 SUPERVISOR 7,000 7,000 7,000 1142 1120 SUPERVISOR 7,000 7,000 7,000 1143 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 1120 SUPERVISOR 7,000 1144 1145 1120 SUPERVISOR 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 7,000 1146 1120 SUPERVISOR 1120 SUPERVISOR 108,000 108,000 TOTAL PART-TIME EMPLOYEES 108,000 108,000 \* 108,000 \* 120,500 1121 TAXABLE MEALS, ETC.

TAL TAXABLE MEALS, ETC.

1125 OTHER COMPENSATION/RAISE 660 0 0 TOTAL 0 0 0 0 0 0 OTHER COMP. AND RAISES
2220 OFFICE EQUIPMENT TOTAL 0 0 9,161 0 0 2259 COMPUTER EQUIPMENT 129 0 0 0 3,895 2260 OTHER EQUIPMENT n 0 n EQUIPMENT
4407 OFFICE EQUIPMENT \* TOTAL 13,185 0 0 0 0 4408 OFFICE SUPPLIES 1,500 1,000 2,000 703 1,773 1,500

Adopted Budget For Department Of Co. Board of Supe	rvisors EXP/REL 2005	ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED 2007	BUDGET OFFICER RECOMMENDED 2007	PAGE: 2 ADOPTED 2007
4409 OFFICE FURNITURE 4410 UTILITIES 4422 EQUIP RENTAL/LEASE/REPAI 4425 MAINTENANCE AGREEMENTS 4431 PROFESSIONAL SERVICES 4433 COURT RELATED EXPENSES 4437 CLERICAL SERVICES 4441 GASOLINE,OIL,DIESEL FUEL 4453 POSTAGE EXPENSES 4459 COMPUTER SOFTWARE 4460 OTHER PROGRAMS 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 4476 ASSOC/MEMBERSHIP DUES 4491 LEGAL NOTICE&ADVERTISING 4497 FEES & PERMITS 4525 ECONOMIC DEVEL ZONE/ADMI	0 0 0 4,000 78,084 0 0	0 0 0 3,750 50,000 0 0	0 0 0 3,750 37,625 0 0	0 0 0 4,000 50,000 0 0	4,000 40,000	1,500 40,000
4453 POSTAGE EXPENSES 4459 COMPUTER SOFTWARE 4460 OTHER PROGRAMS 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 4476 ASSOC/MEMBERSHIP DUES 4491 LEGAL NOTICE&ADVERTISING 4497 FEES & PERMITS 4525 ECONOMIC DEVEL ZONE/ADMI * TOTAL CONTRACTUAL	0 0 190 500 4,796 503	0 0 250 500 5,100 1,000	0 0 230 500 4,940 1,000	0 0 250 0 5,350 1,000	250 5,350 1,000	250 5,350 1,000
* TOTAL CONTRACTUAL	88,776	61,600	0 0 50,075	100 0 62,700	100	100 49,700
77 1110 COUNTY ADMINISTRATOR 476 1110 EXEC. SEC. TO CTY. ADMIN 570 1110 ACCOUNT CLERK TYPIST 868 1110 DEPUTY CO. ADMINISTRATOR * TOTAL FULL-TIME EMPLOYEES 14 1111 OVERTIME * TOTAL OVERTIME PAY 479 1120 PRINCIPAL STENOGRAPHER * TOTAL PART-TIME EMPLOYEES 327 1125 OTHER COMPENSATION/RAISE * TOTAL OTHER COMP. AND RAISES 631 1130 TEMP EMPLOYEES * TOTAL TEMPORARY EMPLOYEES 1224 1150 ALLOWANCES * TOTAL ALLOWANCES * TOTAL ALLOWANCES 2230 MOTOR VEHICLE EQUIPMENT 2259 COMPUTER EQUIPMENT 4407 OFFICE EQUIPMENT 4408 OFFICE SUPPLIES 4409 OFFICE FURNITURE 4422 EQUIP RENTAL/LEASE/REPAI 4438 MISC. SUPPORTING SERVICE 4455 TRAINING 4470 TRAVEL: RELATED COSTS 4476 ASSOC/MEMBERSHIP DUES * TOTAL CONTRACTUAL	000000000000000000000000000000000000000				* * * * * * *	
116 1110 CLK OF THE BRD OF SUPRVS * TOTAL FULL-TIME EMPLOYEES 393 1120 CLERK OF THE BOARD 1359 1120 SR CLERK TYPIST-PT	0 0 7,000 0	0 0 7,280 0	0 0 7,280 0	0 0 7,608 0	* 7,608	7,608
1340 00 BUDGET  455 1120 DEPUTY BUDGET OFFICER  676 1120 BUDGET OFFICER PT  * TOTAL PART-TIME EMPLOYEES  2259 COMPUTER EQUIPMENT  * TOTAL EQUIPMENT	1,615 5,000 13,615 0	2,080 5,200 14,560 0	2,080 10,000 19,360 0	2,000 10,000 19,608 0	* 19,608 *	2,000 10,000 19,608

Adopted Budget For D	epartment Of Co. Board of Sup	ervisors EXP/REL 2005	ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED 2007	OF RECO		PAGE: 3 ADOPTED 2007
* TOTAL 1910 00 UNALLOCAT		0 0	500 500	500 500	200 200		200 200 *	200 200
* TOTAL	4480 INSURANCES CONTRACTUAL	0	0	0	0	*		
1930 00 JUDGEMENT * TOTAL	4431 PROFESSIONAL SERVICES 4433 COURT RELATED EXPENSES CONTRACTUAL	0 182,763 182,763	0 50,000 50,000	0 50,000 50,000	25,000 25,000 50,000		20,000 20,000 40,000 *	20,000 20,000 40,000
1990 00 CONTINGEN	T ACCOUNT 4400 CONTRACTUAL EXPENSES		600,000 600,000	281,824 281,824	600,000 600,000	5	500,000 500,000 *	500,000
3189 00 COMMUNITY	SERVICE PROGRAM 4592 ALTRNTIVES TO INCARCERAT	0	0	0	0		,	,
3310 00 TRAFFIC C	ONTROL 4449 SPECIAL SUPPLIES & MATER	0	0	0	0	*		1,000 1.000
5630 00 BUS OPERA	TIONS 2230 MOTOR VEHICLE EQUIPMENT	0	0	105,000 105,000	0			1,000
	4401 SEC 18B - MASS TRANSPORT 4403 FEDERAL SECTION 18		94,000 44,100 138,100	100,597 45,400 145,997	94,000 45,400 139,400		94,000 45,400 39,400 *	94,000 45,400 139,400
6420 00 PROMOTION	OF INDUSTRY 4577 BED TAX CONTRIB: TOURISM	•	105,000	105,000	105,000		.05,000	105,000
* TOTAL 6989 00 OTHER ECO	N OPPORTNY & DEV	102,112	105,000	105,000	105,000		.05,000 *	
* TOTAL 7180 00 SPEC.RECR	ET . FACILITY	190,000	190,000 190,000	190,000 190,000	200,000 200,000		.95,000 .95,000 *	195,000 195,000
* TOTAL 8160 00 REFUSE &	GARBAGE	75,049 75,049	0	0	0	*		
	4431 PROFESSIONAL SERVICES 4438 MISC. SUPPORTING SERVICE 4491 LEGAL NOTICE&ADVERTISING	873,915	15,000 824,372 5,000	5,839 824,372 5,000	825,000 0		325,000	830,718
* TOTAL 8710 00 CONSERVAT		883,525 55,000	844,372 55,000	835,211	825,000 60,000		325,000 * 60,000	830,718 60,000
	4588 CONSERVATION COUNCIL CONTRACTUAL	1,000 56,000	1,000 56,000	1,000 61,000	1,000 61,000		1,000 61,000 *	1.000
	4438 MISC. SUPPORTING SERVICE 4575 OPERATIONAL(COOP EXT)	0 119,000 _119,000	0 119,000 119,000	0 119,000 119,000_	0 169,000 169.000	1 * 1	.25,000 .25.000 *	169,000 169,000_
. 3 ///-	***TOTAL APPROPRIATIONS ***LESS OTHER REVENUES ***LESS STATE REVENUES	2,030,741 41,086 156,831	2,359,812 39,000 124,100	2,156,832 49,500 142,497	2,453,150 34,003 125,400	2,2	248,492 34,003 25,400	2,309,210 34,003 125,400
******	***LESS FEDERAL REVENUES ***EQUALS DEPARTMENT COST ************************************		•	84,000	•		•	•

ESTIMATED FRINGES FOR DEPARTMENT OF Co. Board of Supervisors 2006 2007 8810 FICA 15,311.62 15,589.43 8820 RETIREMENT 18,859.00 19,271.99

PAGE: 4

8830 WORKERS COMPENSATION 11,805.05 12,019.27 8850 HOSPITAL & MEDICAL INS 24,594.00 24,594.00 8854 DISABILITY INSURANCE 4,940.00 4,940.00 TOTAL ESTIMATED FRINGE 75,509.67 76,414.69

12/07/06 PAGE: 5 13:07:12

Adopted Budget For Department Of Emergency Managemen		ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED 2007	BUDGET OFFICER RECOMMENDED 2007	ADOPTED 2007
REVENUES		_		_		
STATE AID 3960 00 EMERG DISASTER ASSISTANCE STATE AID 3960 01 NO DESC FEDERAL AID 4305 00 EMERGENCY MANAGEMENT OFF	0 18,904 214 0 25,717	0 0 0 0 14,475	1,000,000 6,335 50,000 375,000 14,475	0 0 0 0 14,475	14,475	14,475
FEDERAL AID 4389 OU OTHER PUBLIC SAFETY FEDERAL AID 4960 OO FED.AID-EMERGEN.DIS.AID	0 1,287	65,000 2,000	65,000 2,000	36,100 2,000	36,100 2,000	36,100 2,000
FEDERAL AID 4960 01 NO DESC	0	0_	_1,125,000_	0_		
***TOTAL REVENUES APPROPRIATIONS	46,122	81,475	2,637,810	52,575	52,575	52,575
3020 00 PUB SAFETY COM SYS 2220 OFFICE EQUIPMENT	0	0	0	0		
2250 TECHNICAL EQUIPMENT	0	2,500	8,200	5,000	40,100	40,100
* TOTAL EQUIPMENT	ŏ	2,500	8,200	5,000		40,100
4407 OFFICE FOULTPMENT	0	0	0	0	,	,
4408 OFFICE SUPPLIES	0 0 8,431	0	0	0		
4409 OFFICE FURNITURE	0 421	0 0	0	0		
4410 UTILITIES 4411 TELEPHONE	0,431	1,800	1,800	3,000	2,500	
4412 LIGHT & POWER	0 0	6,200	10,000	13,000	11,000	11,000
4415 HEATING OIL	551	800	800	1,200	1,200	1,200
4422 EQUIP RENTAL/LEASE/REPAI	8,509	5,000	5,000	5,000	5,000	5,000
4425 MAINTENANCE AGREEMENTS	35,514	44,092	44,092	44,092	44,092	44,092
* TOTAL CONTRACTUAL 3640 00 OFF. EMERGENCY MANAGEMENT	53,005	57,892	61,692	66,292	* 63,792 *	61,292
202 1110 EMERG MGT DIR/CDE ENF OF	35,330	35,015	35,015	36,519	36,519	36,519
452 1110 SR. ACCT.CLERK TYPIST	0	0	, O	0	30,323	•
	22,958 58,288	24,520	24,520	25,533	25,533	25,533
* TOTAL FULL-TIME EMPLOYEES	58,288	59,535	59,535	62,052	* 62,052 *	62,052
158 1111 OVERTIME * TOTAL OVERTIME PAY	449 449 0	0 0	0	0	*	
672 1120 ACCOUNT CLERK TYPIST	0	0	0	0		
* TOTAL DART_TIME EMPLOYEES		ŏ	ŏ		*	
2210 OFFICE FURNITURE	0	0	0	0		
2220 OFFICE EQUIPMENT	0 0 0	0	0	0		
2210 OFFICE FURNITURE 2220 OFFICE EQUIPMENT 2230 MOTOR VEHICLE EQUIPMENT 2250 TECHNICAL EQUIPMENT	0 2 706	60,000 0	60,000 0	0		
2258 KITCHEN/FOOD	3,706 0	0	0	0		
2259 COMPUTER EQUIPMENT	ŏ	ŏ	3,259	ŏ		
* TOTAL EQUIPMENT	3,706	60,000	63,259	0		
4407 OFFICE EQUIPMENT	228	0	143	250	250	250
4408 OFFICE SUPPLIES	1,021 0	1,000 0	1,000	1,500 0	1,250	1,250
4409 OFFICE FURNITURE 4410 UTILITIES	5,078	0	0	0		
4411 TELEPHONE	0	6,000	6,000	6,200	6,200	6,200
4422 EQUIP RENTAL/LEASE/REPAI 4424 EQUIPMENT REPAIRS	977	1,500	1,622	2,000	2,000	2,000
4424 EQUIPMENT REPAIRS 4425 MAINTENANCE AGREEMENTS	0 288	0 400	0 400	0 400	400	400
4438 MISC. SUPPORTING SERVICE	575	0	0	0	400	400
4441 GASOLINE,OIL,DIESEL FUEL	1,654	2,000	2,000	3,000	3,000	3,000
4446 FOOD SUPPLIES	632	300	300	300	300	300
4447 CLOTHING & UNIFORMS	4,008	600	600	700	700	700
4449 SPECIAL SUPPLIES & MATER 4455 TRAINING	1,742 2,294	900 5,000	53,709 5,000	900 2,000	900 2,000	900 2,000
4459 COMPUTER SOFTWARE	0	500	350	2,000	2,000	2,000

Adopted Budget For Department Of Emergency Management		ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED 2007	BUDGET OFFICER RECOMMENDED 2007	PAGE: 6 D ADOPTED 2007
4470 TRAVEL: RELATED COSTS	210	600	600		600	600
4471 MILEAGE ALLOCATIONS 4476 ASSOC/MEMBERSHIP DUES	604 35	0 100	150 100		100	100
4493 EDUC.& TRAIN.PUBLICATION	0	0	0	0		100
4597 M C PURCHASING: INTRAFD	0	0	0			
* TOTAL CONTRACTUAL 3640 01 NO DESC	19,346	18,900	71,974	17,950	* 17,700	* 17,700
2230 MOTOR VEHICLE EQUIPMENT	0	0	45,000	0		
2259 COMPUTER EQUIPMENT	Ö	Ö	80,000	0		
2260 OTHER EQUIPMENT	0	0	72,064			
* TOTAL EQUIPMENT	0	0	197,064	U		
4407 OFFICE EQUIPMENT 4408 OFFICE SUPPLIES	0	0 0	5,000 20,000	0		
4408 OFFICE SUPPLIES  4409 OFFICE FURNITURE	0	0	25,000	0		
4411 TELEPHONE	ŏ	0	935	0		
4422 EQUIP RENTAL/LEASE/REPAI	0	Ō	230,000			
4438 MISC. SUPPORTING SERVICE	0	0	2,396,500			
4441 GASOLINE,OIL,DIESEL FUEL 4446 FOOD SUPPLIES	0	0 0	62,500 2,000	0		
4446 FOOD SUPPLIES  4449 SPECIAL SUPPLIES & MATER	0	0	60,000	0		
4471 MILEAGE ALLOCATIONS	ŏ	0	1,000			
* TOTAL CONTRACTUAL	ŏ	ŏ	2,802,935			
3641 00 S.H.PROG. EMS CLASSES	•	•		•		
2250 TECHNICAL EQUIPMENT	0	0	0	0		
2260 OTHER EQUIPMENT * TOTAL EQUIPMENT	0	0	0	0		
4422 EQUIP RENTAL/LEASE/REPAI	0	1,000	1,000	•		1,250
4424 EQUIPMENT REPAIRS	Ö	0	0	1,230		1,230
4449 SPECIAL SUPPLIES & MATER	330	1,250	2,500	2,250	1,750	1,750
4455 TRAINING	0	1,500	250			1,500
4470 TRAVEL: RELATED COSTS	0	300	300	500		500 500
4471 MILEAGE ALLOCATIONS 4472 FOOD & LODGING	0	0 0	0	750 0		300
4472 FOOD & LODGING 4473 REGISTRATION FEES ETC	0	0	0	250		250
4493 EDUC.& TRAIN.PUBLICATION	Ŏ	Ö	Ö	0		
* TOTAL CONTRACTUAL	330	4,050_	4,050_		_*5,750_	
	135,124	202,877	3,268,709	157,794	189,394	186,894
***LESS OTHER REVENUES ***LESS STATE REVENUES	19,118		1,000,000 431,335			
***LESS FEDERAL REVENUES	27,004	81,475	1,206,475	52,575	52,575	52,575
***EQUALS DEPARTMENT COST	89,002	121,402	630,899	105,219		134,319
************				*****		*****
*****						

ESTIMATED FRINGE	8: 8: 8:	mergency Management 310 FICA 320 RETIREMENT 330 WORKERS COMPENSATION 350 HOSPITAL & MEDICAL INS 354 DISABILITY INSURANCE TOTAL ESTIMATED FRINGE	2006 4,456.12 7,281.25 3,435.63 10,608.00 520.00_ 26,301.00	2007 4,746.95 7,756.49 3,659.88 10,608.00 520.00_ 27,291.32
		TOTAL ESTERNIES PRINCE	20,302100	2.,232.32

FUND: A General Fund DEPT: 03 Fire Service 12/07/06 PAGE: 7 13:07:12

BUDGET Adopted Budget For Department Of Fire Service DEPARTMENT OFFICER EXP/REL ADOPTED MODIFIED REQUESTED RECOMMENDED ADOPTED 2005 2006 2006 2007 2007 2007 **REVENUES** 1589 00 OTHER PUB.SAFE.DEPT.INCM. 300 \*\*\*TOTAL REVENUES 300 300 300 **APPROPRIATIONS** 3410 00 FIRE FIGHTING 1110 SR ACCT CLERK TYPIST 30% 0 0 0 0 1408 1110 ACCT CLERK TYPIST 30% 0 0 0 0 \* TOTAL FULL-TIME EMPLOYEES \* 7,119 7,119 7,119 7,119 \* 7,119 7,119 117 1120 COUNTY FIRE COORDNTR-PT 6,550 6,812 6,812 PART-TIME EMPLOYEES 6,550 6,812 6,812 **TOTAL** 2230 MOTOR VEHICLE EQUIPMENT 0 0 0 0 2250 TECHNICAL EQUIPMENT 0 0 0 2259 COMPUTER EQUIPMENT 0 0 0 \* TOTAL **EQUIPMENT** 0 0 0 4407 OFFICE EQUIPMENT 4408 OFFICE SUPPLIES 0 143 0 97 300 300 300 300 300 4409 OFFICE FURNITURE 0 0 0 0 4410 UTILITIES 0 0 4422 EQUIP RENTAL/LEASE/REPAI 4425 MAINTENANCE AGREEMENTS 1,200 1,700 1,200 1,200 1,200 581 n 4436 MEDICAL FEES 4438 MISC. SUPPORTING SERVICE 1,000 2,500 2,000 2,500 2,500 0 n 0 1,400 4441 GASOLINE, OIL, DIESEL FUEL 719 800 800 800 800 4445 MEDICAL SUPPLIES 4447 CLOTHING & UNIFORMS 4449 SPECIAL SUPPLIES & MATER 4454 CENTRAL PURCHASING n 1,000 1,000 446 90Ŏ 1,250 1,000 1,135 1,000 856 1,000 1,000 1,000 n 1,000 1,000 1,250 1,000 1,000 4455 TRAINING 0 4459 COMPUTER SOFTWARE 0 4460 OTHER PROGRAMS 0 0 n 0 600 600 4470 TRAVEL: RELATED COSTS 19 500 500 600 4471 MILEAGE ALLOCATIONS 18 1,000 1,000 1,000 1,000 1,000 4472 FOOD & LODGING 0 25 100 100 100 4473 REGISTRATION FEES ETC 0 0 100 1,700 4476 ASSOC/MEMBERSHIP DUES 20 4526 EDUCATION PROGRAMS 1,744 1,700 1,700 1,700 1,700 4589 MC PRINTING: INTRAFUND 0 \* TOTAL CONTRACTUAL 10,600 10,599 ,800 11,300\_\* 11,300\_ 18,419 300 \*\*\*TOTAL APPROPRIATIONS 11,329 17,411 18,919 18,419 17,412 \*\*\*LESS OTHER REVENUES 300 300 17,411 18,119 18,119 \*\*\*EQUALS DEPARTMENT COST 17,412 18,619 11,304

\*\*\*\*\*

ESTIMATED FRINGES FOR DEPARTMENT OF Fire Service	2006	2007
8810 FICA	521.11	544.59
8820 RETIREMENT	851.50	889.87
8830 WORKERS COMPENSATION	401.77	419.88
8850 HOSPITAL & MEDICAL INS	.00	.00
8854 DISABILITY INSURANCE	260.00	260.00_
TOTAL ESTIMATED FRINGE	2,034.38	2,114.34

\*

Adopted Budget For Department Of Treasurer	,			DEPARTMENT		
	EXP/RE 2005	EL ADOPTED 2006	MODIFIED 2006	REQUESTED 2007	RECOMMENDED 2007	ADOPTED 2007
REVENUES						
1001 00 REAL PROPERTY TAXES 1051 00 GAIN SALE TAX ACQ PROP 1081 00 PYMT IN LIEU OF TAXES 1082 00 PRIOR VP DILOT/TAX PAYMIS	26,151,447 473,290 882,499	26,601,023 150,000 865,000	26,601,023 150,000 865,000	0 175,000 875,000	175,000 875,000	175,000 875,000
REVENUES  1001 00 REAL PROPERTY TAXES 1051 00 GAIN SALE TAX ACQ PROP 1081 00 PYMT IN LIEU OF TAXES 1082 00 PRIOR YR PILOT/TAX PAYMTS 1090 00 INT/PENAL ON REAL PROP TX 1110 00 SALES AND USE TAX 1113 00 TAX-HOTEL RM OCCUPANCY 1230 00 TREASURER FEES 1235 00 CHGS FOR TAX REDEMPTION	644,660 12,929,750 112,636	625,000 12,650,000 105,000	625,000 12,650,000 105,000	625,000 12,750,000 105,000	105,000	105,000
1230 00 TREASURER FEES 1235 00 CHGS FOR TAX REDEMPTION 1515 00 ALT.TO INCARCERATION FEES 2240 00 COM COLL CAPT COST OTHER	14,875 99,724 3,455 35,548	100,000 3,400 25,000	100,000 3,400 25,000	6,500 100,000 3,000 25,000	6,500 100,000 3,000 25,000	6,500 100,000 3,000 25,000
2320 00 ECON. ASSIT. OTHER GOV'T 2392 00 DEBT SVC. OTHER GOVTS	0	0	0	0	23,000	23,000
2401 00 INTEREST & EARNINGS 2410 00 RENT REAL PROP,INDIVIDUAL	567,883 0	400,000	400,000	450,000 0	450,000	450,000
2610 00 FINES AND FORFEITED BAIL 2620 00 FORFEITURE OF DEPOSITS 2625 00 FORFEITURE CRIME PROCEEDS	5,210 3,734 0	2,500 3,000 0	2,500 3,000 0	4,000 3,000 0	4,000 3,000	4,000 3,000
2652 00 SALES OF FOREST PRODUCTS 2660 00 SALES OF REAL PROPERTY 2665 00 SALES OF FOULTPMENT	0 0 0	0 0 0	0 0 0	0 0 0		
2690 00 OTHER COMPENSATION LOSS 2701 00 REFUND OF PRIOR YRS EXPEN 2710 00 PREM. & ACCRD INT ON BORRO	927,483 42,003	900,000 100,000	900,000 100,000	850,000 50,000	850,000 50,000	850,000 50,000
2715 00 PROC SEIZED UNCLAIM PROP 2720 00 OTB DISTRIBUTED EARNINGS 2770 00 UNCLASSIFIED REVENUES	2,340 165,979 1,897	175,000 1,000	175,000 1,000	150,000 500 0	150,000 500	150,000 500
27/1 00 WORK FOR OTHER GOVERNMENT 2801 00 INTERFUND REVENUES STATE AID 3001 00 STATE REV SHARE, PR CAPITA STATE AID 3005 00 MOREGAGE RECORDING TY FEE	0	3,500 0	3,500 0	0 0 0		
1110 00 SALES AND USE TAX 1113 00 TAX-HOTEL RM OCCUPANCY 1230 00 TREASURER FEES 1235 00 CHGS FOR TAX REDEMPTION 1515 00 ALT.TO INCARCERATION FEES 2240 00 COM COLL CAPT COST OTHER 2320 00 ECON. ASSIT. OTHER GOV'T 2392 00 DEBT SVC, OTHER GOVTS 2440 00 INTEREST & EARNINGS 2410 00 RENT REAL PROP, INDIVIDUAL 2610 00 FINES AND FORFEITED BAIL 2620 00 FORFEITURE OF DEPOSITS 2625 00 FORFEITURE OF DEPOSITS 2625 00 SALES OF FOREST PRODUCTS 2660 00 SALES OF REAL PROPERTY 2665 00 SALES OF REAL PROPERTY 2665 00 SALES OF EQUIPMENT 2690 00 OTHER COMPENSATION LOSS 2701 00 REFUND OF PRIOR YRS EXPEN 2710 00 PREM. & ACCRD INT ON BORRO 2715 00 PROC SEIZED UNCLAIM PROP 2720 00 OTB DISTRIBUTED EARNINGS 2770 00 UNCLASSIFIED REVENUES 2771 00 WORK FOR OTHER GOVERNMENT 2801 00 INTERFUND REVENUES STATE AID 3001 00 STATE REV SHARE, PR CAPITA STATE AID 3005 00 MORTGAGE RECORDING TX FEE STATE AID 3070 00 REAL PROP. TAX ADMIN. STATE AID 3789 00 ECON ASSISTANCE & OPPORT 5031 00 INTERFUND TRANSFERS ***TOTAL REVENUES	10,384 0	5,000 0	5,000 0	5,000 0 0	5,000	5,000
FEDERAL AID 4797 00 ECON ASST. & OPPORT	0	0	0	0		
5031 00 INTERFUND TRANSFERS ***TOTAL REVENUES	_412,1/2_	2,869_ 42.723.792	147,094_ 42.868.017	0_ 00_	16.177.000	16.427.000
APPROPRIATIONS	,,	,,	,,	,_,	,,	,,
1162 00 UNIFIED CT. BUDGET COSTS 4433 COURT RELATED EXPENSES * TOTAL CONTRACTUAL	1,660	1,650 1,650		1,800 1,800	1,800 * 1,800	1,800 * 1,800
* TOTAL CONTRACTUAL 1325 00 TREASURER	1,000	1,030	1,030	1,000	1,000	1,000
1325 00 TREASURER 6 1110 SR ACCT CLERK TYPIST 82 1110 COUNTY TREASURER 98 1110 DEPUTY COUNTY TREASURER 113 1110 ACCOUNTANT 545 1110 ACCOUNTANT 1331 1110 ACCOUNT CLERK TYPIST 1406 1110 PRINCIPAL ACCOUNT CLERK * TOTAL FULL-TIME EMPLOYEES 141 1111 OVERTIME * TOTAL OVERTIME PAY 2220 OFFICE EQUIPMENT 2259 COMPUTER EQUIPMENT	0 52,250 31,569 21,733	0 54,900 36,462 27,558	54,900 36,462 27,558	38,669 29,098	57,299 38,669 29,098	57,299 38,669 29,098
545 1110 ACCOUNTANT 1331 1110 ACCOUNT CLERK TYPIST 1406 1110 PRINCIPAL ACCOUNT CLERK * TOTAL FULL-TIME EMPLOYEES	27,201 22,357 26,754 181,864	28,458 23,420 28,123 198,921	28,458 23,420 28,123 198,921	28,798 24,433 29,560 207,857	24,433 29,560 * 179,059	29,098 24,433 29,560 * 208,157
141 1111 OVERTIME  * TOTAL OVERTIME PAY 2220 OFFICE EQUIPMENT 2259 COMPUTER EQUIPMENT	0 0 3,303	0 0 0 1,500	0	0 0 0 2,400	* 2,400	2,400

Adopted Budget For Department Of Treasurer	EXP/RE 2005	L ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED 2007	BUDGET OFFICER RECOMMENDED 2007	PAGE: 9 ADOPTED 2007
* TOTAL EQUIPMENT	3,303	1,500	1,500	2,400	* 2,400	* 2,400
* TOTAL EQUIPMENT 4407 OFFICE EQUIPMENT 4408 OFFICE SUPPLIES 4409 OFFICE FURNITURE 4410 UTILITIES	1,413 0	1,700 0	1,698 0	1,700 0	1,700	1,700
4410 UTILITIES  4422 EQUIP RENTAL/LEASE/REPAI  4425 MAINTENANCE AGREEMENTS	204 1,275	0 0 1,500	0 0 1,500	0 0 1,250 55,000		1,250 55,000
4438 MISC. SUPPORTING SERVICE	0	00,000	00,000	0		33,000
4410 UTILITIES 4422 EQUIP RENTAL/LEASE/REPAI 4425 MAINTENANCE AGREEMENTS 4431 PROFESSIONAL SERVICES 4438 MISC. SUPPORTING SERVICE 4455 TRAINING 4459 COMPUTER SOFTWARE 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 4476 ASSOC/MEMBERSHIP DUES 4477 SEWER &WATER REPAYMT/GLE 4497 FEES & PERMITS	566 847 439	300 1,000 650	300 1,000 640 350	600 1,300 650	600 1,300 650	600 1,300 650 235
4477 SEWER &WATER REPAYMT/GLE 4497 FEES & PERMITS 4499 LEGAL REFERENCE 4579 COUNTY CONTRIB: TOURISM 4589 MC PRINTING: INTRAFUND TOTAL CONTRACTUAL  1362 00 TAX ADVERTISE AND EXPENSE	111,257 60 93	109,495 180 110	110	112,338 120 0	112,338 120	112,338 120
4589 MC PRINTING: INTRAFUND  * TOTAL CONTRACTUAL	178,135	0 175,275	2 184,475	0	* 173,193	* 173,193
4438 MISC. SUPPORTING SERVICE 4491 LEGAL NOTICE&ADVERTISING	55,000 6,800	55,000 9,000		9,000	9,000	9,000
* TOTAL CONTRACTUAL 1380 00 FISCAL AGENT FEES 4400 CONTRACTUAL EXPENSES * TOTAL CONTRACTUAL	1,186	2,000 2,000	2,000 2,000	2,000	2,000	2,000
* TOTAL CONTRACTUAL 1940 00 PURCHASE LAND/RIGHT O WAY 2999 REAL PROPERTY PURCHASE * TOTAL EQUIPMENT	0 0	0 0	0 0	0	*	2,000
1950 00 TAXS & ASSESS 4400 CONTRACTUAL EXPENSES * TOTAL CONTRACTUAL			6,200 6,200	7,000 7,000	7,000 * 7,000	7,000 * 7,000
4400 CONTRACTUAL EXPENSES  * TOTAL CONTRACTUAL				450,000		440,000
2495 00 CONTRIB TO COMM COLLEGE 4552 COMMUNITY COLLEGE * TOTAL CONTRACTUAL	1,258,321 1.258.321	1,295,821 1,295,821	1,295,821 1,295,821	1,345,821 1.345.821	1,345,821 *1.345.821	1,345,821 *1.345.821
9700 00 DEBT SERVICE 7106 SERIAL BOND PRINCIPAL 7107 SERIAL BOND INTEREST 7306 BOND ANTIC. NOTE PRINC. 7307 BOND ANTIC. NOTE INTERES	2,438,010	2,405,000 1,054,632 155,000	2,405,000 1,054,632 155,000	2,245,000 1,181,427 160,000	2,245,000 1,181,427 160,000	2,245,000 1,181,427 160,000
* TOTAL DEBT SERVICE	3,586,885	19,247 3,633,879		19,200 3,605,627	19,200 *3,605,627	19,200 *3,605,627
9901 TRANS. TO CO. RD. FD. 9903 TRANS. TO RD. MACH. FD. 9905 TRANS TO OTHER FUNDS	182,130 0	295,796 0	295,796 559,270	336,360		276,350
9950 TRANS. TO CAPT. PROJ. FD 9961 TRANS. TO MONT. MEADOWS * TOTAL INTER FUND TRANSFERS	1.738.891	153,250 1,782,205 _5,521,365_	163,192 1,782,205 6,107,065	0		194,663
***TOTAL APPROPRIATIONS 1  ***LESS OTHER REVENUES 4  ***LESS STATE REVENUES  ***EQUALS DEPARTMENT COST 3	3,476,585 10.384	42,718,792	42,863,017	16,172,000	16,172,000 5.000	16,422,000 5,000

Adopted Budget For Department Of Treasurer				DEPARTMENT	BUDGET OFFICER	PAGE: 10	
	EXP/REL	ADOPTED	MODIFIED	REQUESTED	RECOMMENDED	ADOPTED	
	2005	2006	2006	2007	2007	2007	
**************	*****	*****	*****	*****	*****	******	****
******							

ESTIMATED	FRINGES	FOR	DEPARTMENT	OF Trea	ısurer		2006	2007
				8810	FICA		15,098.85	15,832.16
				8820	RETIREMENT		24,671.37	25,869.61
				8830	WORKERS COMPE	NSATION	11,641.11	12,206.49

8850 HOSPITAL & MEDICAL INS 60,984.00 60,984.00 8854 DISABILITY INSURANCE \_\_1,560.00\_\_\_1,560.00\_
TOTAL ESTIMATED FRINGE 113,955.33 116,452.26

REVENUES  1289 00 OTHER GENERAL GOVT INCOME 2210 00 GENERAL SRV. OTHER GOVT STATE AID 3040 00 REAL PROP. TAX ADMIN. 2,146 2,146 2,500 3,500 4PPROPRIATIONS 1355 00 ASSESSMENTS-REAL PROP TAX 55 1110 GRAPHIC INFO. SYS. SPEC. 2,005 2006 2007 2007 68,429 65,028 65,028 65,500 65,500 65,500 2,000 2,000 2,000 2,000 67,500 67,500
1289 00 OTHER GENERAL GOVT INCOME 2210 00 GENERAL SRV. OTHER GOVT 68,429 65,028 65,028 65,500 65,500 65,500 STATE AID 3040 00 REAL PROP. TAX ADMIN. 2,146 2,500 2,500 2,000 2,000 2,000 2,000 APPROPRIATIONS 1355 00 ASSESSMENTS-REAL PROP TAX
***TOTAL REVENUES 70,575 67,528 67,528 67,500 67,500 67,500  APPROPRIATIONS 1355 00 ASSESSMENTS-REAL PROP TAX
APPROPRIATIONS 1355 00 ASSESSMENTS-REAL PROP TAX
55 1110 GRAPHIC INFO. SYS. SPEC. 27,201 28,458 28,458 30,048 30,048 30,048
616 1110 DIR REAL PROP TAX SVCE I 44,409 46,855 46,855 48,840 48,840 48,840
1029 1110 REAL PROP. INFO. SPEC. 27,551 28,808 28,808 30,048 30,048 30,048
1029 1110 REAL PROP. INFO. SPEC. 27,551 28,808 28,808 30,048 30,048 30,048 1053 1110 REAL PROP TAX RESERVE TEC 21,718 23,120 23,120 24,433 24,
" IDIAL FULL-IIME EMPLOYEES 120,879 127,241 127,241 155,509 " 155,509 " 155,509
310 1111 OVERTIME 4 0 0 0
* TOTAL OVERTIME PAY 4 0 0 0 *
723 1120 REAL PROPERTY TAX AIDE-P 0 0 12,500
* TOTAL PART-TIME EMPLOYEES 0 0 0 12,500 * 1358 1140 SICK BUY BACK 0 0 0 0
1358 1140 SICK BUY BACK 0 0 0 0 0 * TOTAL SICK LEAVE BUY-BACK 0 0 0 0 *
2220 OFFICE EQUIPMENT 0 0 0
2250 TECHNICAL EQUIPMENT 0 0 0 0
2250 TECHNICAL EQUIPMENT 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
1358 1140 SICK BUY BACK 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
4407 OFFICE EQUIPMENT 0 0 66 0
4407 OFFICE EQUIPMENT 0 0 66 0 4408 OFFICE SUPPLIES 447 500 500 500 500 500
4409 OFFICE FURNITURE 0 0 755 0
4410 UTILITIES 0 0 0 0 0
4422 EQUIP RENTAL/LEASE/REPAI 325 1,000 2,800 2,000 2,000 2,000 4425 MAINTENANCE AGREEMENTS 1,356 1,240 1,264 1,300 1,300 1,300
4438 MISC. SUPPORTING SERVICE 8,174 11,200 9,400 15,450 15,450 15,450
4449 SPECIAL SUPPLIES & MATER 2,958 8,890 6,470 8,890 8,890 8,890
4455 TRAINING 0 1,000 0 1,000 1,000 1,000
4459 COMPUTER SOFTWARE 5,435 5,500 6,396 6,500 6,500 6,500
4470 TRAVEL: RELATED COSTS 365 1,270 1,270 1,270 1,270 1,270
4471 MILEAGE ALLOCATIONS 21 400 400 400 400 400
4471 MILEAGE ALLOCATIONS 21 400 400 400 400 400 400 400 400 400 40
4597 M C PURCHASING: INTRAFD 0 0 0 0
* TOTAL CONTRACTUAL19,17131,10029,42237,410_*_37,410_*_37,410_
***TOTAL APPROPRIATIONS 147,699 158,341 158,340 186,779 174,279 174,279
***LESS OTHER REVENUES 68,429 65,028 65,500 65,500 65,500
***LESS STATE REVENUES 2,146 2,500 2,500 2,000 2,000 2,000 2,000 2,000
***EQUALS DEPARTMENT COST 77,124 90,813 90,812 119,279 106,779 106,779

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ESTIMATED FRIN	GES FOR DEPARTMEN	OF Real Property Tax 8810 FICA 8820 RETIREMENT 8830 WORKERS COMPENSATION 8850 HOSPITAL & MEDICAL INS 8854 DISABILITY INSURANCE	23,862.00 1,040.00_	
		TOTAL ESTIMATED FRING		59,642.04

FUND: A General Fund DEPT: 08 County Clerk 12/07/06 PAGE: 12 13:07:12

					13:07:12 BUDGET	
Adopted Budget For Department Of County Clerk	EVD / DEL	ADODTED	MODIFIED	DEPARTMENT	OFFICER	4 DODTED
	2005	2006			RECOMMENDED 2007	ADOPTED 2007
REVENUES						
REVENUES  1255 00 CLERK FEES 2545 00 LICENSES, OTHER 2770 00 UNCLASSIFIED REVENUES  STATE AID 3060 00 RECORDS MANAGEMENT STATE AID 3089 00 STATE AID, OTHER ***TOTAL REVENUES	630,660 1 207	650,000 1,200	650,000 1,200	650,000 1,200	650,000 1,200	650,000
2770 00 UNCLASSIFIED REVENUES	0	0	0	0	1,200	1,200
STATE AID 3060 00 RECORDS MANAGEMENT	0	0	0	0		
STATE AID 3089 00 STATE AID, OTHER	631 867	0 651,200	0_ 651,200	0_ 651,200	651,200	651,200
APPROPRIATIONS	031,007	031,200	031,200	031,200	031,200	031,200
1410 00 COUNTY CLERK						
62 1110 INDEX/RECORDING CLERK 79 1110 COUNTY CLERK	26,865	28,578	28,578	29,752	29,752	29,752
97 1110 COUNTY CLERK	32,730 34,624	34.005	34.005	37,949	37,949 35,695	37,949 35,695
197 1110 MOTOR VEHICLE CLERK	11,542	22,820	22,820	23,533	23,533	23,533
199 1110 MOTOR VEHICLE CLERK	21,718	22,820	22,820	24,133	24,133	24,133
200 1110 MOTOR VEHICLE CLERK 254 1110 MOTOR VEHICLE CLERK	13,551 22 357	22,520 23 420	22,520 23 420	23,833 24 433	23,833 24 433	23,833 24 433
258 1110 MOTOR VEHICLE CLERK	21,718	22,820	22,820	24,133	24,133	24,133
287 1110 MOTOR VEH SUPERVISOR	26,754	28,373	28,373	29,560	29,560	29,560
332 1110 SR CLERK TYPIST 381 1110 INDEX CLERK/RECRDNG CLER	3,050 10,775	0 24 801	24 801	0 26 211	26 211	26 211
417 1110 INDEX CLERK/RECRDING CLERK	20.962	26.641	26.641	27.761	27.761	27.761
418 1110 DATA ENTRY MACHINE OPER.	19,657	24,020	24,020	25,033	25,033	25,033
420 1110 INDEX RECORDING CLERK 721 1110 SR ACCOUNT CLERK TYPIST	22,036	25,791	25,791	26,911	26,911	26,911
876 1110 SK ACCOUNT CLERK TYPIST	2.340	24,692	20,436	26,911	20,911	20,911
1268 1110 PRINCIPAL CLERK	0	Ö	Ö	Ö		
* TOTAL FULL-TIME EMPLOYEES	319,699	386,891	382,437	405,948	* 405,948 *	405,948
496 1111 OVERTIME * TOTAL OVERTIME PAY	46 46	100	100	100	* 100 *	100
632 1120 ACCOUNT CLERK TYPIST	10,198	9,500	9,500	9,453	9,453	9,453
* TOTAL PART-TIME EMPLOYEES	10,198	9,500	9,500	9,453	* 9,453 *	9,453
829 1125 OTHER COMPENSATION * TOTAL OTHER COMP. AND RAISES	0	0	0	0	*	
9 1140 SICK LEAVE BUYBACK	ŏ	ŏ	ŏ	ŏ		
* TOTAL SICK LEAVE BUY-BACK	0	0	0	0	*	
2210 OFFICE FURNITURE	0	0	0	6 500	6 500	6 500
2259 COMPUTER EQUIPMENT	0	0	4.453	0,300	0,300	0,300
* TOTAL EQUIPMENT	0	Õ	4,453	6,500	* 6,500 *	6,500
4407 OFFICE EQUIPMENT	525	0	280	625	625	625
4400 OFFICE SUPPLIES 4409 OFFICE FURNITURE	2,337	3,000	4,720	3,000	5,000	3,000
4410 UTILITIES	690	Ö	Ŏ	Ö		
4411 TELEPHONE	0	800	800	800	800	800
4422 EQUIP RENIAL/LEASE/REPAI 4425 MAINTENANCE AGREEMENTS	2,480 2 521	3,020 6 195	3,020 6 195	2,900 3,360	2,900 3,360	2,900 3,360
4438 MISC. SUPPORTING SERVICE	27,646	32,000	32,000	31,440	31,440	31,440
4449 SPECIAL SUPPLIES & MATER	0	0	0	0	100	100
4455 TRAINING  4470 TRAVEL: PELATED COSTS	0 21	600	600	100	600 100	500 100
4471 MILEAGE ALLOCATIONS	211	400	400	400	400	400
4476 ASSOC/MEMBERSHIP DUES	150	150	150	150	150	150
4491 LEGAL NOTICE&ADVERTISING	0	50 0	50	50	50	50
4499 LEGAL REFERENCE	Ö	1,000	1,000	1,000	1,000	1,000
***TOTAL REVENUES  APPROPRIATIONS  1410 00 COUNTY CLERK 62 1110 INDEX/RECORDING CLERK 79 1110 DEPUTY COUNTY CLERK 197 1110 MOTOR VEHICLE CLERK 199 1110 MOTOR VEHICLE CLERK 200 1110 MOTOR VEHICLE CLERK 254 1110 MOTOR VEHICLE CLERK 258 1110 MOTOR VEHICLE CLERK 258 1110 MOTOR VEHICLE CLERK 287 1110 SR CLERK TYPIST 381 1110 INDEX CLERK/RECRDNG CLER 417 1110 SR MOTOR VEHICLE CLERK 418 1110 DATA ENTRY MACHINE OPER. 420 1110 INDEX RECORDING CLERK 721 1110 SR ACCOUNT CLERK TYPIST 876 1110 MICROGRAPHICS EQUIP OP 1268 1110 PRINCIPAL CLERK * TOTAL FULL-TIME EMPLOYEES 496 1111 OVERTIME  * TOTAL OVERTIME PAY 632 1120 ACCOUNT CLERK TYPIST 829 1125 OTHER COMPENSATION * TOTAL 9 1140 OVERTIME PAY 632 1120 ACCOUNT CLERK TYPIST PART-TIME EMPLOYEES 9 1145 OTHER COMP. AND RAISES 9 1140 OFFICE FURNITURE 2210 OFFICE EQUIPMENT 2259 COMPUTER EQUIPMENT 2259 COMPUTER EQUIPMENT 2250 OFFICE EQUIPMENT 4407 OFFICE EQUIPMENT 4408 OFFICE SUPPLIES 4409 OFFICE FURNITURE 4410 UTILITIES 4411 TELEPHONE 4422 EQUIP RENTAL/LEASE/REPAI 4425 MAINTENANCE AGREEMENTS 4438 MISC. SUPPORTING SERVICE 4449 SPECIAL SUPPLIES & MATER 4455 TRAINING 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 4476 ASSOC/MEMBERSHIP DUES 4491 LEGGAL NOTICE&BOVERTISING 4497 FEES & PERMITS 4499 LEGGAL REFERENCE CONTRACTUAL	36,801	49,215	49,215	46,425	* 46,425 *	46,425

Adopted Budget For Department Of County Clerk	EXP/REL 2005	ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED 2007	BUDGET OFFICER RECOMMENDED 2007	PAGE: 13 ADOPTED 2007	
***TOTAL APPROPRIATIONS  ***LESS OTHER REVENUES  ***EQUALS DEPARTMENT COST  ***********************************	366,744 631,867 265,123- *****	445,706 651,200 205,494- ******	445,705 651,200 205,495-			468,426 651,200 182,774-	***
******							

ESTIMATED FRINGES	FOR DEPARTMENT	OF County Clerk	2006	2007
		8810 FICA	30,309.30	31,778.01
		8820 RETIREMENT	48,398.72	50,743.44
		8830 WORKERS COMPENSATION	23,368.24	24,500.67
		8850 HOSPITAL & MEDICAL INS	101,040.00	101,040.00
		8854 DISABILITY INSURANCE	3.900.00_	3,900.00_
		TOTAL ESTIMATED FRINGE	207,016,26	211,962,12

Adopted Budget For Department Of County Attorney	EXP/REL 2005	ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED R 2007	BUDGET OFFICER ECOMMENDED 2007	ADOPTED 2007
REVENUES						
2801 00 INTERFUND REVENUES	0	0	0	0		
STATE AID 3089 00 STATE AID, OTHER	0	0_	0_	0		
***TOTAL REVENUES						
APPROPRIATIONS						
1420 00 LAW (COUNTY ATTORNEY)						
78 1120 COUNTY ATTORNEY	46,374	48,709	48,709	51,206	51,206	51,206
866 1120 ASSISTANT COUNTY ATTORNE	33,347	33,161	33,161	34,802	34,802	34,802
* TOTAL PART-TIME EMPLOYEES	79,721	81,870	81,870	86,008 *	86,008 *	86,008
2220 OFFICE EQUIPMENT	0	0	0	0		
2259 COMPUTER EQUIPMENT	0	0	0	0		
* TOTAL EQUIPMENT	0	0	0	0 *		
4407 OFFICE EQUIPMENT	0	0	0	0		
4408 OFFICE SUPPLIES	176	300	258	300	300	300
4409 OFFICE FURNITURE	0	0	0	0		
4410 UTILITIES	868	0	0	0		
4411 TELEPHONE	0	750	750	750	750	750
4431 PROFESSIONAL SERVICES	0	0	0	0		
4433 COURT RELATED EXPENSES	30	100	0	100	100	100
4437 CLERICAL SERVICES	16,000	16,000	16,000	16,000	16,000	16,000
4438 MISC. SUPPORTING SERVICE	0	0	0	0		
4452 PRINTING/COPYING	150	150	133	150	150	150
4453 POSTAGE EXPENSES	264	250	250	250	250	250
4470 TRAVEL: RELATED COSTS	150	150	150	150	150	150
4471 MILEAGE ALLOCATIONS	1,333	1,250	1,385	1,250	1,250	1,250
4476 ASSOC/MEMBERSHIP DUES	339	375	339	375	375	375
4497 FEES & PERMITS	0	0	60	0		
4597 M C PURCHASING: INTRAFD	0	0	0	0		
* TOTAL CONTRACTUAL		19,325_	19,325_		19,325_*_	
***TOTAL APPROPRIATIONS	99,031	101,195	101,195	105,333	105,333	105,333
***EQUALS DEPARTMENT COST	99,031	101,195	101,195	105,333	105,333	105,333

882 883	O FÍCA O RETIREMENT O WORKERS COMPENSATION	2006 6,263.04 10,233.74 4,828.76	2007 6,579.59 10,751.00 5,072.83
885	O HOSPITAL & MEDICAL INS	.00	.00
885	4 DISABILITY INSURANCE	520.00	520.00_
	TOTAL ESTIMATED FRINGE	21,845.54	22,923.42

12/07/06 13:07:12 BUDGET PAGE: 15

DEPT: 10 Personnel FUND: A General Fund

Adopted Budget For Department Of Personnel				DEPARTMENT	BUDGET OFFICER	
raopesa Baages for Boparement of Ferbonner	EXP/REI	ADOPTED		REQUESTED	RECOMMENDED	ADOPTED
REVENUES	2005	2006	2006	2007	2007	2007
REVENUES  1260 00 PERSONNEL FEES 1290 00 ADMINISTRATION FEES 2708 00 EMP CONTRIB (DISABILITY) 2770 00 UNCLASSIFIED REVENUES	985	1,000	1,000			1,000
1290 00 ADMINISTRATION FEES 2708 00 FMP CONTRIB (DISABILITY)	102	300 0	300 0	300 0		300
2770 00 UNCLASSIFIED REVENUES	ŏ	ŏ	ŏ	ŏ		
2708 00 EMP CONTRIB (DISABILITY) 2770 00 UNCLASSIFIED REVENUES 2801 00 INTERFUND REVENUES ***TOTAL REVENUES	1,008,175_	_1,422,273_	_1,422,273_	382,533	382,533 383,833	_382,533_ 383,833
APPROPRIATIONS	1,009,203	1,423,373	1,423,373	303,033	303,033	303,033
1430 00 PERSONNEL	0	0	0	0		
283 1110 SENIOR ACCT CLERK TYPIST 360 1110 PERSONNEL ASSISTANT		0	0			
661 1110 PAYROLL ASSISTANT	25,040	26,391	26,391	27,761		
709 1110 PERSONNEL HR CLERK	21,265	21,137	21,137	22,418	22,418	22,418
858 1110 PERSONNEL/SELF INS DIR 1100 1110 SR ACCOUNT CLERK TYPIST	45,004	47,645 0 0	47,645 0 0	50,389 27,761	50,389 27,761	50,389 27,761
1273 1110 ACCOUNT CLERK TYPIST	0	0		•		
1274 1110 PERSONNEL ASSOCIATE 1391 1110 PAYROLL/BENEFITS COORD	27,289	27,087 29,933	27,087 27,133	28,742 31,566	28,742 31,566	28,742 31,566
1392 1110 PRINCIPAL ACCOUNT CLERK	31,937	31,032	31,032	32,577	32,577	32,577
360 1110 PERSONNEL ASSISTANT 661 1110 PAYROLL ASSISTANT 709 1110 PERSONNEL HR CLERK 858 1110 PERSONNEL/SELF INS DIR 1100 1110 SR ACCOUNT CLERK TYPIST 1273 1110 ACCOUNT CLERK TYPIST 1274 1110 PERSONNEL ASSOCIATE 1391 1110 PAYROLL/BENEFITS COORD 1392 1110 PAYROLL/BENEFITS COORD 1392 1110 ACCOUNT CLERK TYPIST * TOTAL FULL-TIME EMPLOYEES 1281 1111 OVERTIME PAY * TOTAL 706 1120 PERSONNEL ASSISTANT - P/	0	102 225	100 425	0		102 452
* TOTAL FULL-TIME EMPLOYEES 1281 1111 OVERTIME PAY	1/9,443	183,225 0	180,425	221,214 1,200	* 193,453 * 1,200	193,453 1,200
* TOTAL OVERTIME PAY	1,017	0	1,200 1,200 15,242	1,200	* 1.200 *	1,200
706 1120 PERSONNEL ASSISTANT - P/ * TOTAL PART-TIME EMPLOYEES		15,242 15,242	15,242 15,242	16,443 16,443	16,443 * 16,443 *	16,443 16,443
440 4400 /			13,242	10,443		10,443
* TOTAL OTHER COMP-CLAIMS/SETTL	0 0	0	0			
337 1125 OTHER COMPENSATION/RAISE * TOTAL OTHER COMP. AND RAISES	5/4,/38 574 738	253,782 253 782	253,782 253,782	0		
450 1130 TEMPORARY EMPLOYEES	0	0	2,800	9.154		
* TOTAL TEMPORARY EMPLOYEES	0	0	2,800	9,154	*	
1410 1140 SICK LEAVE BUY-BACK * TOTAL SICK LEAVE BUY-BACK	600 600	0	0		*	
1335 1145 HEALTH INS ALTERNATIVE	0	Ō	Ō	Ō		
* TOTAL HEALTH INSURANCE ALTERN 422 1190 RETIREMENT INCENTIVE	0	0	0		*	
* TOTAL RETIREMENT INCENTIVE PA	0	0	0	0	*	
2210 OFFICE FURNITURE	0	0	0	1 000	500	500
2220 OFFICE EQUIPMENT 2252 SECURTTY	0	2,000	2,000	1,000	500	500
2259 COMPUTER EQUIPMENT	1,038	1,500	1,500	3,000		1,500
2260 OTHER EQUIPMENT * TOTAL EQUIPMENT	1,000	3 500	0 3,500	0 4,000		2,000
4406 TUITION REIMBURSEMENT	550	3,000	2,780		5,000	5,000
4407 OFFICE EQUIPMENT	335	200	200	100	100	100
4408 OFFICE SUPPLIES  4409 OFFICE FURNITURE	2,549 127	2,500	2,500 438	3,000	3,000	3,000
4422 EQUIP RENTAL/LEASE/REPAI	273	ŏ	220	Ō		
4425 MAINTENANCE AGREEMENTS	12,400	17,500	17,500	14,000	14,000	14,000
4431 PROFESSIONAL SERVICES 4436 MEDICAL FEES	30,463 0	400	60,000 400	62,500 400	62,500 400	62,500 400
140 1123 OTHER COMP-CLAIMS/SETTLE  * TOTAL OTHER COMP-CLAIMS/SETTLE  337 1125 OTHER COMP-CNATION/RAISE  * TOTAL OTHER COMP. AND RAISES  * TOTAL OTHER COMP. AND RAISES  * TOTAL TEMPORARY EMPLOYEES  1410 1140 SICK LEAVE BUY-BACK  * TOTAL SICK LEAVE BUY-BACK  1335 1145 HEALTH INS ALTERNATIVE  * TOTAL HEALTH INSURANCE ALTERN  422 1190 RETIREMENT INCENTIVE PA  2210 OFFICE FURNITURE  2220 OFFICE EQUIPMENT  2252 SECURITY  2259 COMPUTER EQUIPMENT  2250 OTHER EQUIPMENT  4406 TUITION REIMBURSEMENT  4407 OFFICE EQUIPMENT  4408 OFFICE SUPPLIES  4409 OFFICE FURNITURE  4408 OFFICE SUPPLIES  4409 OFFICE FURNITURE  4422 EQUIP RENTAL/LEASE/REPAI  4425 MAINTENANCE AGREEMENTS  4431 PROFESSIONAL SERVICES  4436 MEDICAL FEES  4448 MISC. SUPPORTING SERVICE	16,508	17,500	17,500	92,500	92,500	92,500
4441 GASOLINE, OIL, DIESEL FUEL	Ū	0 75	0 75	0 75	75	75
4453 POSTAGE EXPENSES 4455 TRAINING 4470 TRAVEL: RELATED COSTS	1,451	4,000	1,950	4,000	4,000	4,000
4470 TRAVEL: RELATED COSTS	819	850	1,253	1,000	1,000	1,000

Adopted Budget For Department Of Personnel	EXP/REI 2005	_ ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED 2007	BUDGET OFFICER RECOMMENDED 2007	PAGE: 16 ADOPTED 2007
4471 MILEAGE ALLOCATIONS	1,047	750	750	750		750
4476 ASSOC/MEMBERSHIP DUES	300	350	350	350	350	350
4491 LEGAL NOTICE&ADVERTISING	7,817	9,000	24,011	10,000	9,000	9,000
4493 EDUC.& TRAIN.PUBLICATION	0	140	127	0	140	140
4497 FEES & PERMITS	0	140	137	140	140	140
4589 MC PRINTING: INTRAFUND 4597 M C PURCHASING: INTRAFD	0	0	0	0		
* TOTAL CONTRACTUAL	102,687	116,265	130,064	198,815	* 192,815	* 192,815
9001 00 FRINGE BENEFITS	102,007	110,203	130,004	130,013	132,013	132,013
8810 FICA	813,731	901,767	904,964	945,000	945,000	945,000
	1,234,154	991,695	991,695	1,035,000		1,035,000
8830 WORKERS COMPENSATION	510,627	527,661	527,661	527,661		527,661
8840 UNEMPLOYMENT INSURANCE	26,744	15,000	15,000	400,000		250,000
8850 HOSPITAL & MEDICAL INS	4,666,369	6,100,000	6,100,000	5,800,000		5,200,000
8851 HOSP. & MED. INS. PAYBAC	188,544	160,000	160,000	160,000	160,000	160,000
8852 DENTAL BENEFITS	90,411	150,000	150,000			165,000
8853 VISUAL CARE BENEFITS	69,071	90,000	90,000	100,000	100,000	100,000
8854 DISABILITY INSURANCE	66,001	94,000	94,000			100,000
8855 SICK LV/RET.HLTH INS.ALT	5,307	40,000	40,000	45,000	45,000	45,000
* TOTAL FRINGE BENEFITS					_*9,277,661_	
***TOTAL APPROPRIATIONS		9,642,137	9,660,333			8,933,572
***LESS OTHER REVENUES		1,423,573	1,423,573	383,833	383,833	383,833
***EQUALS DEPARTMENT COST		8,218,564	8,236,760	9,344,654		8,549,739
						*********

ESTIMATED FRINGES FOR	R DEPARTMENT OF Personnel	2006	2007
	8810 FICA	18,214.28	19,074.73
	8820 RETIREMENT	27,780.48	29,112.60
	8830 WORKERS COMPENSATION	14,043.09	14,706.52
	8850 HOSPITAL & MEDICAL INS	39,546.00	39,546.00
	8854 DISABILITY INSURANCE	2,080.00_	2,080.00_
	TOTAL ESTIMATED FRINGE	101,663.85	104,519.85

 FUND: A General Fund
 DEPT: 11 Board of Elections
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					13:07:12 BUDGET	
Adopted Budget For Department Of Board of Elections				DEPARTMENT	OFFICER	
		ADOPTED			RECOMMENDED	ADOPTED
REVENUES	2005	2006	2006	2007	2007	2007
1289 00 OTHER GENERAL GOVT INCOME	407	275	275	1,500	1,500	1,500
2215 00 ELECTION SERVICE CHARGES	13,629	80,040	80,040	87,500	87,500	87,500
STATE AID 3089 00 STATE AID, OTHER	0	0	0	0		
FEDERAL AID 4960 00 FED.AID-EMERGEN.DIS.AID	0	0_	0_	0_	90.000	90 000
***TOTAL REVENUES APPROPRIATIONS	14,036	80,315	80,315	89,000	89,000	89,000
1450 00 ELECTIONS						
453 1110 CLERK/ELECTION DATA	0	0	0	0		
454 1110 CLERK/ELECTION DATA	493	0	0	0	27 076	27.076
568 1110 DEPUTY COMMISSIONER 680 1110 ELECTION COMMISSIONER	26,209 33,000	27,176 34,740	27,176 34,740	28,364 36,191	27,876 36,191	27,876 36,191
681 1110 ELECTION COMMISSIONER	30,894	33,240	33,240	35,041	35,041	35,041
736 1110 VOTING MACH/ELECTION COO	0	0	0	26,676	33,0.2	26,676
737 1110 VOTING MACH/ELECTION COO	0	0	0	26,676		26,676
1134 1110 DEPUTY COMMISSIONER	26,586	26,676	26,676	28,364	27,876	27,876
* TOTAL FULL-TIME EMPLOYEES 511 1111 OVERTIME	117,182 0	121,832 0	121,832 0	181,312 0	* 126,984 *	180,336
* TOTAL OVERTIME PAY	0	0	0	0	*	
566 1120 ELECTION COMMISSIONER	Ŏ	Ö	Ö	Õ		
749 1120 VOTING MACH/ELECTION COO	0	0	0	0	15,000	
750 1120 VOTING MACH/ELECTION COO	0	0	0	0	15,000	
1133 1120 ELECTION COMMISSIONER * TOTAL PART-TIME EMPLOYEES	0	0	0	0	* 30,000 *	
2210 OFFICE FURNITURE	0	Ö	0	0	30,000	
2220 OFFICE EQUIPMENT	Ö	Ö	0	0		
2250 TECHNICAL EQUIPMENT	0	0	0	19,835	19,835	19,835
2259 COMPUTER EQUIPMENT	1,445 0	0	0	17,500	17,500	17,500
2260 OTHER EQUIPMENT * TOTAL EQUIPMENT	1,445	0	0	0 37,335	* 37,335 *	37,335
4407 OFFICE EQUIPMENT	228	ŏ	232	300	300	300
4408 OFFICE SUPPLIES	1,698	2,500	2,040	3,500	3,500	3,500
4409 OFFICE FURNITURE	0	0	0	0		
4410 UTILITIES 4421 PROPERTY RNT/LEASE/REPAI	0 7,600	0 50,200	0 50,200	0 50,200	50,200	50,200
4421 PROPERTY RNI/LEASE/REPAI 4422 EQUIP RENTAL/LEASE/REPAI	7,000	0,200	30,200	30,200	30,200	30,200
4425 MAINTENANCE AGREEMENTS	386	500	500	625	625	625
4438 MISC. SUPPORTING SERVICE	203	450	300	2,268	1,750	1,750
4449 SPECIAL SUPPLIES & MATER	6 5 9 5	0 8,000	560 10,800	10,000	8 E00	8,500
4452 PRINTING/COPYING 4453 POSTAGE EXPENSES	6,585 4,659	6,500	6,250	7,500	8,500 7,500	7,500
4455 TRAINING	0	6,850	6,568	6,850	6,850	6,850
4459 COMPUTER SOFTWARE	9,432	10,690	10,690	12,200	12,200	12,200
4470 TRAVEL: RELATED COSTS	1,322	2,350	1,550	3,000	3,000	3,000
4471 MILEAGE ALLOCATIONS 4475 TRANSPORTATION	147 254	150 0	850 0	600 0	600	600
4476 ASSOC/MEMBERSHIP DUES		70	70	70	70	70
4476 ASSOC/MEMBERSHIP DUES 4491 LEGAL NOTICE&ADVERTISING	5,342	6,000	3,550	7,000	7,000	7,000
4497 FEES & PERMITS	0	0	100	0	,	*
4589 MC PRINTING: INTRAFUND	0	0	0	0		
4597 M C PURCHASING: INTRAFD * TOTAL CONTRACTUAL	0 37,926	0 94,260	94,260_	104 113	_*102,095_*	102 095
***TOTAL APPROPRIATIONS	156,553	216,092	216,092	322,760	296,414	319,766
***LESS OTHER REVENUES	14,036	80,315	80,315	89,000	89,000	89,000
***EQUALS DEPARTMENT COST	142,517	135,777	135,777	233,760	207,414	230,766

Adopted Budget For Department Of Board of Elections				DEPARTMENT	BUDGET OFFICER	PAGE: 18	
	EXP/REL 2005	ADOPTED 2006	MODIFIED 2006	REQUESTED 2007	RECOMMENDED 2007	ADOPTED 2007	
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ESTIMATED FRINGES FOR DEPARTMENT OF Board of Elections 8810 FICA 8820 RETIREMENT 8830 WORKERS COMPENSATION 8850 HOSPITAL & MEDICAL INS 8854 DISABILITY INSURANCE TOTAL ESTIMATED FRINGE	2006 9,281.89 15,166.50 7,156.25 30,126.00 1,040.00_ 62,770.64	1,040.00_
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FUND: A General Fund DEPT: 12 Public Works 12/07/06 PAGE: 19 13:07:12

Adopted Budget For Department Of Public Works	EXP/REL 2005	ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED 2007	13:07:12 BUDGET OFFICER RECOMMENDED 2007	ADOPTED 2007
REVENUES  1270 00 SHARED SERVICES CHARGES 1289 00 OTHER GENERAL GOVT INCOME	66,504 34,095	69,600 21,850	69,600 21,850	48,670 12,625	48,670 12,625	48,670 12,625
2652 00 SALES OF FOREST PRODUCTS 2701 00 REFUND OF PRIOR YRS EXPEN 2770 00 UNCLASSIFIED REVENUES	0 0 0	0 0 0	0 0 0	0		
2801 00 INTERFUND REVENUES STATE AID 3090 00 COURT MAINTEN. OPERATIONS FEDERAL AID 4960 00 FED.AID-EMERGEN.DIS.AID	15,951 178,990 0 295,540	13,150 145,000 0_	13,150 145,000 0	125,000 0	7,300 125,000	7,300 125,000
***TOTAL REVENUES APPROPRIATIONS	295,540	249,600	249,600	193,595	193,595	193,595
1490 00 PUBLIC WORKS ADMIN	24 166	26 200	26 200	37 000	27.000	27 000
8 1110 ACCTNG SUPR P/W 50 1110 COMM. OF PUBLIC WORKS 193 1110 DEPUTY COMM PUBLIC WORKS	34,166 52,225 0	36,280 54,734 0	36,280 54,734 0	37,800 57,335 0	37,800 57,335	37,800 57,335
501 1110 EXECUTIVE SECRETARY	26,412 112.803	27,873 118,887	27,873 118,887	29,060 124,195	29,060 * 124.195 *	29,060 124,195
2259 COMPUTER EQUIPMENT	0	0	0	3.300	3.300	3,300
* TOTAL EQUIPMENT 4459 COMPUTER SOFTWARE	0	0	0	3,300	* 3,300 * 900	3,300 900
4476 ASSOC/MEMBERSHIP DUES	250	0	0	250 0	250	250
* TOTAL FULL-TIME EMPLOYEES 2259 COMPUTER EQUIPMENT  * TOTAL EQUIPMENT  4459 COMPUTER SOFTWARE 4476 ASSOC/MEMBERSHIP DUES 4497 FEES & PERMITS  * TOTAL CONTRACTUAL  1620 00 BUILDINGS 149 1110 HOURLY EMPLOYEES	250	0	0	1,150	* 1,150 *	1,150
1620 00 BUILDINGS 149 1110 HOURLY EMPLOYEES	385,586	413,870	452,091	520,100	520,100	547,700
421 1110 CUSTODIAN	22,707	23,770	23,770	24,783	24,783	24,783
		0 32,817	0 32,817	0 34,204	34,204	34,204
621 1110 CLEANER	31,385 22,357	23,420	9,458	0	, ,	- , -
622 1110 CLEANER 666 1110 STRUCTURAL MAINT HELPER 667 1110 STRUCT MAINT SUPER #1	0	0	0	0		
667 1110 STRUCT MAINT SUPER #E	0	0	0	0		
668 1110 STRUCTURAL MAINT WORKER * TOTAL FULL-TIME EMPLOYEES			0 518,136	0 579,087	* 579,087 *	606,687
955 1111 OVERTIME PAY * TOTAL OVERTIME PAY	3,365	3,000	5,800	3,500	3,500 * 3,500 *	3,500
* TOTAL OVERTIME PAY 663 1113 SHIFT DIFFERENTIAL	3,363	3,000	5,800 0	3,500	* 3,300 *	3,500
* TOTAL SHIFT DIFFERENTIAL 1167 1125 OTHER COMPENSATION	5 200	0 5,200	0 6,890	0 6,760		6,760
* TOTAL OTHER COMPENSATION	5,200	5,200	6,890	6,760		6,760
664 1130 TEMPORARY EMPLOYEES * TOTAL TEMPORARY EMPLOYEES	0	0	0	0	*	
2210 OFFICE FURNITURE	ŏ	ő	0	Ō		
* TOTAL FULL-TIME EMPLOYEES 955 1111 OVERTIME PAY  * TOTAL OVERTIME PAY 663 1113 SHIFT DIFFERENTIAL  * TOTAL SHIFT DIFFERENTIAL 1167 1125 OTHER COMPENSATION  * TOTAL OTHER COMPENSATION  * TOTAL TEMPORARY EMPLOYEES  * TOTAL TEMPORARY EMPLOYEES  2210 OFFICE FURNITURE 2220 OFFICE EQUIPMENT 2255 BLDGS & GROUNDS EQUIPMEN 2259 COMPUTER EQUIPMENT	0	0	0	20,000	20,000	20,000
2255 BLDGS & GROUNDS EQUIPMEN	4,207	10,000	10,000	9,500	5,500	5,500
2259 COMPUTER EQUIPMENT 2260 OTHER EQUIPMENT	7.656	0 8,000	0 8,000	0 3,000	2,000	2,000
* TOTAL EQUIPMENT	11,863	18,000	18,000	32,500	* 27,500 *	27,500
4407 OFFICE EQUIPMENT 4408 OFFICE SUPPLIES	422	500 500	500 500	500 500	300 500	300 500
4409 OFFICE FURNITURE 4410 UTILITIES	0	0	0			
4410 UTILITIES 4411 TELEPHONE	86,009	79,500	79,500	72,500	72,500	80,355
4412 LIGHT & POWER 4413 WATER & SEWER	7,656 11,863 0 422 0 0 86,009 446,900 70,142	517,000 80,700	517,000 80,700	449,000 77,100	449,000 77,100	449,000 77,100
TITS WATER & SEWER	, 0, 172	55,755	55,750	,,,100	,,,100	,,,100

Adopted Budget For Department Of Public Works	2005	ADOPTED 2006	MODIFIED 2006	REQUESTED 2007	BUDGET OFFICER RECOMMENDED 2007	ADOPTED 2007	
4414 NATURAL GAS 4415 HEATING OIL 4421 PROPERTY RNT/LEASE/REPAI 4422 EQUIP RENTAL/LEASE/REPAI 4425 MAINTENANCE AGREEMENTS 4438 MISC. SUPPORTING SERVICE 4440 SMALL TOOLS 4441 CUSTODIAL, HSHLD SUPP/MAT 4447 CLOTHING & UNIFORMS 4448 CONST. & MAINT. SUPPLIES 4452 PRINTING/COPYING 4455 TRAINING 4459 COMPUTER SOFTWARE 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 4493 EDUC.& TRAIN. PUBLICATION CONTRACTUAL	209,031	261,000	261,000	244,400	244,400	244,400	
4413 HEATING OIL  4421 PROPERTY RNT/LEASE/REPAT	92 151	110 000	168 754	125 500	118 000	5,000 118,000	
4422 EQUIP RENTAL/LEASE/REPAI	54,040	90,000	90,000	96,000	93,000	93,000	
4425 MAINTENANCE AGREEMENTS	122,517	147,425	147,425	142,600	142,600	142,600	
4438 MISC. SUPPORTING SERVICE	5/5 480	900 1 500	10,250	900 4 500	3 000	3 000	
4443 DRAPES & BLINDS	2.034	1,300	1,300	4,300	900 3,000	3,000	
4444 CUSTODIAL, HSHLD SUPP/MAT	26,743	30,000	30,000	30,000	30,000	30,000	
4447 CLOTHING & UNIFORMS	4,100	6,500	6,500	6,000	6,000	6,000 2,000	
4448 CONSI. & MAINI. SUPPLIES	363	2,000	2,000	2,000	2,000	2,000 300	
4455 TRAINING	150	250	250	250	250	250	
4459 COMPUTER SOFTWARE	0	0	0	0			
4470 TRAVEL: RELATED COSTS	0	250	204	250	250	250	
44/1 MILEAGE ALLOCATIONS  44/1 MILEAGE ALLOCATIONS	0	0	45 0	0			
* TOTAL  CONTRACTUAL  1671 00 CENTRAL MAILING  83 1110 MAIL CLERK  * TOTAL FULL-TIME EMPLOYEES  398 1120 MAIL CLERK/PT  * TOTAL PART-TIME EMPLOYEES  297 1140 SICK LEAVE BUY-BACK  * TOTAL SICK LEAVE BUY-BACK  2210 OFFICE FURNITURE  * TOTAL EQUIPMENT  4407 OFFICE SUPPLIES  4409 OFFICE SUPPLIES  4409 OFFICE FURNITURE  4422 EQUIP RENTAL/LEASE/REPAI  4425 MAINTENANCE AGREEMENTS  4441 GASOLINE,OIL,DIESEL FUEL  4449 SPECIAL SUPPLIES & MATER  4449 OFFICE SUPPLIES  4453 POSTAGE EXPENSES  * TOTAL CONTRACTUAL  7180 00 SPEC.RECRET . FACILITY  290 1110 REC FAC MAINT-BIKE PATH  830 1110 F.T.FMPIS. NATURE TRAIL	1,117,492	1,331,325	1,399,428	1,257,300	*1,245,100	*1,252,955	
1671 00 CENTRAL MAILING							
83 1110 MAIL CLERK	23,049	24,520	24,520	25,533	25,533	25,533 * 25,533	
398 1120 MATI CLERK/PT	23,049	24,320	24,320	23,333	23,333	23,333	
* TOTAL PART-TIME EMPLOYEES	Ö	Ö	Ö	Ō	*		
297 1140 SICK LEAVE BUY-BACK	0	0	0	0			
* IOTAL SICK LEAVE BUY-BACK 2210 OFFICE FURNITURE	0	0	0	0	*		
* TOTAL EQUIPMENT	ő	ŏ	ő	ő	*		
4407 OFFICE EQUIPMENT	0	0	0	0			
4408 OFFICE SUPPLIES	50	250	250	250	250	250	
4409 OFFICE FURNITURE  4422 FOUTP RENTAL /LEASE/REPAT	10 348	11 100	11 100	11 100	11 100	11 100	
4425 MAINTENANCE AGREEMENTS	3,498	3,800	3,800	4,000	4,000	4,000	
4441 GASOLINE,OIL,DIESEL FUEL	0	0	0	0		2.50	
4449 SPECIAL SUPPLIES & MATER	525 71 607	350 74 000	350 74 000	350 74 000	350 74 000	350 74 000	
* TOTAL CONTRACTUAL	86.028	89.500	89.500	89.700	* 89.700	* 89.700	
7180 00 SPEC.RECRET . FACILITY	,	,	,	,	,	,	
290 1110 REC FAC MAINT-BIKE PATH	15,369	22,000	24,009	25,000	25,000	25,000	
830 1110 F.T.EMPLS. NATURE TRAIL * TOTAL FULL-TIME EMPLOYEES	16 169	2,500 24 500	24 490 24 499	2,500	* 27 500	2,500 * 27,500	
1396 1130 TEMPORARY EMPLOYEES	0	0	0	27,300	27,500	27,300	
* TOTAL TEMPORARY EMPLOYEES	0	0	0	0	*		
2230 MOTOR VEHICLE EQUIPMENT	0	0	0	0			
* TOTAL EQUIPMENT	0	0	0	0	*		
4422 EQUIP RENTAL/LEASE/REPAI	5,00Ŏ	5,000	5,000	5,00Ŏ	5,000	5,000	
4440 SMALL TOOLS	0	1,000	1,000	1,000	1,000	1,000	
4448 CONST. & MAINT. SUPPLIES  * TOTAL CONTRACTUAL	1,369	2,000	2,000	2,000	* 8 000	2,000 * 8,000	
***TOTAL CONTRACTUAL  ***TOTAL APPROPRIATIONS	1.844.623	2.116.809	2.213.660	2.158.525	0,000_ 2.141.325	2.176.780	
***LESS OTHER REVENUES	116,550	104,600	104,600	68,595	68,595	68,595	
* TOTAL CONTRACTUAL  7180 00 SPEC.RECRET . FACILITY  290 1110 REC FAC MAINT-BIKE PATH 830 1110 F.T.EMPLS. NATURE TRAIL  * TOTAL FULL-TIME EMPLOYEES  1396 1130 TEMPORARY EMPLOYEES  * TOTAL TEMPORARY EMPLOYEES  2230 MOTOR VEHICLE EQUIPMENT 2255 BLDGS & GROUNDS EQUIPMEN  * TOTAL EQUIPMENT  4422 EQUIP RENTAL/LEASE/REPAI 4440 SMALL TOOLS 4448 CONST. & MAINT. SUPPLIES  * TOTAL CONTRACTUAL  ***TOTAL APPROPRIATIONS  ***LESS OTHER REVENUES  ***LESS STATE REVENUES  ***EQUALS DEPARTMENT COST  ***********************************	178,990	145,000	145,000	125,000	125,000	125,000	
***EQUALS DEPARIMENT COST ***********************************	I. 349.U03	1.00/.209	1.904.000	1.904.930	1.94/./30	1.702.182	

ESTIMATED FRINGES FOR DEPARTMENT OF Public Works 8810 FICA

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2006 2007 52,530.10 54,902.48

2006 2007

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 8820 RETIREMENT
 85,833.78
 89,710.22

 8830 WORKERS COMPENSATION
 40,500.40
 42,329.46

 8850 HOSPITAL & MEDICAL INS
 192,474.00
 192,474.00

 8854 DISABILITY INSURANCE
 6,240.00
 6,240.00

 TOTAL ESTIMATED FRINGE
 377,578.28
 385,656.16

Printing 12/07/06 PAGE: 22 13:07:12 BUDGET

	EXP/REL 2005	2006	MODIFIED 2006	DEPARTMENT REQUESTED F 2007	BUDGET OFFICER RECOMMENDED 2007	ADOPTED 2007
REVENUES						
REVENUES  1259 00 PRINTING FEES 1270 00 SHARED SERVICES CHARGES 2228 00 DATA PROCESSING FEE OTHER 2801 00 INTERFUND REVENUES ***TOTAL REVENUES	5,640 30,753 97,662	4,500 30,432 111,588	4,500 30,432 111,588	5,000 31,944 116,241	5,000 31,944 116,241 13,000	5,000 31,944 116,241
2801 00 INTERFUND REVENUES	26,150	26,800	26,800_	20,800	13,000	13,000_
***TOTAL REVENUES	160,205	173,320	173,320			
APPROPRIATIONS						
1670 00 CENTRAL PRINTING						
284 1110 PRINTER/COMPOSER	0	0	0	0		
1345 1110 PRINTER COMPOSER/PC TECH	0	0	0	0		
1389 1110 SR PRINTER/COMPOSER	27,016	27,273	27,273	27,860	27,860	27,860
* TOTAL FULL-TIME EMPLOYEES	27,016	27,273	27,273	27,860 *	* 27,860 *	27,860
368 1130 SR. PRINTER COMPOSER-TEM	975	0	0	0		
* TOTAL TEMPORARY EMPLOYEES	975	0	0	0 %	*	
2210 OFFICE FURNITURE	0	0	0	0		
2250 TECHNICAL EQUIPMENT	0	Ó	0	Ó		
2259 COMPUTER FOUTPMENT	0	0	0	0		
* TOTAL EQUIPMENT	ň	ŏ	ŏ	Ŏ *	<b>;</b>	
4407 OFFICE FOULTPMENT	ň	ŏ	ŏ	ŏ		
4408 OFFICE SUPPLIES	4 281	8 975	4 725	10 550	10 550	10 550
4409 OFFICE FURNITURE	1,201	0,575	1,723	10,330	10,550	10,550
4400 OFFICE FORNITORE	3 744	3 500	3 500	3 850	3 850	3 850
1122 LQUIF RENTAL/ LLASL/ REFAI	J,744 4 722	4 200	4 200	4 025	4 025	4 025
4420 MAINTENANCE AGREEMENTS	4,723	4,200	4,200	4,023	4,023	4,023
4430 MISC. SUPPURITING SERVICE	0	0	4,230	0		
4443 SPECIAL SUPPLIES & MAIER	0	0	0	0		
4450 COMPUTER COETWARE	Ů	0	0	0		
# TOTAL CONTRACTUAL	12 749	16 675	16 675	10 425 4	. 10 /2E ⊹	10 /25
* TOTAL CONTRACTUAL	12,740	10,075	10,075	10,425	10,425 "	10,425
APPROPRIATIONS  1670 00 CENTRAL PRINTING  284 1110 PRINTER/COMPOSER  1345 1110 PRINTER COMPOSER/PC TECH  1389 1110 SR PRINTER/COMPOSER  * TOTAL FULL-TIME EMPLOYEES  368 1130 SR. PRINTER COMPOSER-TEM  TEMPORARY EMPLOYEES  2210 OFFICE FURNITURE  2250 TECHNICAL EQUIPMENT  2259 COMPUTER EQUIPMENT  4407 OFFICE EQUIPMENT  4407 OFFICE SUPPLIES  4409 OFFICE FURNITURE  4402 EQUIP RENTAL/LEASE/REPAI  4425 MAINTENANCE AGREEMENTS  4438 MISC. SUPPORTING SERVICE  4449 SPECIAL SUPPLIES & MATER  4455 TRAINING  4459 COMPUTER SOFTWARE  4450 COMPUTER SOFTWARE  TOTAL  1680 00 CENTRAL DATA PROCESSING  17 1110 MICRO COMPUTER TECHNICIA  88 1110 DATA ENTRY MACH OPERATOR  93 1110 SC. COMPUTER PROG ANALYST	20 100	20 522	20 522	21 000	21 000	21 000
17 1110 MICRO COMPUTER TECHNICIA	29,196	30,333	30,533 0 38,244 0 30,533 28,373 28,373	31,866	31,866	31,866
88 1110 DATA ENTRY MACH OPERATOR	26 204	20 244	20 244	0		
93 1110 SR. COMPUTER PROG ANALYS	36,384	38,244	38,244	39,897		
99 IIIU COMP. PROGRAMMER/ANALYST	U	20 522	20 522	0	21 000	21 000
280 1110 MICRO COMPUTER TECHNICIA	28,935	30,533	30,533	31,866	31,866	31,866
285 1110 SENIOR COMPUTER OPERATOR	27,044	28,3/3	28,3/3	29,560	29,560 29,560	29,560
286 1110 SR ACCOUNT CLK/DEMO	27,044	28,3/3	28,3/3	29,560	29,560	29,560
291 1110 COMPUTER PROGRAMMER	26,498	27,858	19,929	0		
292 1110 COMPUTER PROGRAMMER	26,561	27,858	15,350	0		
333 1110 SR COMPUTER PROGRAMMER	0	0	0	34,681	34,681	34,681
286 1110 SR ACCOUNT CLK/DEMO 291 1110 COMPUTER PROGRAMMER 292 1110 COMPUTER PROGRAMMER 333 1110 SR COMPUTER PROGRAMMER 444 1110 DIRECTOR DATA PROCESSING	50,350	49,904	49,904	52,015	52,015	52,015
662 1110 MICRO COMPUTER TECHNICIA	0	0	0	30,966	30,966	30,966
671 1110 MICRO COMPUTER TECHNICIA	0	0	28,373 28,373 19,929 15,350 0 49,904 0	0		
705 1110 DATA ENTRY/COMPUTER OPER	19,288	23,707	23,707	25,074	25,074	25,074
741 1110 PROGRAMMING SUPERVISOR	0	0	0	42,112	43,612	43,612
742 1110 NETWORK TECHNICIAN	0	0	0	38,397	38,397 30,966	38,397
1329 1110 COMPUTER SERVICES CO-ORD	0	0	12,100	30,966	30,966	30,966
1349 1110 PROGRAMMER/ANALYST SPECI	0	0	6,986	34,050		34,050
1368 1110 SR COMPUTER SERVICES COO	32,459	34,047	34,047	35,500		
1369 1110 DATA ENTRY/COMPUTER OPER	0	0	0	0		
1370 1110 NETWORK COORDINATOR	39,452	41,199	41,199	43,012	43,012 * 421,575 *	43,012
* TOTAL FULL-TIME EMPLOYEES	343,211	360,629	359,278	529,522	421,575 * 8,000	455,625
324 1111 OVERTIME PAY	2,126	6,100	9,499	8,000	8.000	8,000
* TOTAL OVERTIME PAY	2,126	6,100	9,499	8,000 *	* 8,000 *	8,000
390 1120 PROGRAMMER - PT	0	0	1,000	10,176	•	•
719 1120 MICRO-TECH PT	0	0	0	0		
444 1110 DIRECTOR DATA PROCESSING 662 1110 MICRO COMPUTER TECHNICIA 671 1110 MICRO COMPUTER TECHNICIA 705 1110 DATA ENTRY/COMPUTER OPER 741 1110 PROGRAMMING SUPERVISOR 742 1110 NETWORK TECHNICIAN 1329 1110 COMPUTER SERVICES CO-ORD 1349 1110 PROGRAMMER/ANALYST SPECI 1368 1110 SR COMPUTER SERVICES COO 1369 1110 DATA ENTRY/COMPUTER OPER 1370 1110 NETWORK COORDINATOR * TOTAL FULL-TIME EMPLOYEES 324 1111 OVERTIME PAY * TOTAL OVERTIME PAY 390 1120 PROGRAMMER - PT 719 1120 MICRO-TECH PT * TOTAL PART-TIME EMPLOYEES	0	0	1,000	10,176 *	<b>†</b>	
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Adopted Budget For Department Of Data Processing/Pri	nting EXP/REL 2005	ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED 2007	BUDGET OFFICER RECOMMENDED 2007	PAGE: 23 ADOPTED 2007
1351 1140 SICK BUY BACK	0	0	0	0		
* TOTAL SICK LEAVE BUY-BACK	Ó	Ō	0	0	*	
2210 OFFICE FURNITURE	0	0	1,750	0		
2220 OFFICE EQUIPMENT	0	0	´ 0	0		
2250 TECHNICAL EQUIPMENT	0	0	0	0		
2259 COMPUTER EQUIPMENT	6,851	25,000	25,000	69,700	45,700	45,700
* TOTAL EQUIPMENT	6,851	25,000	26,750	69,700	* 45,700 *	45,700
4407 OFFICE EQUIPMENT	0	0	654	0		
4408 OFFICE SUPPLIES	21,092	28,000	25,095	31,993	31,993	31,993
4409 OFFICE FURNITURE	114	0	500	0		
4421 PROPERTY RNT/LEASE/REPAI	129	0	0	0		
4422 EQUIP RENTAL/LEASE/REPAI	34,514	46,350	46,350	46,614	46,614	46,614
4425 MAINTENANCE AGREEMENTS	16,550	21,840	21,310	21,840	21,840	21,840
4438 MISC. SUPPORTING SERVICE	4,929	6,250	6,250	9,770	9,770	9,770
4440 SMALL TOOLS	0	0	0	Ŭ		
4441 GASOLINE,OIL,DIESEL FUEL	0	0	Ü	Ů		
4449 SPECIAL SUPPLIES & MATER	2 750	2 000	2 000	2 000	2 000	2 000
4455 TRAINING 4459 COMPUTER SOFTWARE	2,759 13,151	2,000	2,000 30,290	2,000 78,950	2,000	2,000 50,300
4479 COMPUTER SOFTWARE  4470 TRAVEL: RELATED COSTS	0	30,290 100	100	100	50,300 100	100
4471 MILEAGE ALLOCATIONS	211	600	600	600	600	600
4476 ASSOC/MEMBERSHIP DUES	50	75	75	75	75	75
	_93,499	_135,505	133,224_	191,942_		·163,292_
	486,426	571,182	573,699	855,625	684,852	718,902
	160,205	173,320	173,320	173,985	166,185	166,185
	326,221	397,862	400,379	681,640	518,667	552,717
*************		*****	*****	*****	*****	******

ESTIMATED FRINGES FOR DEPARTMENT OF Data Processing/Print	ing 2006	2007
8810 FICA	31,052.64	32,237.18
8820 RETIREMENT	50,739.82	52,675.24
8830 WORKERS COMPENSAT	TION 23,941.43	24,854.64
8850 HOSPITAL & MEDICA	L INS 92,646.00	92,646.00
8854 DISABILITY INSURA	NCE3,380.00_	3,380.00_
TOTAL ESTIMATED	FRINGE 201,759.89	205,793.06

FUND: A General Fund DEPT: 15 Sheriff & Jail 12/07/06 PAGE: 24 13:07:12

Adopted Budget For Department Of Sheriff & Jail	EXP/REI 2005	L ADOPTED 2006		DEPARTMENT REQUESTED 2007	13:07:12 BUDGET OFFICER RECOMMENDED 2007	ADOPTED 2007
	203,403 77,803 915 81,054 40,370 1,180,594	142,313 63,406 1,065 75,000 39,856 1,010,000	142,313 63,406 1,065 75,000 39,856 1,010,000	147,938 80,729 900 75,000 38,953 1,020,000	156,814 80,729 70,000 75,000 38,953 1,020,000	156,814 80,729 70,000 75,000 38,953 1,020,000
1270 00 SHARED SERVICES CHARGES 1289 00 OTHER GENERAL GOVT INCOME 1510 00 SHERIFF FEES 2260 00 PUB SAF SVCS OTHER GOVTS 2264 00 JAIL FACILITY OTHER GOVT. 2265 00 INMATE WORK RELEASE 2414 00 RENTAL OF EQUIPMENT 2611 00 RESTIT. & REPARA PAYMTS 2626 00 FORFTR CR PROC REST 2665 00 SALES OF EQUIPMENT 2701 00 REFUND OF PRIOR YRS EXPEN 2705 00 GIFTS AND DONATIONS 2770 00 UNCLASSIFIED REVENUES 2771 00 WORK FOR OTHER GOVERNMENT STATE AID 3308 00 TRANSPORT PRISONERS STATE AID 3389 00 PUB SAFETY COM SYS E911 STATE AID 3389 14 PUB SAFTY COM SYS E911 STATE AID 3391 00 MEAL REIMBURSMENT STATE AID 3960 00 EMERG DISASTER ASSISTANCE FEDERAL AID 4389 00 OTHER PUBLIC SAFETY FEDERAL AID 4960 00 FED.AID-EMERGEN.DIS.AID ***TOTAL REVENUES	3,600 19 0 776 0 2,350	6,000 0 0 0 0 0	6,000 0 1,337 0 0 2,144 572	4,800 0 0 0 0 0	4,800	4,800
2771 00 WORK FOR OTHER GOVERNMENT STATE AID 3308 00 TRANSPORT PRISONERS STATE AID 3330 00 UNIFIED COURT BUD SEC SRV STATE AID 3389 00 PUB SAFETY COM SYS E911 STATE AID 3389 14 PUB SAFTY COM SYS E911	23,120 12,156 45,230 72,152 0	17,000 7,000 50,000 34,229 0	17,000 7,000 50,000 34,229 0 25,000	17,000 8,000 55,000 37,564 0	17,000 8,000 55,000 37,564	17,000 8,000 55,000 39,700
STATE AID 3391 00 MEAL RELIMBURSMENT STATE AID 3960 00 EMERG DISASTER ASSISTANCE FEDERAL AID 4389 00 OTHER PUBLIC SAFETY FEDERAL AID 4960 00 FED.AID-EMERGEN.DIS.AID ***TOTAL REVENUES APPROPRIATIONS	9,644 0 1,775,978	0 0 0 0 1,470,869	30,000 30,000 0 1,504,922	20,000 0 0 0 1,505,884	20,000	1,585,996
1115 00 SECURITY SERVICE COURTS 301 1110 DEPUTY SHERIFF 433 1110 DEPUTY SHERIFF 1218 1110 DEPUTY SHERIFF/CORR OFF. * TOTAL FULL-TIME EMPLOYEES 259 1113 SHIFT DIFFERENTIAL * TOTAL SHIFT DIFFERENTIAL 849 1120 COURT ATTENDANT-PT * TOTAL PART-TIME EMPLOYEES	0 0 0 0 0 0 45,230 45,230	0 0 0 0 0 0 50,000 50,000	0 0 0 0 0 49,900 49,900	54,900 54,900	*	
170 1125 OTHER COMPENSATION  * TOTAL OTHER COMP. AND RAISES  4447 CLOTHING & UNIFORMS  CONTRACTUAL  8810 FICA  8820 RETIREMENT  8830 WORKERS COMPENSATION  8850 HOSPITAL & MEDICAL INS  8851 HOSP. & MED. INS. PAYBAC  8852 DENTAL BENEFITS  8853 VISUAL CARE BENEFITS  8854 DISABILITY INSURANCE  * TOTAL FRINGE BENEFITS  3020 14 PUB SAFTY COM SYS E911	0 0 29 29 0 0 0 0	0 0 0 0 0 0 0	0 0 100 100 0 0 0 0 0	0 0 100 100 0 0 0 0 0	* 100	
8854 DISABILITY INSURANCE  * TOTAL FRINGE BENEFITS  3020 14 PUB SAFTY COM SYS E911  110 1110 DISPATCHER  399 1110 DISPATCHER	0 0 24,987 16,859	0	0 0 26,141 26,141	26,011 27,261	* 26,011 27,261	26,011 27,261
3020 14 PUB SAFTY COM SYS E911 110 1110 DISPATCHER 399 1110 DISPATCHER 406 1110 DISPATCHER 483 1110 DEPUTY SHERIFF LIEUTENAN 498 1110 DISPATCHER 682 1110 DISPATCHER 707 1110 DISPATCHER	20,815 0 24,730 24,469 16,926	24,891 0 25,791 25,791 24,891	24,891 0 6,596 25,791 24,891	26,911	26,911 26,911 26,311	26,911 26,911 26,311

Adopted Budget For Department Of Sheriff & Jail	EXP/REL 2005	ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED 2007	BUDGET OFFICER F RECOMMENDED 2007	PAGE: 25 ADOPTED 2007
729 1110 TECH. COMMUNICATION COOR 930 1110 DISPATCHER 931 1110 DISPATCHER 1411 1110 DISPATCHER 1412 1110 DISPATCHER 1413 1110 DISPATCHER 1413 1110 DISPATCHER 1414 1110 DISPATCHER 1415 1110 DISPATCHER 1416 1111 OVERTIME EMPLOYEES 1111 OVERTIME PAY 140 OVERTIME PAY 140 OVERTIME PAY 140 OVERTIME PAY 140 DISPATCHER PT 141 OVERTIME PAY 141 OFFICE FURNITURE 141 OFFICE FURNITURE 141 OFFICE FURNITURE 140 OFFICE FURNITURE 140 OFFICE FURNITURE 140 OFFICE FURNITURE 141 OFFICE FURNITURE 141 OFFICE FURNITURE 142 EQUIP RENTAL/LEASE/REPAI 143 MISC. SUPPORTING SERVICE 144 GASOLINE, OIL, DIESEL FUEL 144 CLOTHING & UNIFORMS 144 SPECIAL SUPPLIES & MATER 145 TRAINING 145 COMPUTER SOFTWARE 147 TRAVEL: RELATED COSTS 1110 ON SHERIFF 13 1110 DEPUTY SHERIFF	0 25,329 20,024 17,929 24,088 20,300 236,456 0 0 0 65,758 65,758	0 26,641 24,891 23,934 25,491 279,494 38,000 38,000 0 64,645 4,000 4,000	22,899 26,641 23,891 23,934 25,491 24,891 282,198 35,294 35,294 0 64,645 4,000 4,000	31,866 27,761 26,311 0 26,911 26,311 272,565 40,000 40,000 7,305 7,305 66,439 3,000 3,000	31,866 27,761 26,311 26,311 * 272,565 * 40,000 * 7,305 * 66,439 * 3,000 *	31,866 27,761 26,311 26,311 26,311 298,876 40,000 40,000 7,305 7,305 66,439 3,000 3,000
2220 OFFICE EQUIPMENT 2250 TECHNICAL EQUIPMENT 2259 COMPUTER EQUIPMENT EQUIPMENT  * TOTAL  4407 OFFICE EQUIPMENT 4408 OFFICE SUPPLIES 4409 OFFICE FURNITURE 4410 UTILITIES 4411 TELEPHONE 4422 EQUIP RENTAL/LEASE/REPAI 4425 MAINTENANCE AGREEMENTS	103,681 105,685 361 177 0 70,966 0 1,040	0 0 0 0 0 0 0 0 88,150 8,000 113	0 675 0 675 0 565 3,800 0 84,210 8,000 113	0 0 0 0 2,000 0 0 84,000 4,812 3,208	* 2,000  84,000 9,852 3,208	2,000 84,000 9,852 3,208
4431 PROFESSIONAL SERVICES 4438 MISC. SUPPORTING SERVICE 4441 GASOLINE,OIL,DIESEL FUEL 4447 CLOTHING & UNIFORMS 4449 SPECIAL SUPPLIES & MATER 4455 TRAINING 4459 COMPUTER SOFTWARE 4470 TRAVEL: RELATED COSTS  * TOTAL CONTRACTUAL 3110 00 SHERIFF	10,755 0 0 0 0 40 208,709 355 292,559	0 400 0 0 200 45,350 100 142,313	0 400 700 0 400 43,550 1,900 143,638	0 500 1,000 1,500 4,000 54,430 300 155,750	500 1,000 1,500 4,000 50,454 300 * 156,814 *	500 1,000 1,500 4,000 50,454 300 156,814
3110 00 SHERIFF  3 1110 DEPUTY SHERIFF  38 1110 DEPUTY SHERIFF  68 1110 DEPUTY SHERIFF  335 1110 PRINCIPAL ACCT.CLERK/TYP  419 1110 UNDERSHERIFF  429 1110 DEPUTY SHERIFF  434 1110 DEPUTY SHERIFF INVESTGTR  436 1110 DEPUTY SHERIFF INVESTGTR  438 1110 DEPUTY SHERIFF INVESTGTR  481 1110 DEPUTY SHERIFF SERGEANT  482 1110 DEPUTY SHERIFF SERGEANT  484 1110 DEPUTY SHERIFF  507 1110 DEPUTY SHERIFF, SGT.  509 1110 SHERIFF  510 1110 SHERIFF  510 1110 DEPUTY SHERIFF LIEUT  637 1110 DEPUTY SHERIFF LIEUT  638 1110 DEPUTY SHERIFF  639 1110 DEPUTY SHERIFF  640 1110 DEPUTY SHERIFF	17,650 18,111 15,600 49,672 20,184 32,982 30,443 34,082 32,441 17,517 30,267 0 58,524 33,013 35,271 31,988 22,466 29,624 31,544	30,443 30,443 26,673 49,749 30,443 33,238 30,443 33,488 30,443 33,488 30,443 32,451 35,521 32,988 30,443 30,443 31,693	30,443 30,443 26,673 49,749 30,443 33,238 30,443 33,988 32,443 33,488 30,443 35,521 32,9451 32,9451 32,988 30,443 31,693	37,064 36,564 37,060 51,886 36,564 39,983 37,314 40,733 38,564 39,983 37,064 64,180 34,101 42,771 39,7314 37,314 37,314	37,064 36,564 37,064 28,460 51,886 36,564 39,983 37,314 40,733 38,564 39,983 37,064 64,180 34,101 42,771 39,733 37,314 37,314 37,564	37,064 36,564 37,064 28,460 51,886 36,564 39,983 37,314 40,733 38,564 39,983 37,064 39,233 64,180 34,101 42,771 39,733 37,314 37,314 37,564

Adopted Budget For Department Of Sheriff & Jail	EXP/REL 2005	ADOPTED 2006		DEPARTMENT REQUESTED 2007	BUDGET OFFICER RECOMMENDED 2007	PAGE: 26 ADOPTED 2007
844 1110 DEPUTY SHERIFF/CORR OFF 898 1110 DEPUTY SHERIFF INVESTGTR	0 33,971	0 33,988	33,988	0 41,233	41,233	41,233
921 1110 DEPUTY SHERIFF 922 1110 DEPUTY SHERIFF 1115 1110 DEPUTY SHERIFF 1116 1110 DEPUTY SHERIFF 1117 1110 DEPUTY SHERIFF 1295 1110 DEPUTY SHERIFF INVESTGTR 1298 1110 DEPUTY SHER SR INVESTGTR	0 0 17,386 29,121 24,127 0 0	0 30,443 30,443 30,443 30,443 0	0 29,819 30,443 30,443 30,443	0 37,314 37,314 37,064 36,564 39,233	37,314 37,314 37,064 36,564 39,233	37,314 37,314 37,064 36,564
1298 1110 DEPUTY SHER SK INVESTGIR 1416 1110 ACCOUNT CLERK TYPIST 1418 1110 DEPUTY SHERIFF, SGT  * TOTAL FULL-TIME EMPLOYEES 1212 1111 OVERTIME PAY  * TOTAL OVERTIME PAY 1213 1113 SHIFT DIFFERENTIAL  * TOTAL SHIFT DIFFERENTIAL 145 1120 SHERIFF DEPUTIES - PT	15,988 0 661,972 0 0 0 116,450	0 0 803,061 49,250 49,250 45,000 45,000 105,050	0 0 802,437 45,250 45,250 48,100 48,100 85,050	982,942 58,000 58,000 53,040 53,040 124,800	58,000 * 58,000 * 53,040	58,000 58,000 53,040
319 1120 ACCT CLK TYPIST-PT-RMGRN 326 1120 OFFICE BUILDING SECURITY	5,407 2,020	0 2,640	0 2,640	0 3,432	3,432	3,432
495 1120 SENIOR CLERK TYPIST 548 1120 ACCOUNT CLERK TYPIST 1120 ACCOUNT CLERK TYPIST	0 0 0	0 9,979 0	0 9,979 0	10,804 0	10,804	10,804
1297 1120 DEPUTY SHER INVESTGTR PT  * TOTAL PART-TIME EMPLOYEES  307 1125 OTHER COMPENSATION/RAISE  347 1125 OTHER COMPENSATION/RAISE  TOTAL OTHER COMP. AND RAISES  396 1130 TEMPORARY EMPLOYEES	123,877 0 2,814	117,669 11,550 2,814 14,364	97,669 15,550 2,814 18,364	139,036 4,000 6,314 10,314	4,000 16,714	4,000 16,714
* TOTAL ALLOWANCES	1,666 1,666 200 200 0 0	0 0 0 900 900	0 0 0 600 600	1,200 1,200 0 0	1,200	1,200 1,200
2210 OFFICE FURNITURE 2220 OFFICE EQUIPMENT 2230 MOTOR VEHICLE EQUIPMENT 2250 TECHNICAL EQUIPMENT 2259 COMPUTER EQUIPMENT 2260 OTHER EQUIPMENT 2266 WATER & BOATING	625	0 0 61,140 1,729 0 0	0 2,425 50,744 36,388 0 0	0 0 61,795 7,600 3,000 0	43,481 5,067 1,500	43,481 8,367 1,500
* TOTAL EQUIPMENT	43,212	62,869 0	89,557 0	72,395 0	* 50,048 *	53,348
4408 OFFICE SUPPLIES 4409 OFFICE FURNITURE	0 3,217 0 33,152	3,600	4,200 624	3,600	3,600	3,600
4410 UTILITIES 4411 TELEPHONE 4422 EQUIP RENTAL/LEASE/REPAI 4425 MAINTENANCE AGREEMENTS 4431 PROFESSIONAL SERVICES	70,694	0 39,000 86,352 3,970	0 43,444 77,352 4,126 0	0 38,000 81,511 924 0	38,000 81,511 924	35,500 81,511 924
4436 MEDICAL FEES 4437 CLERICAL SERVICES	650 0	1,500	1,500	1,700	1,700	1,700
4438 MISC. SUPPORTING SERVICE 4441 GASOLINE,OIL,DIESEL FUEL 4443 DRAPES & BLINDS 4444 CUSTODIAL,HSHLD SUPP/MAT	2,461 50,083 0 0	5,000 49,000 0 1,000	2,615 89,500 0	5,000 60,000 0	5,000 60,000	5,000 60,000
4444 CUSTODIAL, HSHLD SUPP/MAT 4446 FOOD SUPPLIES 4447 CLOTHING & UNIFORMS 4449 SPECIAL SUPPLIES & MATER	0 21,912 11,188	20,000 14,000	21,379 15,753	25,000 14,000	25,000 14,000	25,000 14,000

Adopted Budget For Department Of Sheriff & Jail	EXP/REL 2005	ADOPTED 2006		DEPARTMENT REQUESTED 2007	BUDGET OFFICER   RECOMMENDED 2007	PAGE: 27 ADOPTED 2007
4452 PRINTING/COPYING 4453 POSTAGE EXPENSES 4455 TRAINING 4459 COMPUTER SOFTWARE 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 4476 ASSOC/MEMBERSHIP DUES 4497 FEES & PERMITS 4587 K-9 & K-9 SUPPLIES 4589 MC PRINTING: INTRAFUND 4597 M C PURCHASING: INTRAFD	0 64 19,267 0 1,800	0 70 4,500 0 2,300	0 70 4,500 0 3,000	0 70 4,600 600 2,500	70 4,600 600 2,500	70 4,600 600 3,700
4476 MILECAL ALECATIONS 4476 MILECAL ALECATIONS 4476 MILECAL ALECATIONS 4477 MILECAL ALECATIONS	210	260	275	275	275	275
4497 FEES & PERMITS 4587 K-9 & K-9 SUPPLIES 4589 MC PRINTING: INTERAFUND	1,025	1,200 0	1,200 0	1,300 0	1,300	1,300
* TOTAL CONTRACTUAL	219,745	0 231,812	0 269,598	0 239,080	* 239,080 *	237,780
3112 00 CIVIL OFFICE 75 1110 CIVIL ACCOUNTS OFFICER 388 1110 CHIEF CIVIL DEPUTY 754 1110 SR. CIVIL ACCOUNT CLERK 755 1110 SR. CIVIL ACCOUNT CLERK	31,943 36,021 0	31,943 36,021 0	29,093 36,021 0	38,064 44,021 0	38,064 44,021	5,000 30,000 30,000
* TOTAL FULL-TIME EMPLOYEES  224 1111 OVERTIME PAY  * TOTAL OVERTIME PAY  225 1113 SHIFT DIFFERENTIAL	67,964 121 121 0	67,964 200 200 200	65,114 525 525 0	82,085 200 200 100	200	65,000 200 200 100
3112 00 CIVIL OFFICE 75 1110 CIVIL ACCOUNTS OFFICER 388 1110 CHIEF CIVIL DEPUTY 754 1110 SR. CIVIL ACCOUNT CLERK 755 1110 SR. CIVIL ACCOUNT CLERK * TOTAL FULL-TIME EMPLOYEES 224 1111 OVERTIME PAY 224 1111 OVERTIME PAY 225 1113 SHIFT DIFFERENTIAL * TOTAL SHIFT DIFFERENTIAL 311 1125 OTHER COMPENSATION 314 1125 SICK LEAVE BUY BACK OTHER COMP. AND RAISES 467 1130 TEMPORARY EMPLOYEES * TOTAL TEMPORARY EMPLOYEES	1,050 0 1,050 0	200 1,050 300 1,350 0	0 1,200 25 1,225 5,700	100 0 0 0 0	*	100
* TOTAL TEMPORARY EMPLOYEES 313 1150 ALLOWANCES * TOTAL ALLOWANCES 2259 COMPUTER EQUIPMENT	600 600 1,947	600 600 0	5,700 600 600 0	600 600 0	600	600 600
* TOTAL EQUIPMENT 4408 OFFICE SUPPLIES	1,947 585	1,700	700	1,700	* 1,700	1,700
4410 UTILITIES 4411 TELEPHONE 4422 EQUIP RENTAL/LEASE/REPAI 4425 MAINTENANCE AGREEMENTS 4436 MEDICAL FEES 4441 GASOLINE,OIL,DIESEL FUEL 4447 CLOTHING & UNIFORMS 4449 SPECIAL SUPPLIES & MATER 4453 POSTAGE EXPENSES 4455 TRAINING 4470 TRAVEL: RELATED COSTS 4497 FEES & PERMITS CONTRACTIVAL	65 0 129 0 0 0 43	0 500 4,648 113 150 1,200 200	0 100 4,648 113 150 500 100	0 400 4,276 419 150 1,000 200	400 4,276 419 150 1,000 200	400 4,276 419 150 1,000 200
4449 SPECIAL SUPPLIES & MATER 4453 POSTAGE EXPENSES 4455 TRAINING 4470 TRAVEL: RELATED COSTS 4497 FEES & PERMITS * TOTAL CONTRACTUAL	7 0 0 60 894	0 70 200 500 60 9,341	0 70 50 0 60 6,491	0 70 200 200 0 8,615	70 200 200 * 8,615 *	70 200 200 8,615
3150 00 JAIL	32,963	32,963	32,963	38,548		,
4 1110 CORRECTION SGT 10 1110 CORRECTION SGT 29 1110 HEAD COOK	15,974 32,486 30,959	0 32,713 33,226	0 32,713 33,226	0 38,048 34,586	38,548 38,048 34,586	38,548 38,048 34,586
56 1110 STRUCTURAL MAINT. HELPER 63 1110 COOK 64 1110 CORRECTION OFFICER 65 1110 CORRECTION OFFICER 69 1110 CORRECTION OFFICER 70 1110 CORRECTION OFFICER 72 1110 CORRECTION OFFICER	0 23,996 31,094 2,493 29,695 29,581 7,367	0 25,191 31,218 30,468 30,468 29,468 29,468	0 25,191 31,218 22,198 30,468 29,468 29,468	0 26,611 35,897 35,397 35,397 35,147	26,611 35,897 17,699 35,397 35,147 35,147	26,611 35,897 17,699 35,397 35,147 35,147

Adopted Budget For Department Of Sheriff & Jail	EXP/RE	L ADOPTED	MODIFIED	DEPARTMENT REQUESTED	BUDGET OFFICER RECOMMENDED	PAGE: 28 ADOPTED
	2005	2006	2006	2007	2007	2007
73 1110 CORRECTION CORPORAL 74 1110 CORRECTION OFFICER 76 1110 CORRECTION OFFICER	31,574 25,562 25,185	31,467 29,468 29,468	31,467 29,468 29,468	36,593 33,897 34,897	36,593 33,897 34,897	36,593 33,897 34,897
90 1110 LPN 130 1110 CORRECTION FACILITY NURS 135 1110 CORRECTION CORPORAL 146 1110 CORRECTION OFFICER	30,806 13,918 25,101	40,599 31,467 30,468	40,599 31,467 30,468	42,112 36,593 34,397	42,112 36,593 34,397	42,112 36,593 34,397
152 1110 CORRECTION CORPORAL 154 1110 CORRECTION OFFICER 155 1110 CORRECTION CORPORAL 156 1110 CORRECTION OFFICER	31,839 30,968 31,547 30.320	31,717 30,968 31,717 30.718	31,717 30,968 31,717 30,718	36,593 35,647 36,593 35.397	36,593 35,647 36,593 35.397	36,593 35,647 36,593 35.397
174 1110 CORRECTION OFFICER 182 1110 CORRECTION OFFICER 188 1110 CORRECTION OFFICER 190 1110 CORRECTION OFFICER	24,863 31,585 31,087	29,468 31,468 30,968	29,468 31,468 30,968	35,147 36,397 35,647	35,147 36,397 35,647	35,147 36,397 35,647
196 1110 CORRECTION OFFICER 196 1110 CORRECTION OFFICER 198 1110 CORRECTION OFFICER 260 1110 STRUCT MAINT SUPER. #1	30,718 30,718 0	30,718 30,968 0	30,718 30,968 0	35,647 35,647 0	35,647 35,647	35,647 35,647
262 1110 CORRECTION FACILITY NURS 295 1110 CORRECTION OFFICER 316 1110 CORRECTION SGT 338 1110 ACCOUNT CLERK/TYPIST	39,191 30,990 32,588 433	41,199 30,968 32,463 22,521	37,499 30,968 32,463 22,521	43,012 35,647 37,798 27,774	43,012 35,647 37,798 27,774	43,012 35,647 37,798 27,774
389 1110 CORRECTION OFFICER 411 1110 CORRECTION OFFICER 414 1110 CORRECTION OFFICER 415 1110 CORRECTION OFFICER	24,062 27,514 30,076 18,266	29,468 30,968 30,718 29,468	29,468 30,968 17,828 29,468	34,897 35,647 35,397 33,897	34,897 35,647 35,397 33,897	34,897 35,647 35,397 33,897
416 1110 CORRECTION OFFICER 470 1110 CORRECTIONS ADMINISTRATO 499 1110 CORRECTION OFFICER 500 1110 CORRECTION OFFICER	31,087 43,384 25,638	31,218 43,305 30,718	31,218 43,305 30,718	35,897 45,481 35,397	35,897 45,481 35,397	35,897 45,481 35,397
506 1110 CORRECTION OFFICER 508 1110 CORRECTION OFFICER 642 1110 CORRECTION CORPORAL	18,132 29,773 31,717	30,468 30,718 31,717	30,468 30,718 31,717	35,397 35,397 35,593	35,397 35,397 36,593	35,397 35,397 35,397 36,593
643 1110 CORRECTION OFFICER 683 1110 CORRECTIONS OFFICER 753 1110 CORRECTION OFFICER 845 1110 CORRECTIONS OFFICER	29,655 29,581 0 31,087	30,968 29,468 0 31,218	30,968 29,468 0 31,218	35,647 35,147 0 35,897	35,647 35,147 35,897	35,647 35,147 34,297 35,897
846 1110 CORRECTION OFF/DISPATCHE 855 1110 CORRECTION OFFICER 864 1110 STRUCTURAL MAINT WORKER	0 29,581 0	0 30,468 0	0 30,468 0	0 35,397 0	35,397	35,397
1059 1110 CORRECTION OFFICER 1074 1110 CORRECTION OFFICER 1075 1110 CORRECTION OFFICER	31,338 31,468 30,567	31,218 31,468 30,968	31,218 31,468 30,968	35,897 36,397 35,647	35,897 36,397 35,647	35,897 36,397 35,647
1076 1110 CORRECTION OFFICER 1077 1110 CORRECTION OFFICER 1078 1110 CORRECTION CORPORAL 1079 1110 CORRECTION OFFICER	31,087 30,718 31,229	31,218 30,718 31,717	31,218 30,718 31,717	35,897 35,397 36,843	35,897 35,397 36,843	35,897 35,397 36,843
1080 1110 CORRECTION CORPORAL 1104 1110 CORRECTION OFFICER 1105 1110 CORRECTION OFFICER 1112 1110 CORRECTION SGT	31,967 27,388 30,968	32,217 29,468 30,968 0	32,217 29,468 30,968	37,343 33,897 35,897 0	37,343 33,897 35,897	37,343 33,897 35,897
1313 1110 STRUCTURAL MAINT WORKER 1317 1110 CORRECTION OFFICER 1417 1110 COOK 1419 1110 CORRECTION LIEU	26,409 24,375 32,104	29,468 25,791 34,933	0 29,468 25,791 34,933	0 31,521 29,252 41,212	31,521 29,252 41,212	31,521 29,252 41,212
* TOTAL FULL-TIME EMPLOYEES 1214 1111 OVERTIME PAY	28,541	83,000	83,000	95,000	95,000	95,000

BUDGET

Adonted	Budget	For	Department	٥f	Shariff	R.	Tail	
AUUDLEU	buuuet	FUI	Debai tillellt	UΙ	SHELLI	œ	Jaii	

BUDGET DEPARTMENT PAGE: 30 OFFICER

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 ff & Jail
 2006
 2007

 ICA
 279,357.31
 290,212.62

 ETIREMENT
 438,500.56
 456,313.59

 ORKERS COMPENSATION
 214,717.05
 223,044.64

 OSPITAL & MEDICAL INS
 188,460.00
 188,460.00

 ISABILITY INSURANCE
 36,140.00
 36,140.00

 TOTAL ESTIMATED FRINGE1,157,174.921,194,170.85

 ESTIMATED FRINGES FOR DEPARTMENT OF Sheriff & Jail 8810 FICA 8820 RETIREMENT 8830 WORKERS COMPENSATION 8850 HOSPITAL & MEDICAL INS 8854 DISABILITY INSURANCE

FUND: A General Fund DEPT: 16 Public Health 12/07/06 PAGE: 31 13:07:12

Adopted Budget For Department Of Public Health	FXP/RFI	ADOPTED	MODIFIED	DEPARTMENT REQUESTED	BUDGET OFFICER RECOMMENDED	ADOPTED
REVENUES	2005	2006	2006	2007	2007	2007
1601 00 PUBLIC HEALTH FEES	52,625	60,725 0	60,725	52,749 0	52,749	52,749
1601 00 PUBLIC HEALTH FEES 1605 00 CHGS CARE HANDICPPD CHILD 1621 00 EI/FEES FOR SERVICE 1689 00 HLTH INCM PMT/EMT CLASSBK 2701 00 REFUND OF PRIOR YRS EXPEN	251,749 46 306	356,642 70 0	356,642 70	284,794 154 0	284,794 154	284,794 154
STATE AID 3277 00 EDUCA HANDICAPED CHILDREN STATE AID 3401 00 PUBLIC HEALTH STATE AID 3401 01 EI-CHAP CHILD HEALTH GRNT	1,335,618 462,486 40.321	346,454			1,856,694 426,112 56,106	1,856,694 426,112 56,106
STATE AID 3277 00 EDUCA HANDICAPED CHILDREN STATE AID 3401 00 PUBLIC HEALTH STATE AID 3401 01 EI-CHAP CHILD HEALTH GRNT STATE AID 3401 02 RABIES REIMBURSEMENT GRNT STATE AID 3401 03 IMMUNIZATION ACTION GRANT STATE AID 3401 05 LEAD POISONING GRANT STATE AID 3401 06 PEDESTRIAN INJURY GRANT STATE AID 3401 07 HEALTHY HEART GRANT STATE AID 3401 08 HIV GRANT STATE AID 3446 00 HANDICAPPED CHILDREN STATE AID 3446 00 EARLY INTERVENT STATE AID STATE AID 3456 00 MEDICAID/3-5 FEDERAL AID 4451 00 EI/FEDERAL	2,374 23,362 23,978 60,671	5,000 22,862 24,740 0	5,000 24,017 25,380 75,000	5,000 24,013 24,741 0	5,000 24,013 24,741	5,000 24,013 24,741
STATE AID 3401 07 HEALTHY HEART GRANT STATE AID 3401 08 HIV GRANT STATE AID 3446 00 HANDICAPPED CHILDREN	77 0	0 0 0	3,425 0	0		
STATE AID 3449 00 EARLY INTERVENT STATE AID STATE AID 3456 00 MEDICAID/3-5 FEDERAL AID 4451 00 EI/FEDERAL	174,635 257,276 16,330	125,454 136,837 17,781_	125,454 136,837 17,781_	113,086 206,610 13,055_	113,086 206,610 13,055	113,086 206,610 13,055_
***TOTAL REVENUES APPROPRIATIONS	2,701,854	2,760,493	2,853,750	3,063,114	3,063,114	3,063,114
4010 00 PUBLIC HEALTH 27 1110 PROGRM SPECIALIST CCS-10	22.843	31,117	31,117	32,504	32,504	32,504
27 1110 PROGRM SPECIALIST CCS-10 32 1110 PUBLIC HEALTH DIRECTOR 51 1110 RPN-49%	56,737 0	56,160 0	56,160 0	59,187 0	59,187	59,187
51 1110 RPN-49% 163 1110 ACCOUNT CLERK TYPIST 183 1110 ACCOUNT CLERK TYPIST-100	0 21 718	0 23,120	14,613 20,799	23,533 11,767	23,533 11,767	23,533 11,767
255 1110 RPN-20% 256 1110 RPN-60%	6,352	6,640	6,640	6,930	6,930	6,930 20,250
257 1110 PHC COORDINATOR-95%	0	19,378	19,378 0	20,250 27,000	20,250 27,000	27,000
281 1110 ASSTST DTR PUBLIC HEALTH	39.86/	33,797 40,662	33,797 40,662	35,250 42,469	35,250 42,469	35,250 42,469
298 1110 PRINCIPAL CLERK 387 1110 PRINCIPAL CLERK-45% 391 1110 ACCOUNT CLERK TYPIST-45% 423 1110 SUPERVISING PHN-100% 430 1110 CCS SPECIALIST 100%	0 10,886	0 11,569	0 13,889	0 25,674	25,674	25,674
391 1110 ACCOUNT CLERK TYPIST-45% 423 1110 SUPERVISING PHN-100%	10,466	10,269	5,332	0		ŕ
387 1110 PRINCTPAL CLERK-45% 391 1110 ACCOUNT CLERK TYPIST-45% 423 1110 SUPERVISING PHN-100% 430 1110 CCS SPECIALIST 100% 435 1110 SENIOR ACCOUNT CLERK TYP 1106 1110 PUBLIC HEALTH NURSE-69% 1337 1110 PUB. HEALTH EDUCATOR-100 1365 1110 NURSE COORDINATOR-100% 1366 1110 COMM. HEALTH WORKER - 75 * TOTAL FULL-TIME EMPLOYEES	29,695 0	31,417 0 0	31,417 5,450 0	32,204 11,975	32,204 11,975	32,204 11,975
1337 1110 PUB. HEALTH EDUCATOR-100 1365 1110 NURSE COORDINATOR-100%_	31,118 35,480	33,197 35,273	33,197 35,273	34,650 37,170	34,650 37,170	34,650 37,170
1366 1110 COMM. HEALTH WORKER - 75 * TOTAL FULL-TIME EMPLOYEES	18,282 330,045	19,343 351,942	19,343 367,067	20,183 420,746	20,183 * 420,746 *	20,183 420,746
320 1111 OVERTIME PAY * TOTAL OVERTIME PAY	2,855 2,855	3,605 3,605	3,605 3,605	3,800 3,800	3,800 * 3,800 *	3,800 3,800
315 1120 PHYSICIAN-PT 704 1120 PRINCIPAL CLERK - P/T	4,628	4,160 9,483	4,160	4,347	4,347	4,347
* TOTAL PART-TIME EMPLOYEES 1068 1125 OTHER COMPENSATION	11,617 10,810	13,643 10,810	4,160 10,810	4,347 10,810	10,810	
* TOTAL OTHER COMP. AND RAISES 497 1130 ACCOUNT CLERK TYPIST	10,810 0	10,810 0	10,810 0	10,810 0		10,810
* TOTAL TEMPORARY EMPLOYEES 1227 1150 ALLOWANCES	0 600	0 600	0 600		600	600
* TOTAL ALLOWANCES 2259 COMPUTER EQUIPMENT	600	600 0	600	600	* 600 *	
2260 OTHER EQUIPMENT	ő	Ö	Ö	Ö		

Adopted Budget For Department Of Public Health	EXP/REL 2005	ADOPTED 2006	MODIFIED	DEPARTMENT REQUESTED 2007	RECOMMENDED	PAGE: 32 ADOPTED 2007
* TOTAL EQUIPMENT 4407 OFFICE EQUIPMENT 4408 OFFICE SUPPLIES 4409 OFFICE FURNITURE 4410 UTILITIES	0 0 1,201 0	0 0 2,150 0	0 0 2,145 0	0 0 2,000 0	* 2,000	2,000
4411 TELEPHONE 4422 EQUIP RENTAL/LEASE/REPAI	797	10,925 840	10,815 950	9,750 840	9,750 840	9,750 840
4423 MAINTENANCE AGREEMENTS 4431 PROFESSIONAL SERVICES 4438 MISC. SUPPORTING SERVICE	20,835 7,812	30,917 7,925	37,314 7,925	9,468 7,925	9,468 7,925	9,468 7,925
4441 GASOLINE, OIL, DIESEL FUEL 4445 MEDICAL SUPPLIES 4446 FOOD SUPPLIES	13,510 0	19,415 0	19,415 0	19,865 0	19,865	19,865
4449 SPECIAL SUPPLIES & MATER 4452 PRINTING/COPYING 4453 POSTAGE EXPENSES 4455 TRAINING 4459 COMPUTER SOFTWARE	0 0 71 30	0 0 150 200	0 0 150 200	0 0 150 200	150 200	150 200
4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 4475 TRANSPORTATION	365 2,658	1,020 4,000	1,020 4,000	1,020 4,000	1,020 4,000	1,020 4,000
* TOTAL  ### TOTAL  #### TOTAL  ###################################	855 0 909 13,236 850 7,600 946 82,367	883 500 1,000 13,704 900 7,600 930 103,059	883 500 1,000 13,704 900 7,600 930 109,456	914 500 1,000 14,436 900 6,000 800 79,768	914 500 1,000 14,436 900 6,000 800 * 79,768	914 500 1,000 14,436 900 6,000 800 79,768
4010 01 EI-CHAP CHILD HEALTH GRNT 437 1110 SENIOR ACCOUNT CLERK TYP 1287 1110 ACCOUNT CLERK TYPIST-55% 1288 1110 RPN-40% 1289 1110 PHC COORDINATOR-5% 1290 1110 ACCOUNT CLERK TYPIST-3% 1291 1110 PROGRAM SPECIALIST-0% 1294 1110 EARLY INTERVENTION-0% 1299 1110 SUPERVISING PHN-0% 1300 1110 PUBLIC HEALTH NURSE-1% 1302 1110 RPN-1%	0 11,441 9,662 0 0 0 0 0	0 12,551 12,919 0 0 0 0 0	6,662 6,517 12,919 0 0 0 0 0	14,636 0 13,500 9,000 0 0 0 0	14,636 13,500 9,000	
* TOTAL CONTRACTUAL  4010 01 EI-CHAP CHILD HEALTH GRNT	21,103 0 0 0 300 239 0 9,850 3,325 141 0 0 0 365 0	25,470 0 0 0 0 0 0 0 11,551 0 0 0 0 0	26,098 0 4,000 4,000 0 2,151 0 14,116 1,150 0 0 0 1,186 535	37,136 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	* 37,136 °	37,136

Adopted Budget For Department Of Public Health	EXP/REL 2005	ADOPTED 2006	MODIFIED	DEPARTMENT REQUESTED 2007	RECOMMENDED	PAGE: 33 ADOPTED 2007
4526 EDUCATION PROGRAMS	2,311	19,569	7,038	18,970	18,970	18,970
4526 EDUCATION PROGRAMS 4589 MC PRINTING: INTRAFUND * TOTAL CONTRACTUAL	120 16,651	31,120	26,492	18,970	* 18,970	18,970
4010 02 RABIES REIMBURSEMENT GRNT 4436 MEDICAL FEES 4453 POSTAGE EXPENSES * TOTAL CONTRACTUAL	2,846 8 2,854	8,590 360 8,950	8,590 360 8,950	8,590 360 8,950	8,590 360 * 8,950	8,590 360 8,950
4010 03 IMMUNIZATION ACTION GRANT 627 1110 RPN-30% 733 1110 ACCOUNT CLERK TYPIST 50% 1301 1110 PUBLIC HEALTH NURSE-30%	9,527	9,959	9,959 2,815	10,395 11,766	10,395 11,766	10,395 11,766
1305 1110 PRINCIPAL CLERK-50% 1305 1110 PRINCIPAL CLERK-50% * TOTAL FULL-TIME EMPLOYEES 103 1120 RPN-100%	12,095 21,622 0	12,853 22,812 0	10,038 22,812 0	22,161 0	* 22,161 °	* 22,161
* TOTAL PART-TIME EMPLOYEES 2250 TECHNICAL EQUIPMENT 2259 COMPUTER EQUIPMENT 2260 OTHER EQUIPMENT	1,057 0 0	0 0	0 0 0	0 0 0	•	
* TOTAL EQUIPMENT 4407 OFFICE EQUIPMENT 4408 OFFICE SUPPLIES 4409 OFFICE FURNITURE	1,057 0 266 279	0 0 0 0	0 0 100 0	0 0 0 0	*	
4438 MISC. SUPPORTING SERVICE 4445 MEDICAL SUPPLIES 4449 SPECIAL SUPPLIES & MATER 4452 PRINTING/COPYING	0 1,426 733 0	0 50 0 0	50 555 0 0	1,852 0 0	1,852	1,852
* TOTAL CONTRACTUAL  4010 02 RABIES REIMBURSEMENT GRNT	83 60 0 102	0 0 0 0	250 250 0 0	0 0 0 0		
4589 MC PRINTING: INTRAFUND * TOTAL CONTRACTUAL	140 3,089	0 50	0 1,205	0 1,852	* 1,852	1,852
4010 05 LEAD POISONING GRANT 700 1110 COMM. HEALTH WORKER - 25	6 004	6 118	6 119	6 728	6 728	6,728
1307 1110 PRINCIPAL CLERK-5%	15,879 1,210	16,598 1,285	16,598 1,285	17,325	6,728 17,325	17,325
1364 1110 NURSE COORDINATOR-0% * TOTAL FULL-TIME EMPLOYEES 2220 OFFICE FOULTMENT	0 23,183	0 24,331	24,331 0	24,053 0	* 24,053	24,053
* TOTAL EQUIPMENT 4407 OFFICE EQUIPMENT	0 0	0	0	0	*	
4408 OFFICE SUPPLIES 4436 MEDICAL FEES	0 82	0	374 375	0		
4445 MEDICAL SUPPLIES	99	Ŏ	100	Ö		
4453 POSTAGE EXPENSES 4455 TRAINING	0	0	20	0		
4459 COMPUTER SOFTWARE	Ö	0	0	0		
44/0 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS	0	0	0	0		
4491 LEGAL NOTICE&ADVERTISING	ŏ	Ŏ	ŏ	ŏ		
4526 EDUCATION PROGRAMS 4589 MC PRINTING: INTRAFILING	0	409 0	0	688 0	688	688
4595 MC MAIL INTRAFO.	615	0	179	Ö		
* TOTAL CONTRACTUAL 4010 06 PEDESTRIAN INJURY GRANT	796	409	1,048	688	* 688	<sup>k</sup> 688
2220 OFFICE EQUIPMENT 2250 TECHNICAL EQUIPMENT	15,470 14,948	0	0 0	0		

Adopted Budget For Department Of Public Health	EXP/REL 2005	ADOPTED 2006	MODIFIED	BUDGE DEPARTMENT OFFICE REQUESTED RECOMMEN 2007 2007	R PAGE: 34 IDED ADOPTED
* TOTAL EQUIPMENT  4407 OFFICE EQUIPMENT  4408 OFFICE SUPPLIES  4409 OFFICE FURNITURE  4410 UTILITIES  4411 TELEPHONE  4425 MAINTENANCE AGREEMENTS  4431 PROFESSIONAL SERVICES  4438 MISC. SUPPORTING SERVICE  4445 MEDICAL SUPPLIES  4446 FOOD SUPPLIES  4446 FOOD SUPPLIES  4448 CONST. & MAINT. SUPPLIES  4449 SPECIAL SUPPLIES & MATER  4452 PRINTING/COPYING  4453 POSTAGE EXPENSES  4455 TRAINING  4459 COMPUTER SOFTWARE  4470 TRAVEL: RELATED COSTS  4471 MILEAGE ALLOCATIONS  4491 LEGAL NOTICE&ADVERTISING  4526 EDUCATION PROGRAMS  4589 MC PRINTING: INTRAFUND  * TOTAL CONTRACTUAL  4010 07 HEALTHY HEART GRANT  1308 1110 PRINCIPAL CLERK-10%	11,681 42,099 0 2,600 3,635 3,489 501 0 2,408 2,592 204 0 0 0 0 692 336 174		4,370 4,370 3,571 4,650 14,534 0 3,600 1,680 17,595 2,250 9,100 2,750 0 950 0 1,000 4,200 500 700	0 * 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	
4491 LEGAL NOTICE&ADVERTISING 4526 EDUCATION PROGRAMS 4589 MC PRINTING: INTRAFUND * TOTAL CONTRACTUAL	2,162 0 0 18,793	0 0 0	2,250 0 300 70,630	0 0 0 0 *	
* TOTAL CONTRACTUAL  4010 07 HEALTHY HEART GRANT 1308 1110 PRINCIPAL CLERK-10% 1311 1110 PUBLIC HEALTH EDUCAT -20  * TOTAL FULL-TIME EMPLOYEES 2210 OFFICE FURNITURE 2250 TECHNICAL EQUIPMENT 2250 COMPUTER EQUIPMENT 2260 OTHER EQUIPMENT 4408 OFFICE SUPPLIES 4438 MISC. SUPPORTING SERVICE 4449 SPECIAL SUPPLIES & MATER 4452 PRINTING/COPYING 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 4491 LEGAL NOTICE&ADVERTISING 4526 EDUCATION PROGRAMS 4589 MC PRINTING: INTRAFUND CONTRACTUAL  4010 08 HIV GRANT  2210 OFFICE FURNITURE 2260 OTHER EQUIPMENT 4449 SPECIAL SUPPLIES & MATER 455 TRAINING 470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 4589 MC PRINTING: INTRAFUND TOTAL CONTRACTUAL  4010 08 HIV GRANT  2210 OFFICE FURNITURE 2260 OTHER EQUIPMENT 4449 SPECIAL SUPPLIES & MATER 4455 TRAINING 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 4491 LEGAL NOTICE&ADVERTISING 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 4491 LEGAL NOTICE&ADVERTISING TOTAL CONTRACTUAL  4046 00 CO. CO-ORD CHILDRENS SERV 4432 TUITION	000000000000000000000000000000000000000	000000000000000000000000000000000000000	000000000000000000000000000000000000000	0 0 0 * 0 0 0 0 * 0 0 0 0 0 0 0 0 0	
2210 OFFICE FURNITURE 2260 OTHER EQUIPMENT  * TOTAL EQUIPMENT  4449 SPECIAL SUPPLIES & MATER 4455 TRAINING  4470 TRAVEL: RELATED COSTS  4471 MILEAGE ALLOCATIONS  4491 LEGAL NOTICE&ADVERTISING  * TOTAL CONTRACTUAL	0 0 0 70 7 0 0	0 0 0 0 0 0	3,425 0 0 0 0 0 0 0 3,425	0 0 * 0 0 0 0	
4046 00 CO. CO-ORD CHILDRENS SERV 4432 TUITION 4436 MEDICAL FEES 4438 MISC. SUPPORTING SERVICE	73,051	2,219,300 79,350 30,000	2,294,170 79,350 50,129	2,690,000 2,690,0 73,700 73,7 43,093 43,0	2,690,000 700 73,700 93 43,093

BUDGET

Adopted Budget For Department Of Public Health	EXP/RE 2005	L ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED 2007	BUDGET OFFICER RECOMMENDED 2007	PAGE: 35 ADOPTED 2007
4475 TRANSPORTATION	507,394	621,760	626,760		719,700	719,700
* TOTAL CONTRACTUAL	2,498,886	2,950,410	3,050,409	3,526,493	*3,526,493	3,526,493
4059 00 EARLY INTERVENTION						
4432 TUITION	538,721	550,000	477,000	505,000	505,000	505,000
4436 MEDICAL FEES	21,071	27,500	20,500	18,000	18,000	18,000
4438 MISC. SUPPORTING SERVICE	27,082	37,400	22,400		25,000	25,000
4475 TRANSPORTATION	7,885	10,000	5,000	10,000	10,000	10,000
* TOTAL CONTRACTUAL	594,759	624,900	524,900	558,000	* 558,000	* 558,000
4070 00 TUBERCULOSIS CARE/TREATMT						
4445 MEDICAL SUPPLIES	1,054	1,960	1,960	1,960	1,960	1,960
4553 TUBERCULOSIS CARE/TREATM	2,115	5,000	5,000		5,000	5,000
* TOTAL CONTRACTUAL	3,169	6,960	6,960	6,960	* 6,960	₹ 6,960
4189 00 OTHER PUB.HEALTH (V.D.)						
4554 VENEREAL DISEASE CARE	18,302	27,000	27,000		20,000	20,000
* TOTAL CONTRACTUAL	18,302_	27,000_	27,000_			
***TOTAL APPROPRIATIONS	3,704,734	4,206,071	4,298,328			
***LESS OTHER REVENUES	304,726	417,437	417,437		337,697	337,697
***LESS STATE REVENUES	2,380,798	2,325,275	2,418,532		2,712,362	2,712,362
***LESS FEDERAL REVENUES	16,330	17,781	17,781	13,055	13,055	13,055
***EQUALS DEPARTMENT COST	1,002,880	1,445,578	1,444,578	1,682,220	1,682,220	1,682,220
***********	*****	******	*****	*****	*****	*******

ESTIMATED	FRINGES	FOR	DEPARTMENT	OF Pub	lic Health	2006	2007
				8810	FICA	27,174.77	28,487.80
				8820	RETIREMENT	44,403.33	46,548.85
				8830	WORKERS COMPENSATION	20,951.60	21,963.93
				8850	HOSPITAL & MEDICAL INS	87,045.00	87,045.00
				8854	DISABILITY INSURANCE	3,120.00_	3,120.00_
					TOTAL ESTIMATED FRINGE	182.694.70	187.165.58

					13:07:12		
Adopted Budget For Department Of Mental Health				DEPARTMENT	BUDGET OFFICER		
Adopted budget For Department of Mental hearth	EVD/DE	L ADOPTED			RECOMMENDED	ADOPTED	I
	2005	2006	2006	2007	2007	2007	
REVENUES	2003	2000	2000	2007	2007	2007	
1620 00 MENTAL HEALTH FEES	153,725	174,021	174,021	182,640	182,640	182,640	
1620 00 MENTAL HEALTH FEES 1625 00 MEN HLTH CONTRI PRVATE AG	153,725	174,021	174,021	182,640	102,040	102,040	
					022 EU1	922 EQ4	
STATE AID 3472 00 SPEC.HLTH.PROG.OASAS	621,764	663,920	793,557	833,594	833,594	833,594	
STATE AID 3490 00 MENTAL HEALTH	1,11/,054	1,447,600	844,000	901,833	901,833	901,833	
FEDERAL AID 4490 00 FEDERAL SALARY SHARING	3,226_	0_	4,194	3,900_	3,900	3,900_	
***TOTAL REVENUES	1,896,349	2,285,541	1,815,772	1,921,96/	1,921,967	1,921,967	
APPROPRIATIONS							
4230 00 NARCOTIC ADDICTION SRVS	201 602	204 020	204 020	200 220	200 220	200 220	
4555 DRUG ABUSE PREVENTION	281,603	284,839	284,839	298,320		298,320	
* TOTAL CONTRACTUAL	281,603	284,839	284,839	298,320	* 298,320 *	298,320	
4250 00 COMM. ALCOHOLISM SERV'S							
4565 COMMUNITY SUPPORT SYSTEM		354,865	501,233	542,674		542,674	
* TOTAL CONTRACTUAL	326,134	354,865	501,233	542,674	* 542,674 *	542,674	
4310 00 MENTAL HEALTH ADMIN	•	•	•	•	•	•	
296 1110 PSYCHIATRIST	121,250	125,300	125,300	130,916	130,916	130,916	
302 1110 DIR COMMUNITY SVCS	50,110	50,604	50,604	52,820	52,820	52,820	
* TOTAL FILL-TIME EMPLOYEES	171 360	175.904	175,904	183,736	* 183,736 *		
2259 COMPUTER EQUIPMENT	0	0	0	0	<b>,</b>	,	
2259 COMPUTER EQUIPMENT  * TOTAL EQUIPMENT  4408 OFFICE SUPPLIES  4410 UTILITIES  4411 TELEPHONE	0	Ŏ	ŏ	Ŏ	*		
4408 OFFICE SUPPLIES	ŏ	95 <b>0</b>	400	95Ŏ	950	950	
4410 UTTI TTTES	60	0	0	0	330	330	
4411 TELEPHONE	00	220	220	220	220	220	
4421 PROPERTY RNT/LEASE/REPAI	1,876	9,000	9,000	9,000	9,000	9,000	
4421 PROPERTY RNT/LEASE/REPAI 4431 PROFESSIONAL SERVICES	. 1,876	100	4,294	4,000	4,000	4,000	
4431 PROFESSIONAL SERVICES 4437 CLERICAL SERVICES	0	100	4,294	4,000	4,000	4,000	
					600	600	
4438 MISC. SUPPORTING SERVICE		300	850	600		600	
4455 TRAINING	0		750	750		750	
4470 TRAVEL: RELATED COSTS			450	450		450	
4471 MILEAGE ALLOCATIONS	1,105	1,400	1,400	1,400	1,400	1,400	
44/5 TRANSPORTATION	0	0	0	0	4 ==0	4 ==0	
4475 TRANSPORTATION 4476 ASSOC/MEMBERSHIP DUES 4583 MONT CO. DATA/INTRAFUND	1,351	1,750	1,750	1,750	1,750	1,750	
4583 MONT CO. DATA/INTRAFUND	2,700	2,700	2,700	2,700		2,700	
4589 MC PRINTING: INTRAFUND	100	100	100	100		100	
* TOTAL CONTRACTUAL	6,858	17,720	21,914	21,920	* 21,920 *	1,920	
4320 00 MENTAL HEALTH PROGRAMS							
4433 COURT RELATED EXPENSES		25,000	25,000	25,000	25,000	25,000	
4460 OTHER PROGRAMS	0	0	0	0			
4565 COMMUNITY SUPPORT SYSTEM	1,060,867		844,000	884,165	884,165	884,165	
4567 ASSIST OUTDAT TREATMEN	5 000	5 000	5,000	5,000	5,000	5,000	
* TOTAL CONTRACTUAL  ***TOTAL APPROPRIATIONS  ***LESS OTHER REVENUES  ***LESS STATE REVENUES	1,075,286	1,477,600	874,000_		_*914,165_*	914 165	
***TOTAL APPROPRIATIONS	1,861,241	2,310,928	1,857,890	1,960,815		1,960,815	
***LESS OTHER REVENUES	153.725	174.021	174,021	182,640	182,640	182,640	
***LESS STATE REVENUES	1 739 398	2 111 520	1,637,557			1,735,427	
***LESS FEDERAL REVENUES	3,226	2,111,520	4,194	3,900	3,900	3,900	
***EQUALS DEPARTMENT COST	35,108-	25,387	42.118	38.848	38.848	38.848	
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ESTIMATED FRINGES	FOR DEPARTMENT	OF Mental Health	2006	2007
		8810 FICA	11,528.44	11,779.41
		8820 RETIREMENT	11,988.00	12,967.00
		8830 WORKERS COMPENSATION	10,374.98	10,836.92
		8850 HOSPITAL & MEDICAL I		1,914.00
		8854 DISABILITY INSURANCE	520.00_	520.00_
		TOTAL ESTIMATED FR	INGE 36,325.42	38,017.33

PAGE: 37 DEPT: 18 Social Services 12/07/06 FUND: A General Fund

13:07:12 BUDGET Adopted Budget For Department Of Social Services DEPARTMENT OFFICER EXP/REL ADOPTED MODIFIED REQUESTED RECOMMENDED ADOPTED 2005 2006 2006 2007 2007 2007 **REVENUES** 1801 00 REPAYMENT OF MEDICAL ASST 1,262,994 337,325 55,161 500,000 500,000 500,000 1809 00 REPYMNT FAMILY ASSISTANCE 359,000 359,000 336,000 336,000 336,000 36,500 81,250 85,178 36,500 81,250 37,500 90,000 37,500 90,000 37,500 90,000 1812 00 MISC. INCENTIVES 1819 00 REPAYMENTS OF CHILD CARE 1820 00 REPAYMENT PHC MAINTENANCE 116,764 79,715 46,623 85,178 40,000 85,178 85,178 85,178 1823 00 REPYMT JUVENILE DEL CARE 31,500 31,500 40,000 40,000 10,306 139,964 28,084 1829 00 REPAYMT ST TRAINING SCHL 1840 00 REPYMT SAFETY NET ASSTNCE 103,500 103,500 125,000 125,000 125,000 1841 00 HEAP 6,886 1,427 1842 00 REPYMNT EMER AID TO ADULT 0 1855 00 DAY CARE 0 1870 00 REPAYMENT OF SS FOR RECIP 0 61,140 1894 00 SOCIAL SERVICE CHARGES 2701 00 REFUND OF PRIOR YRS EXPEN 68,228 68,228 15,356 15.356 15.356 60,912 0 0 2772 00 STATE BOND ACT REVENUES 0 STATE AID 3601 00 MEDICAL ASSISTANCE STATE AID 3602 00 MMIS-MDCAID MANG INFO SYS 135,413-263,100-263,100- 266,250- 266,250-266,250-3,485,543 0 3,485,543 0 0 2,500 361,639 458,750 1,086,466 1,362,598 450,395 437,755 234,035 437,755 0 0 361,639 2,500 458,750 1,368,297 437,755 2,500 440,000 1,538,414 577,440 2,500 440,000 2,500 STATE AID 3606 00 SPECIAL NEEDS ADULT FAMIL STATE AID 3609 00 FAMILY ASSISTANCE
STATE AID 3610 00 SOCIAL SERVICES ADMINISTR
STATE AID 3619 00 CHILD CARE 440,000 1,538,414 577,440 1,538,414 577,440 219,910 275,790 482,350 47,500 219,910 275,790 482,350 47,500 219,910 300,550 STATE AID 3620 00 CHILD CARE (PHC MAINT.) 219,910 300,550 219,910 300,550 224,025 286,933 STATE AID 3623 00 JUVENILE DELINQUENT 316,974 40,638 STATE AID 3640 00 SAFETY NET 471,600 47,500 471,600 47,500 471,600 STATE AID 3642 00 EMERGENCY AID FOR ADULTS 47,500 753,504 937,500 937,500 866,250 866,250 866,250 STATE AID 3655 00 DAY CARE STATE AID 3661 00 FAMILY & CHILDRENS SRV BG 0 0 0 0 STATE AID 3670 00 SERVICES FOR RECIPIENTS 0 203,750-FEDERAL AID 4601 00 MEDICAL ASSISTANCE FEDERAL AID 4609 00 FAMILY ASSISTANCE FEDERAL AID 4610 00 SOCIAL SERVICES ADMINISTR FEDERAL AID 4611 00 FOOD STAMP PROGRAM FEDERAL AID 4619 00 CHILD CARE 236,807 211,833 211,833 259,834 259,834 259,834 FEDERAL AID 4640 00 SAFETY NET 3,468
FEDERAL AID 4641 00 HOME ENERGY ASSIST PROG 2,066,025
FEDERAL AID 4661 00 TITLE IV B FUNDS 55,317
FEDERAL AID 4670 00 SERVICES FOR RECIPIENTS 23,658\_ 17,500 17,500 25,000 25,000 25,000 25,000 16,100 16,100 15,055 15,055 15,055 \*\*\*TOTAL REVENUES 15,602,363 12,099,687 12,871,356 12,969,183 12,969,183 12,969,183 **APPROPRIATIONS** 6010 00 SOCIAL SERVICES ADMIN 1110 CLERK-TYPIST 32,297 25,707 56,300 27,297 25,707 56,300 33,750 26,774 58,699 1110 RPN 29,792 33,750 33,750 24,190 53,950 26,774 58,699 26,774 58,699 1110 SOCIAL WLFARE EXAMINER 1110 COMM. OF SOCIAL SERVICES Ó 53 1110 SUPPORT COLLECTOR 0 0 1110 CASEWORKER 66 23,848 25,271 23,339 23,049 26,274 27,560 25,533 25,533 26,274 27,560 25,533 25,533 26,274 27,560 25,533 25,533 24,957 13,594 80 1110 SOCIAL WELFARE EXAMINER 24,957 87 1110 CASEWORKER 26,673 1110 COMPUTER CONSOLE OPERATO 1110 COMPUTER CONSOLE OPERATO 24,520 24,520 24,520 24,520 91 92 23,848 24,957 94 1110 SOCIAL WELFARE EXAMINER 24,957 26,274 26,274 26,274 95

0

23,848

24,987

0

24,957

26,391

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24,957

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27,511

26,274 27,511

26,274 27,511

1110 CASEWORKER

1110 SOCIAL WELFARE EXAMINER

1110 DIR. ADMINISTRATIVE SERV

1110 SENIOR ACCT CLK TYPIST

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104

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Adopted Budget For	Department Of Social Services	EXP/REL 2005	ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED 2007	BUDGET OFFICER RECOMMENDED 2007	PAGE: 38 ADOPTED 2007
108 111 164	1110 DIRECTOR OF ELIGIBILITY 1110 RESOURCE/RECOVERY COORD. 1110 NURSING ASSESSOR/PRI SPE 1110 CASEWORKER 1110 STAFF DEV COORDINATOR 1110 PRIN. SOCIAL WEL EXAMINE 1110 SOCIAL WELFARE EXAMINER 1110 ACCOUNT CLERK TYPIST 1110 CACOUNT CLERK TYPIST 1110 CASE SUPERVISOR (B) 1110 CASE SUPERVISOR (B) 1110 CASE SUPERVISOR (B) 1110 CASEWORKER 1110 CASEWOR	38,588 23,968 0	38,462 25,191 0	38,462 25,191 0	40,069 27,511 0	40,069 27,511	
213 273	1110 CASEWORKER 1110 STAFF DEV COORDINATOR	25,801 29.546	27,273 30.883	14,195 30.883	27,560 31.566	27,560 31,566 33,156 29,310	27,560 31,566
282 293	1110 PRIN. SOCIAL WEL EXAMINE	29,893	31,836	31,836	33,156	33,156 29,310	33,156 29,310
321	1110 WMS SUPERVISOR 1110 SOCIAL WELFARE EXAMINER	23,848	25,207	25,207	26,274	26,274	26,274
322 325	1110 SOCIAL WELFARE EXAMINER 1110 SR. CASEWORKER	22,348 26.470	23,707 27.148	23,707 27.148	25,074 29.698	24,774 29,698	24,774 29,698
328 345	1110 SR SOCIAL WELFARE EXAMIN	24,987	26,391	26,391	27,761	27,761 29,310	27,761 29,310
346	1110 SOCIAL WELFARE EXAMINER	22,858	24,007	24,007	25,310	25,374 22,719	25.374
349 354	1110 COMMUNITY SERVICES AIDE 1110 ACCOUNT CLERK TYPIST	20,629 22,357	21,754 23,420	21,754 23,420	22,719 24,783	22,719 24,783	22,719 24,783
357 358	1110 ACCOUNT CLERK TYPIST	19,266 21,718	23,420 23,120	23,420	24,433	24,433	24,433
359	1110 SOCIAL WELFARE EXAMINER	23,154	24,607	24,607	24,774	25,674	25,674
361 363	1110 ACCOUNT CLERK TYPIST 1110 ACCOUNT CLERK TYPIST	21,718 19,102	22,820 22,520	22,820	24,133	24,133 23,833	24,133 23,833
364 365	1110 SOCIAL WELFARE EXAMINER	23,901 23,049	25,207 24 270	25,207 24 270	26,524 25,283	26,524 25,283	26,524 25,283
371	1110 CASE SUPERVISOR (B)	34,736	36,373	36,373	37,920	37,920	37,920
372 373	1110 CASE SUPERVISOR (B) 1110 CASEWORKER	25,423	26,973	26,973	28,460	42,137 28,460	42,137 28,460
374 375	1110 CASEWORKER 1110 CASEWORKER	19,560 24,584	26,373 26,373	26,373 26,373	27,860 27,860	27,860 27,860	27,860 27,860
376 377	1110 CASEWORKER	23,319	27,273	25,273	27,560	27,560	27,560 27,860
378	1110 CASEWORKER 1110 SR SOCIAL WELFARE EXAM	25,040	26,673	26,641	27,761	25,674 24,133 23,833 26,524 25,283 37,920 42,137 28,460 27,860 27,860 27,860 27,761 29,310 27,860 27,860 27,860 27,860 27,860	27.761
379 382	1110 CASEWORKER 1110 CASEWORKER	26,754 23.062	28,123 26.373	28,123 26.373	29,310 27.860	29,310 27.860	29,310 27,860 27,860 27,860 27,860
383 384	1110 CASEWORKER	21,945	26,673	26,673	27,860	27,860 27,860	27,860 27,860
385	1110 CASEWORKER 1110 CASEWORKER	23,339	20,073	20,073	27,800	27,800	27,000
386 400	1110 CASEWORKER 1110 CLERK TYPIST	0	0	0	0		
402 403	1110 CLERK TYPIST	21,035	22,111	22,111	23,392	22,792	22,792 22,719
405	1110 COMMUNITY SERVICE WORKER	23,443	24,270	24,270	25,283	22,719 25,283 41,397	25,283
409 413	1110 COORDINATOR-CHILD SUPPOR 1110 PRINCIPAL ACCT. CLERK TY	37,227 0	39,744 0	39,744 13,281	41,397 28,810	41,397 28,810	28,810
424 426	1110 WELFARE EMPLOYMENT REP.	0	0	9,765 11,665	27,560 29,560	27,560 29,560	27,560 29,560
428	1110 SOCIAL WELFARE EXAMINER	0	Ö	11,398	24,774	24,774	24,774
432 441	1110 SENIOR CLERK TYPIST 1110 DIRECTOR SOCIAL SERVICES	22,586	39,376	39,376	24,433 41,103	24,433 41,103	24,433 41,103
443 448	1110 CLERK TYPIST 1110 EXECUTIVE SECRETARY	19,968 26,412	23,061 27.873	23,061 27,873	24,042 29,060	24,042 29,060	24,042 29,060
459	1110 HOMEMAKER	22,108	23,420	23,420	24,433	24,433	24,433
461 471	1110 HOMEMAKER 1110 MEDICAL AUDIT CLERK	21,718	23,120	23,120	24,433	24,433 26,774	24,433
480 487	1110 SOC. WELFARE EXMNR. SPAN 1110 ACCOUNTANT	24,190 30,959	25,457 33,226	25,457 33,226	26,774 34,586	26,774	
488 490	1110 PRINCIPAL ACCOUNT CLERK	26,412	27,873	27,873	29,060	29,060	29,060
492	1110 PRINCIPAL WELFARE EXAMIN	0	0	0	0		

BUDGET

Adopted Budget For Department Of Social Se	rvices EXP/RE 2005	L ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED 2007	BUDGET OFFICER RECOMMENDED 2007	PAGE: 39 ADOPTED 2007
514 1110 SOCIAL WELFARE EX. 515 1110 SOCIAL WELFARE EX. 516 1110 SOCIAL WELFARE EX. 518 1110 SOCIAL WELFARE EX. 520 1110 SOCIAL WELFARE EX. 521 1110 SOCIAL WELFARE EX. 521 1110 SOCIAL WELFARE EX. 525 1110 SR ACCT CLERK TYP. 527 1110 SR CASEWORKER 528 1110 SR CASEWORKER 530 1110 CLERK TYPIST 532 1110 CLERK TYPIST	AMINER 24,480 AMINER 24,190 AMINER 25,830 AMINER 23,848 AMINER 24,190 AMINER 23,901 IST 24,987 25,906 27,604 22,078 21.035	25,707 25,707 27,891 25,207 25,457 25,457 26,141 28,458 29,058 23,311 22,111	25,707 25,707 27,891 25,207 25,457 25,457 26,141 28,458 29,058 23,311 22,111	26,774 24,774 29,011 26,274 24,774 26,524 26,011 29,698 29,698 24,292 23,392	26,774 24,774 29,011 24,774 24,774 26,524 26,011 29,698 29,698 24,292 23,392	26,774 24,774 29,011 24,774 26,524 26,011 29,698 29,698 24,292 23,392
532 1110 CLERK TYPIST 537 1110 SR CLERK TYPIST 538 1110 SR SOCIAL WELFARE 539 1110 SR SOCIAL WELFARE 542 1110 SR SOCIAL WELFARE 543 1110 SR SOCIAL WELFARE 556 1110 RECEPTIONIST 583 1110 SR SUPPORT INVEST 595 1110 SOCIAL WELFARE EX 596 1110 SOCIAL WELFARE EX 687 1110 ACCOUNT CLERK TYP 688 1110 SR ACCOUNT CLERK TYP 688 1110 SR ACCOUNT CLERK	EXAMIN 25,329 EXAMIN 24,987 30,959 EXAMIN 24,987 22,357 IGATOR 27,893 AMINER 24,190 AMINER 24,190 AMINER 22,913 IST 16,106 TYPIST 23,776	22,111 0 26,641 26,141 33,226 26,141 23,420 29,308 25,457 24,957 23,120 26,641 26,374	26,641 23,146 33,226 26,141 23,420 29,308 25,457 24,957 23,120 26,641 26,374	28,011 0 34,586 27,261 24,433 30,798 26,524 24,774 23,833 27,761 27,560	28,011 34,586 27,261 24,433 30,798 26,524 24,774 23,833 27,761 27,560	28,011 34,586 27,261 24,433 30,798 26,524 24,774 23,833 27,761 27,560
S14	O ISOR	0 0 0 0 25,457 25,457 46,171 22,820 24,007 27,273 22,111 0	0 0 0 0 25,457 25,457 46,171 22,820 24,007 27,273 22,111 0	0 38,610 22,792 28,798 24,774 26,524 26,524 48,375 23,833 24,774 27,560 23,392 0	38,610 22,792 28,798 24,774 26,524 26,524 48,375 23,833 25,374 27,560 23,392	38,610 22,792 28,798 24,774 26,524 26,524 48,375 23,833 25,374 27,560 23,392
1035 1110 RECEPTIONIST 1036 1110 LONG TERM CARE CO 1120 1110 JOB TRNG DEVELOPE 1132 1110 CLERK TYPIST 1154 1110 CASEWORKER 1155 1110 CASEWORKER 1156 1110 ACCOUNT CLERK TYP 1221 1110 CLERK TYPIST	ORDINAT 38,261 R 32,562 21,675 18,810 25,196 IST 22,707	0 40,430 34,503 22,711 26,373 27,273 23,770 0	0 40,430 34,503 22,711 26,373 27,273 23,770	0 42,137 35,493 23,692 27,860 28,460 23,533	42,137 35,943 23,092 27,860 28,460 23,533	42,137 35,943 23,980 27,860 28,460 23,533
1241 1110 DEPUTY COMM-SOCIA 1346 1110 CASEWORKER 1347 1110 CASEWORKER 1379 1110 CASEWORKER 1380 1110 CASEWORKER * TOTAL FULL-TIME EMPLOYE 944 1111 OVERTIME PAY * TOTAL OVERTIME PAY 1230 1113 SHIFT DIFFERENTIA * TOTAL SHIFT DIFFERENTIA 276 1120 DSS ATTORNEY PT 512 1120 SOCIAL SERVICES A	L SERV. 0 25,359 0 25,359 ES 2,330,132 17,406 17,406 L 11,060 41,060 47,307 TTORNEY 25,890	0 26,673 0 26,673 2,535,007 20,000 20,000 10,840 10,840 47,861 25,710	0 26,673 0 26,673 2,521,510 25,000 25,000 10,840 47,861 25,710	0 27,860 0 27,860 2,815,118 27,000 27,000 10,810 10,810 50,343 27,083	27,860 27,860 *2,779,032 27,000 * 27,000 10,810 * 10,810 50,343 27,083	27,860 27,860 27,000 27,000 27,000 10,810 50,343 27,083

Adopted Budget For Department Of Social Serv	vices EXP/RI 2005	EL ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED 2007	BUDGET OFFICER RECOMMENDED 2007	PAGE: 40 ADOPTED 2007
513 1120 SOCIAL SERVICES AT	TORNEY 35,963	36,462	36,462	38,069	38,069	38,069
513 1120 SOCIAL SERVICES AT 628 1120 HOMEMAKER  * TOTAL PART-TIME EMPLOYEE: 902 1125 OTHER COMPENSATION OTHER COMP. AND RA: 1061 1130 HEAP PERSONNEL TOTAL SICK LEAVE BUY-BACI 46 1150 ALLOWANCES ALLOWANCES ALLOWANCES  * TOTAL SICK LEAVE BUY-BACI 46 1150 ALLOWANCES ALLOWANCES ALLOWANCES  * TOTAL SICK LEAVE BUY-BACI 2210 OFFICE FURNITURE 2220 OFFICE EQUIPMENT 2230 MOTOR VEHTCLE EQUI: 2250 TECHNICAL EQUIPMENT 2250 COMPUTER EQUIPMENT 4040 OFFICE SUPPLIES 4409 OFFICE FURNITURE 4409 OFFICE FURNITURE 4411 TELEPHONE 4421 PROPERTY RNT/LEASE, 4422 EQUIP RENTAL/LEASE, 4425 MAINTENANCE AGREEM 4431 PROFESSIONAL SERVI 4436 MEDICAL FEES 4438 MISC. SUPPORTING SI 4441 GASOLINE, OIL, DIESE 4443 DRAPES & BLINDS 4446 FOOD SUPPLIES 4448 CONST. & MAINT. SU 4452 PRINTING/COPYING 4453 POSTAGE EXPENSES 4446 FOOD SUPPLIES 4447 TORACE AGREEM 4451 PROFESSIONAL SERVI 4452 PRINTING/COPYING 4453 POSTAGE EXPENSES 4446 FOOD SUPPLIES 4447 TORACE AGREEM 4451 PROFESSIONAL SERVI 4452 PRINTING/COPYING 4453 POSTAGE EXPENSES 4466 TONS TO SUPPLIES 4476 TRAVEL: RELATED CO 4471 MILEAGE ALLOCATION: 4476 ASSOC/MEMBERSHIP DI 4480 INSURANCES 4491 LEGAL NOTICE&ADVER: 4497 FEES & PERMITS 4589 MC PRINTING: INTRA 4589 MC PRINTING 4580 MC PRINTING 4580 MC PRINTING 4580 MC PRINTING 4580	U 5 109,160 26,889 ISES 26,889 21,227 S 21,227 S 1,175	110,033 20,000 20,000 21,145 21,145	110,033 30,000 30,000 32,255 32,255	115,495 27,000 27,000 41,405 41,405	* 115,495 27,000 * 27,000 41,405 * 41,405	* 115,495 27,000 * 27,000 41,405 * 41,405 2,035
46 1150 ALLOWANCES * TOTAL ALLOWANCES	100 100	200 200	200 200	200 200	* 200 200	200 * 200
2210 OFFICE FURNITURE 2220 OFFICE EQUIPMENT 2230 MOTOR VEHICLE EQUI 2250 TECHNICAL EQUIPMENT	0 0 PMENT 0 T 0	16,640 0	12,156 15,283 0	16,810 0	16,810	16,810
2259 COMPUTER EQUIPMENT  * TOTAL EQUIPMENT  4407 OFFICE FOULTPMENT	1,280 1,280 579	3,000 19,640	3,332 30,771 72	2,800 19,610	1,800 * 18,610	1,800 * 18,610
4408 OFFICE SUPPLIES 4409 OFFICE FURNITURE	9,857 0	10,000	15,000 1,900	15,800	13,800	13,800
4410 UTLITIES 4411 TELEPHONE 4421 PROPERTY RNT/LEASE	37,327 0 /REPAI 0	45,635 0	40,635 0	32,260	32,260	32,260
4422 EQUIP RENTAL/LEASE, 4425 MAINTENANCE AGREEM 4431 PROFESSIONAL SERVI	/REPAI 10,160 ENTS 9,393 CES 19,800	10,670 11,246 19,800	8,307 11,246 19,800	11,640 11,181 19,800	11,640 11,181 19,800	11,640 11,181 19,800
4433 COURT RELATED EXPERI 4436 MEDICAL FEES 4438 MISC. SUPPORTING SI 4441 GASOLINE,OIL,DIESE	18,806 ERVICE 548,518 L FUEL 10,292	21,725 637,444 12,140	21,725 644,444 15,140	21,110 625,694 15,780	21,110 625,694 15,780	21,110 625,694 15,780
4443 DRAPES & BLINDS 4446 FOOD SUPPLIES 4448 CONST. & MAINT. SU	0 5 PPLIES 0	150 0	150 0	0 100 0	100	100
4452 PRINTING/COPYING 4453 POSTAGE EXPENSES 4455 TRAINING	25,007 45	32,090 200	32,090 200	29,108 100	29,108 100	29,108 100
4461 WORK PROGRAM EXPEN: 4462 TANF SERVICES 4470 TRAVEL: RELATED CO	SE 42,817 360,051 OSTS 2.066	45,400 332,541 2.500	45,700 474,702 2.500	2,500 2,500 331,250 2,350	2,183 2,500 331,250 2,350	2,500 331,250 2,350
4471 MILEAGE ALLOCATION: 4474 TOLLS & PARKING 4475 TRANSPORTATION	65,248 0 0	79,500 0 0	75,687 0 0	75,000 0 0	75,000	75,000
4476 ASSOC/MEMBERSHIP DI 4480 INSURANCES 4491 LEGAL NOTICE&ADVER	UES 2,750 744 TISING 9	2,750 2,200 200	2,750 2,200 200	3,300 2,200 200	3,300 2,200 200	3,300 2,200 200
4497 FEES & PERMITS 4583 MONT CO. DATA/INTR. 4589 MC PRINTING: INTRA	0 AFUND 8,136 FUND 3,792	7,884 4,725	7,884 4,725	8,292 5,800	8,292 5,800	8,292 5,800
4593 MC MAIL INTRAFD. 4597 M C PURCHASING: IN * TOTAL CONTRACTUAL 6011 00 SOCIAL SERVICES PROG.	TRAFD 3,249 1,182,466	3,450 1,296,870	4,201 1,444,795	5,095 1,224,245	5,095 *1,222,245	5,095 *1,222,245
6011 00 SOCIAL SERVICES PROG. 6055 DAY CARE 6070 SERVICES FOR RECIPION 6100 MEDICALD 6101 MEDICAL ASSISTANCE	863,412 11,754 0 245,136	1,000,000 28,000 10,752,000 45,000	1,000,000 28,000 10,896,225 57,000	900,000 25,000 10,672,709 55,000	900,000 25,000 10,672,709 55,000	900,000 25,000 10,672,709 55,000

Adopted Budget For Department	of Social Services	EXP/RE 2005	L ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED 2007	BUDGET OFFICER RECOMMENDED 2007	PAGE: 41 ADOPTED 2007
6106 SPEC 6109 FAMI 6119 CHIL 6120 CHIL 6123 JUVE 6129 STAT 6140 SAFE 6141 HOME 6142 EMER * TOTAL SOCI ***TOT ***LES ***LES	D CARE D CARE (PHC MAIN) NILE DELINQUENT FE TRAINING SCHOOL TY NET E ENERGY ASSIST. PROG GENCY AID TO ADULTS LAL SERVICE PROGRAMS 2 TAL APPROPRIATIONS S OTHER REVENUES SS STATE REVENUES SS FEDERAL REVENUES JALS DEPARTMENT COST	0 1,909,694 1,615,934 525,068 849,331 104,195 928,323 2,270,768 95,768 21,739,644 25,440,539 2,207,301 6,870,704 6,524,358 9,838,176	2,320,000 1,625,000 525,000 850,000 200,000 1,135,000 2,250,000 95,000 20,827,500 24,861,235 1,245,156 3,961,553 6,892,978	1,863,000 2,010,000 525,000 910,000 1,135,000 2,850,000 95,000 21,571,725 25,777,129 1,245,156 3,967,252 7,658,948	2,100,000 525,000 950,000 1,135,000 3,000,000 95,000 21,760,209 26,041,092 1,229,034 4,197,914 7,542,235	2,100,000 2,100,000 525,000 950,000 200,000 1,135,000 3,000,000 95,000 -*1,760,209 26,002,006 1,229,034 4,197,914 7,542,235	200,000 1,135,000 3,000,000 95,000 *1,760,209_ 26,004,041 1,229,034 4,197,914 7,542,235

ESTIMATED FRINGES FOR DEPARTMENT OF Social Services 8810 FICA	2006	2007 215,994.77	
8820 RETIREMENT		349,488.80	
8830 WORKERS COMPENSATION	159,146.29	166,530.72	
8850 HOSPITAL & MEDICAL INS	631,224.00	631,224.00	
8854 DISABILITY INSURANCE	_25,740.00_	25,740.00_	
TOTAL ESTIMATED FRINGE	1,359,810.921	.,388,978.29	
	, ,	, ,	

					13:07:12 BUDGET	
dopted Budget For Department Of Veterans Service				DEPARTMENT	OFFICER	
dopted budget for bepartment of forestand bulling	EXP/REL	ADOPTED	MODIFIED		RECOMMENDED	ADOPTED
	2005	2006	2006	2007	2007	2007
EVENUES						
2189 00 HOME & COMM SERV.DEPT INC	3,003	3,000	3,000	3,000	3,000	3,000
2705 00 GIFTS AND DONATIONS	180	´ 0	0,000	0	-,	-,
STATE AID 3710 00 VETERANS SERVICE AGENCY	10,633	7,50Ŏ	7,50Ŏ	7,500	7,500	7,500
FEDERAL AID 4710 00 VETERANS SERVICE AGENCY	0	0	0_			
***TOTAL REVENUES	13,816	10,500	10,500	10,500	10,500	10,500
PPROPRIATIONS	- , -	- ,	- ,	•	• •	- ,
6510 00 VETERANS SERVICES						
203 1110 CLERK TYPIST	0	0	15,522	24,042	24,042	24,042
912 1110 DIR VETERANS SVC AGENCY	32,727	32,162	32,162	33,799	33,799	33,799
1355 1110 SR ACCT CLK TYPIST/21	12,665	13,446	4,376	28,011	,	
* TOTAL FULL-TIME EMPLOYEES	45,392	45,608	52,060	85,852		57,841
57 1120 MOTOR VEHICLE OPERPT	22,656	25,350	25,350	18,296	25,350	25,350
652 1120 VETERANS SERVICE OFF P/T	´ 0	0	0	12,000	,	•
* TOTAL PART-TIME EMPLOYEES	22,656	25,350	25,350	30,296	* 25,350 *	25,350
633 1130 DIR. OF VETERANS SVCS-TM	0	0	3,750	0	,	-
* TOTAL TEMPORARY EMPLOYEES	0	0	3,750	U	*	
2230 MOTOR VEHICLE EQUIPMENT	Ö	Ö	´ 0	Ö		
2259 COMPUTER EQUIPMENT	Ö	0	780	Ô		
* TOTAL EQUIPMENT	Ō	0	780	U	*	
4407 OFFICE EQUIPMENT	0	0	0	500	500	500
4408 OFFICE SUPPLIES	167	400	525	420	420	420
4409 OFFICE FURNITURE	_0	0	0	0		
4410 UTILITIES	171	0	0	0		
4411 TELEPHONE	0	200	200	210	210	
4422 EQUIP RENTAL/LEASE/REPAI	2,536	5,000	2,410	5,155	5,100	5,100
	400	450	450	472	472	472
4425 MAINTENANCE AGREEMENTS						
4438 MISC. SUPPORTING SERVICE	18,993	15,000	29,795	30,000	20,000	20,000
4438 MISC. SUPPORTING SERVICE 4441 GASOLINE,OIL,DIESEL FUEL	18,993 5,353	15,000 5,000	29,795 7,500	30,000 7,704	20,000 7,704	20,000 7,704
4438 MISC. SUPPORTING SERVICE 4441 GASOLINE,OIL,DIESEL FUEL 4449 SPECIAL SUPPLIES & MATER	18,993 5,353 5,925	15,000 5,000 6,000	29,795 7,500 5,310	30,000 7,704 7,200	20,000 7,704 6,500	20,000 7,704 6,500
4438 MISC. SUPPORTING SERVICE 4441 GASOLINE,OIL,DIESEL FUEL 4449 SPECIAL SUPPLIES & MATER 4455 TRAINING	18,993 5,353 5,925 0	15,000 5,000 6,000 0	29,795 7,500 5,310 0	30,000 7,704 7,200 400	20,000 7,704 6,500 400	20,000 7,704 6,500 400
4438 MISC. SUPPORTING SERVICE 4441 GASOLINE,OIL,DIESEL FUEL 4449 SPECIAL SUPPLIES & MATER 4455 TRAINING 4470 TRAVEL: RELATED COSTS	18,993 5,353 5,925 0 200	15,000 5,000 6,000 0 800	29,795 7,500 5,310 0 855	30,000 7,704 7,200 400 1,000	20,000 7,704 6,500 400 1,000	20,000 7,704 6,500 400 1,000
4438 MISC. SUPPORTING SERVICE 4441 GASOLINE,OIL,DIESEL FUEL 4449 SPECIAL SUPPLIES & MATER 4455 TRAINING 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS	18,993 5,353 5,925 0 200 222	15,000 5,000 6,000 0 800 200	29,795 7,500 5,310 0 855 525	30,000 7,704 7,200 400 1,000 250	20,000 7,704 6,500 400 1,000 250	20,000 7,704 6,500 400 1,000 250
4438 MISC. SUPPORTING SERVICE 4441 GASOLINE,OIL,DIESEL FUEL 4449 SPECIAL SUPPLIES & MATER 4455 TRAINING 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 4475 TRANSPORTATION	18,993 5,353 5,925 0 200 222 0	15,000 5,000 6,000 0 800 200 300	29,795 7,500 5,310 0 855 525	30,000 7,704 7,200 400 1,000 250 300	20,000 7,704 6,500 400 1,000 250 300	20,000 7,704 6,500 400 1,000 250 300
4438 MISC. SUPPORTING SERVICE 4441 GASOLINE,OIL,DIESEL FUEL 4449 SPECIAL SUPPLIES & MATER 4455 TRAINING 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 4475 TRANSPORTATION 4476 ASSOC/MEMBERSHIP DUES	18,993 5,353 5,925 0 200 222 0 55	15,000 5,000 6,000 0 800 200 300 55	29,795 7,500 5,310 0 855 525 0	30,000 7,704 7,200 400 1,000 250 300 55	20,000 7,704 6,500 400 1,000 250 300 55	20,000 7,704 6,500 400 1,000 250 300 55
4438 MISC. SUPPORTING SERVICE 4441 GASOLINE,OIL,DIESEL FUEL 4449 SPECIAL SUPPLIES & MATER 4455 TRAINING 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 4475 TRANSPORTATION 4476 ASSOC/MEMBERSHIP DUES * TOTAL CONTRACTUAL	18,993 5,353 5,925 0 200 222 0 55 34,022	15,000 5,000 6,000 0 800 200 300 55 33,405	29,795 7,500 5,310 0 855 525 0 55 47,625_	30,000 7,704 7,200 400 1,000 250 300 55 53,666_	20,000 7,704 6,500 400 1,000 250 300 55 *42,911_*_	20,000 7,704 6,500 400 1,000 250 300 55 42,701_
4438 MISC. SUPPORTING SERVICE 4441 GASOLINE,OIL,DIESEL FUEL 4449 SPECIAL SUPPLIES & MATER 4455 TRAINING 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 4475 TRANSPORTATION 4476 ASSOC/MEMBERSHIP DUES * TOTAL CONTRACTUAL ***TOTAL APPROPRIATIONS	18,993 5,353 5,925 0 200 222 0 55 34,022	15,000 5,000 6,000 0 800 200 300 55 33,405_ 104,363	29,795 7,500 5,310 0 855 525 0 55 	30,000 7,704 7,200 400 1,000 250 300 53,666 169,814	20,000 7,704 6,500 400 1,000 250 300 55 *42,911_*_ 126,102	20,000 7,704 6,500 400 1,000 250 300 55 42,701 125,892
4438 MISC. SUPPORTING SERVICE 4441 GASOLINE,OIL,DIESEL FUEL 4449 SPECIAL SUPPLIES & MATER 4455 TRAINING 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 4475 TRANSPORTATION 4476 ASSOC/MEMBERSHIP DUES CONTRACTUAL **TOTAL ***TOTAL APPROPRIATIONS ***LESS OTHER REVENUES	18,993 5,353 5,925 0 200 222 0 55 34,022 102,070 3,183	15,000 5,000 6,000 0 800 200 300 55 33,405 104,363 3,000	29,795 7,500 5,310 0 855 525 0 55 47,625 129,565 3,000	30,000 7,704 7,200 400 1,000 250 300 55 55 169,814 3,000	20,000 7,704 6,500 400 1,000 250 300 55 -*42,911_*_ 126,102 3,000	20,000 7,704 6,500 400 1,000 250 300 55 42,701 125,892 3,000
4438 MISC. SUPPORTING SERVICE 4441 GASOLINE,OIL,DIESEL FUEL 4449 SPECIAL SUPPLIES & MATER 4455 TRAINING 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 4475 TRANSPORTATION 4476 ASSOC/MEMBERSHIP DUES * TOTAL CONTRACTUAL ***TOTAL APPROPRIATIONS	18,993 5,353 5,925 0 200 222 0 55 34,022	15,000 5,000 6,000 0 800 200 300 55 33,405_ 104,363	29,795 7,500 5,310 0 855 525 0 55 	30,000 7,704 7,200 400 1,000 250 300 53,666 169,814	20,000 7,704 6,500 400 1,000 250 300 55 *42,911_*_ 126,102	20,000 7,704 6,500 400 1,000 250 300 55 42,701 125,892

ESTIMATED FRINGES FOR DEPARTMENT OF Veterans Service 8810 FICA 8820 RETIREMENT	2006 3,098.46 2.882.62	2007 3,238.82 3.005.25
8830 WORKERS COMPENSATION	2,882.62	2.497.12
8850 HOSPITAL & MEDICAL INS	9,867.00	9,867.00
8854 DISABILITY INSURANCE	780.00_	780.00_
TOTAL ESTIMATED FRING	E 19.016.98	19.388.19

FUND: A General Fund DEPT: 20 Sealer of Wgts & Measures

**BUDGET** Adopted Budget For Department Of Sealer of Wgts & Measures DEPARTMENT OFFICER EXP/REL ADOPTED MODIFIED REQUESTED RECOMMENDED ADOPTED 2005 2006 2006 2007 2007 2007 **REVENUES** 1962 00 WEIGHTS & MEASURES STATE AID 3789 00 ECON ASSISTANCE & OPPORT 7,000 6,000 2,700 8,700 6,000 \_2,700 \_8,700 6,000 3,000 6,000 3,000 6,000 3,000\_ \_\_4,353 11,353 \*\*\*TOTAL REVENUES 9,000 9,000 9,000 **APPROPRIATIONS** 6610 00 CONSUMER AFFAIRS -SEALER 81 1110 DIR WEIGHTS AND MEASURES 35,896 35,443 35,443 37,227 \* 35,896 35,443 37,227 \* \* TOTAL FULL-TIME EMPLOYEES 35,443 37,227 2220 OFFICE EQUIPMENT 0 2259 COMPUTER EQUIPMENT 1,186 0 0 1,200 2260 OTHER EQUIPMENT 0 1,200 1,200 \* TOTAL EQUIPMENT 1,414 Õ 1,200 1,200 \* 1,200 0 4407 OFFICE EQUIPMENT 4408 OFFICE SUPPLIES 0 0 275 185 250 250 275 275 4409 OFFICE FURNITURE 0 0 0 0 4410 UTILITIES 215 0 0 0 4411 TELEPHONE 4422 EQUIP RENTAL/LEASE/REPAI 4425 MAINTENANCE AGREEMENTS 250 280 280 280 0 3,531 3,344 3,344 3,344 3,750 0 0 0 0 4438 MISC. SUPPORTING SERVICE
4441 GASOLINE, OIL, DIESEL FUEL
4449 SPECIAL SUPPLIES & MATER
4452 PRINTING/COPYING
4455 TRAINING
4459 COMPUTER CORTINATE 280 1,775 280 250 160 250 2,400 350 2,400 2,400 350 1,221 1.350 350 21 350 200 400 0 275 50 0 400 400 50 175 50 50 n 50 4459 COMPUTER SOFTWARE 433 175 175 175 175 4470 TRAVEL: RELATED COSTS 4476 ASSOC/MEMBERSHIP DUES 525 525 650 650 650 100 95 100 110 110 110 4589 MC PRINTING: INTRAFUND 0 0 0 0 CONTRACTUAL
\*\*\*TOTAL APPROPRIATIONS
\*\*\*LESS OTHER REVENUES
\*\*\*LESS STATE REVENUES \_\_7,355 42,798 6,000 \_7,355\_ 42,798 6,000 \_8,284\_\* 46,711 \_8,284\_\*
46,711
6,000 \_8,284\_ 46,711 6,000 \* TOTAL 6,111 43,421 7,000 6,000 4,353 2,700 2,700 3,000 3,000 3,000 \*\*\*EQUALS DEPARTMENT COST 37,711 37,711 32,068 34,098 34,098

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ESTIMATED FRI	INGES FOR	DEPARTMENT OF Sea	ler of Wgts & Measures	2006	2007
		8810	FICA	2,711.38	2,847.86
		8820	RETIREMENT	4,430.37	4,653.37
		8830	WORKERS COMPENSATION	2,090.46	2,195.68
		8850	HOSPITAL & MEDICAL INS	9,867.00	9,867.00
		8854	DISABILITY INSURANCE	260.00	260.00_
			TOTAL ESTIMATED FRIN	GE 19.359.21	19.823.91

FUND: A General Fund DEPT: 21 Youth Bureau 12/07/06 PAGE: 44 13:07:12

Adopted Budget For Department Of Youth Bureau	EXP/REL 2005	ADOPTED 2006		DEPARTMENT REQUESTED 2007	BUDGET OFFICER RECOMMENDED 2007	ADOPTED 2007
REVENUES	2000	2000	2000	200.	200.	200.
1270 00 SHARED SERVICES CHARGES STATE AID 3312 00 ALTRNTIVES TO INCARCERATN STATE AID 3820 00 YOUTH BUREAU	2,243 36,148 16,550	2,243 29,629 16,363 0	2,243 29,629 16,363 0	2,243 29,629 16,412	2,243 29,629 16,412	2,243 29,629 16,412
STATE AID 3821 00 YOUTH PROGRAM-SAFE PLACES STATE AID 3826 00 SPECL.DELQ.PREV.PROGRAM STATE AID 3828 00 YOUTH DEV. & DELINQ. PREV STATE AID 3829 00 YOUTH INITIATIVES PROG	5,459 37,136 29,971 11,119	32,263 24,502 9,085	32,263 24,502 9,085_	0 32,263 24,915 9,360_	32,263 24,915 9,360	32,263 24,915 9,360_
***TOTAL REVENUES APPROPRIATIONS	138,626	114,085	114,085	114,822	114,822	114,822
3155 00 ALT. COMMUNITY SERVICES						
153 1110 COMMUNITY SVCS PROG COOR 300 1110 YOUTH BUREAU/ACSD DIR.	25,359 7,454	26,673 0	26,673 0	27,860 0	27,860	27,860
735 1110 COMM SVC PROG CLERK/SCHE * TOTAL FULL-TIME EMPLOYEES 157 1120 WORK PROJECT SUPVR PT	0 32,813 0	26,673 0	26,673 0	26,011 53,871 0	26,011 * 53,871 *	26,011 53,871
456 1120 ACCOUNT CLERK TYPIST-PT  * TOTAL PART-TIME EMPLOYEES 2230 MOTOR VEHICLE EQUIPMENT	2,933 2,933 18,213	10,000 10,000 0	10,000 10,000 0	9,453 9,453 0	*	
2259 COMPUTER EQUIPMENT 2260 OTHER EQUIPMENT	0	0	1,484	1,100	1,100	1,100
* TOTAL EQUIPMENT 4407 OFFICE EQUIPMENT	18,213 309	0 500	1,484 157	1,100 500	* 1,100 * 500	1,100 500
4408 OFFICE SUPPLIES 4409 OFFICE FURNITURE	400 0	500 0	500 342	700 0	500	500
4410 UTILITIES	589	ŏ	0	ŏ		
4411 TELEPHONE 4422 EOUIP RENTAL/LEASE/REPAI	0 142	1,000 3,000	1,000 1,216	1,000 2,000	1,000 2,000	280 2,000
4425 MAINTENANCE AGREEMENTS 4438 MISC. SUPPORTING SERVICE	0	400 0	400 0	0		
4441 GASOLINE,OIL,DIESEL FUEL 4453 POSTAGE EXPENSES	894 0	5,000	5,000	5,150 0	5,150	5,150
4455 TRAINING	Ö	Ö	Ö	500	500	500
4459 COMPUTER SOFTWARE 4461 WORK PROGRAM EXPENSE	0 521	0 750	584 750	300 1,000	300 750	300 750
4470 TRAVEL: RELATED COSTS	0	200	200	300	300	300
4471 MILEAGE ALLOCATIONS	644	1,000	715	800	800	800
4473 REGISTRATION FEES ETC 4589 MC PRINTING: INTRAFUND	0	0	0	0		
* TOTAL CONTRACTUAL	3,499	12,350	10,864	12,250	* 11,800 *	11,080
3157 00 PRETRIAL RELEASE PROGRAM	0	0	0	0		
712 1120 PRETRIAL REL PROG COORD * TOTAL PART-TIME EMPLOYEES	0	0 0	0	0	*	
4407 OFFICE EQUIPMENT	537	0	0	0		
4408 OFFICE SUPPLIES 4410 UTILITIES	285 0	200 0	200 0	300 0	200	200
4411 TELEPHONE	0	600	600	600	600	600
4438 MISC. SUPPORTING SERVICE 4453 POSTAGE EXPENSES	22,000 13 0	25,000 100 0	25,000 100 0	25,750 100 0	25,750 100	25,750 100
4459 COMPUTER SOFTWARE 4471 MILEAGE ALLOCATIONS * TOTAL CONTRACTUAL	2,121 24,956	2,500 28,400	2,500 28,400	3,000 29,750	2,750 * 29,400 *	2,750 29,400
7310 00 YOUTH PROGRAMS	24,930	20,400	20,700	23,730	23,400	23,400
105 1110 YOUTH BUREAU DIRECTOR 161 1110 YOUTH BUREAU/ACSD DIR. 201 1110 SENIOR ACCOUNT CLERK TYP	29,802 0	42,380 0	0 42,380 19,913	0 44,242 26,911	44,242 26,911	44,242 26,911

Adopted Budget For Department Of Youth Bureau	EXP/REL 2005	ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED F 2007	BUDGET OFFICER RECOMMENDED 2007	PAGE: 45 ADOPTED 2007
1356 1110 SR ACCT CLK TYPIST/19  * TOTAL FULL-TIME EMPLOYEES 2259 COMPUTER EQUIPMENT  * TOTAL EQUIPMENT	12,664 42,466 0	13,446 55,826 0	4,376 66,669 250 250	26,911 98,064 0	•	71,153
4407 OFFICE EQUIPMENT 4408 OFFICE SUPPLIES 4409 OFFICE FURNITURE 4410 UTILITIES	0 609 0 864	650 0 0	0 715 0 0	1,000 0 0	800	800
4411 TELEPHONE 4421 PROPERTY RNT/LEASE/REPAI 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS	0 2,822 36 930	900 2,822 100 1,000	585 2,822 100 1,000	900 2,822 100 1,000	900 2,822 100 1,000	900 2,822 100 1,000
4476 ASSOC/MEMBERSHIP DUES 4559 OUTREACH PROGRAM 4560 SPECIAL YOUTH DEVEL GRAN	198 8,000 0	198 8,000 0	198 8,000 0	198 12,000 0	198 12,000	198 12,000
4566 SPEC. DELIQUENCY PREV. 4582 YOUTH INITIATIVES PROG 4585 YOUTH DEV. & DELINQ. PRE * TOTAL CONTRACTUAL	32,263 9,360 24,777 79,859	32,263 9,085 24,502 79,520	32,263 9,085 24,502 79,270_	32,263 9,360 24,915 84,558_*	32,263 9,360 24,915 *84,358_*	32,263 9,360 24,915 *84,358_
***TOTAL APPROPRIATIONS  ***LESS OTHER REVENUES  ***LESS STATE REVENUES  ***EQUALS DEPARTMENT COST	204,739 2,243 136,383 66,113	212,769 2,243 111,842 98,684	223,610 2,243 111,842 109,525	289,046 2,243 112,579 174,224	251,682 2,243 112,579 136,860	250,962 2,243 112,579 136,140
**************		*****	*****	******	*****	******

ESTIMATED FRINGES FOR DEPARTMENT OF Youth Bureau	2006	2007
8810 FICA	7,944.87	8,297.61
8820 RETIREMENT	12,981.86	13,558.24
8830 WORKERS COMPENSATION	6,125.45	6,397.41
8850 HOSPITAL & MEDICAL INS	19,071.00	19,071.00
8854 DISABILITY INSURANCE	1,040.00_	1,040.00_
TOTAL ESTIMATED FRINGE	47,163.18	48,364.26

FUND: A General Fund DEPT: 22 Historian 12/07/06 PAGE: 46 13:07:12

					13:07:12 BUDGET	
Adopted Budget For Department Of Historian				DEPARTMENT		
1	EXP/REL		MODIFIED	REQUESTED	RECOMMENDED	ADOPTED
	2005	2006	2006	2007	2007	2007
REVENUES 2000 OF OTHER CHATHRE (REC. TAKCOME	0	0	0	0		
2089 00 OTHER CULTURE/REC. INCOME 2095 00 HISTORIAN FEES	0 5,931	0 6,000	0 6,000	7,000		7,000
2095 OU HISTORIAN FEES 2705 OO GIFTS AND DONATIONS	3,931	6,000 300	300			7,000 300
STATE AID 3889 00 OTHER CULTURE & RECREATN	15.425	0	0	0	300	300
***TOTAL REVENUES	21,667	6,300	6,300		7,300	7,300
APPROPRIATIONS	,	0,0	•,	.,	.,	,,,,,,
7510 00 HISTORIAN						
24 1110 HISTORICAL ARCHIVES ASST	26,754	28,373	28,373	29,560		29,560
738 1110 LIBRARY AIDE	0	0	0	,		
857 1110 ASST.CNTY.HIST/REC.MGT.C	0	0	0			25 010
1177 1110 CO. HISTORIAN(RECRDS MGR	31,750	33,330	33,330			35,019
* TOTAL FULL-TIME EMPLOYEES	58,504	61,703	61,703	87,551		64,579
549 1120 PRINCIPAL CLERK 859 1120 SENIOR CLERK TYPIST (PT)	1,253 0	0	0	•		
859 1120 SENIOR CLERK TYPIST (PT) 1405 1120 CLERK TYPIST PT	2,904	8,390	8,390			9.154
* TOTAL PART-TIME EMPLOYEES	2,904 4,157	8,390	8,390		* 9,154 *	
630 1125 OTHER COMPENSATION/RAISE	4,137	0,390	0,390	9,134		J,⊥J <del>⊤</del>
* TOTAL OTHER COMPLINATION/RAISES	ő	ő	0			
2200 EQUIPMENT	ŏ	ő	ő	ő		
2210 OFFICE FURNITURE	ŏ	ŏ	ŏ	ŏ		
2220 OFFICE EQUIPMENT	Ŏ	Ö	Ŏ	Ŏ		
2250 TECHNICAL EQUIPMENT	0	0	0	0		
2259 COMPUTER EQUIPMENT	0	0	404	3,100	3,100	3,100
* TOTAL EQUIPMENT	0	0	404	3,100		3,100
4407 OFFICE EQUIPMENT	0	1 000	0			1 200
4408 OFFICE SUPPLIES	714	1,000	895	1,200	1,200	1,200
4409 OFFICE FURNITURE	0	0	0	-		
4410 UTILITIES	0	0	0	0		
4422 EQUIP RENTAL/LEASE/REPAI 4425 MAINTENANCE AGREEMENTS	0 809	1,700	1,100		1,200	1,200
4425 MAINTENANCE AGREEMENTS 4431 PROFESSIONAL SERVICES	809	1,700	1,100		,	1,200
4431 PROFESSIONAL SERVICES 4438 MISC. SUPPORTING SERVICE	15,300	0	0	0		
4436 MISC. SUPPORTING SERVICE 4448 CONST. & MAINT. SUPPLIES	13,300	0	0	0		
4449 SPECIAL SUPPLIES & MATER	0	0	0	0		
4455 TRAINING	ŏ	50	ő			50
4459 COMPUTER SOFTWARE	ŏ	Ő	30Ŏ			300
4470 TRAVEL: RELATED COSTS	148	300	235	300	300	300
4471 MILEAGE ALLOCATIONS	94	125	240	150		150
4476 ASSOC/MEMBERSHIP DUES	195	200	200	200		200
4589 MC PRINTING: INTRAFUND	0	0	0			1,000
* TOTAL CONTRACTUAL	17,260	3,375	2,970_			
***TOTAL APPROPRIATIONS	79,921	73,468	73,467			81,233
***LESS OTHER REVENUES	6,242	6,300	6,300	7,300	7,300	7,300
***LESS STATE REVENUES  ***FOULLS DEPARTMENT COST	15,425 58,254	67,168	67,167	96.905	73.933	73,933
***EQUALS DEPARTMENT COST						
	************	**********				

ESTIMATED FRINGES FOR DEPARTMENT	OF Historian	2006	2007
	8810 FICA	5,387.72	5,640.55
	8820 RETIREMENT	7,712.87	8,072.37
	8830 WORKERS COMPENSATION	4,153.89	4,348.83
	8850 HOSPITAL & MEDICAL INS	13,254.00	13,254.00
	8854 DISABILITY INSURANCE	780.00	780.00_
	TOTAL ESTIMATED FRINGE	31,288.48	32,095.75

DEPT: 23 Planning FUND: A General Fund PAGE: 47

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dopted Budget For Department Of Planning	EXP/REL 2005	ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED 2007	BUDGET OFFICER RECOMMENDED 2007	ADOPTED 2007
EVENUES 1289 00 OTHER GENERAL GOVT INCOME	0	0	0	0		
2372 00 PLANNING SERVICES	Ö	ŏ	ŏ			
STATE AID 3989 00 OTHER HOME & COMM. SVCS. ***TOTAL REVENUES	36,682 36,682-	0_	0_	0_		
PPROPRIATIONS 8020 OO BLANNING						
8020 00 PLANNING	0	0	0	0		
47 1110 SENIOR PLANNER (GIS) 89 1110 SENIOR ACCT CLERK TYPIST	0	0	0			
303 1110 SENIOR ACCI CLERK TYPIST	0	0	0			
304 1110 PLANNER	0	0	0			
550 1110 PLANNER 550 120 PLANNER	Õ	ŏ	ŏ	0		
1207 1110 SENIOR PLANNER 1207 1110 DIRECTOR OF PLANNING	Õ	0	ŏ	0		
* TOTAL FULL-TIME EMPLOYEES	ň	0	ŏ		*	
439 1111 OVERTIME	ŏ	0	ŏ	0		
* TOTAL OVERTIME PAY	ŏ	0	0			
2210 OFFICE FURNITURE	ŏ	0	ŏ	0		
2210 OFFICE FORNITURE 2220 OFFICE EQUIPMENT	ŏ	0	ŏ	0		
2259 COMPUTER EQUIPMENT	ŏ	Ö	ŏ	0		
* TOTAL EQUIPMENT	ŏ	0	ŏ	0		
4407 OFFICE EQUIPMENT	ŏ	ő	0			
4408 OFFICE SUPPLIES	Ŏ	ŏ	Ŏ	ő		
4409 OFFICE FURNITURE	Õ	ŏ	0	-		
4410 UTILITIES	ŏ	Ö	ŏ	Ö		
4422 EQUIP RENTAL/LEASE/REPAI	Ŏ	ŏ	Ŏ	ŏ		
4425 MAINTENANCE AGREEMENTS	Õ	ő	Õ	ő		
4431 PROFESSIONAL SERVICES	ŏ	ő	ŏ	Ö		
4438 MISC. SUPPORTING SERVICE	ŏ	ő	ŏ	0		
4441 GASOLINE, OIL, DIESEL FUEL	Õ	ő	Õ	ő		
4449 SPECIAL SUPPLIES & MATER	ŏ	ő	ŏ	Ö		
4453 POSTAGE EXPENSES	ŏ	ŏ	Ŏ	ő		
4455 TRAINING	Õ	ő	Õ	ő		
4457 PUBLISHED STUDIES & RPTS	ŏ	ŏ	Ŏ	ŏ		
4459 COMPUTER SOFTWARE	Ŏ	ŏ	Ŏ	ŏ		
4470 TRAVEL: RELATED COSTS	Õ	Õ	Õ	Ō		
4471 MILEAGE ALLOCATIONS	ŏ	ŏ	Ŏ	ő		
4475 TRANSPORTATION	Ŏ	ŏ	Ŏ	ŏ		
4476 ASSOC/MEMBERSHIP DUES	0	ő	0	0		
* TOTAL CONTRACTUAL	ŏ	ŏ	ŏ			
***TOTAL APPROPRIATIONS				0	<del></del>	
101/16 /1	36,682			-		

7,500

7,500

13:07:12 **BUDGET** Adopted Budget For Department Of Economic Opp/Development DEPARTMENT OFFICER EXP/REL **ADOPTED** MODIFIED REQUESTED RECOMMENDED **ADOPTED** 2005 2006 2006 2007 2007 2007 **REVENUES** 2189 00 HOME & COMM SERV.DEPT INC 45,000 97,500 97,500 70,000 70,000 70,000 2389 00 HM COMM SVCS-OTHER GOVTS. 2410 89 BUILDING/DE GRAFF 0 0 STATE AID 3789 00 ECON ASSISTANCE & OPPORT 0 STATE AID 3889 00 OTHER CULTURE & RECREATN 20,000 90,000 90,000 \_90,000\_ \*\*\*TOTAL REVENUES 8,318 177,025 160,000 160,000 160,000 117,500 **APPROPRIATIONS** 1620 89 BUILDING/DE GRAFF 4410 UTILITIES 4418 MISC. TAX REIMB/PAYMENTS 4421 PROPERTY RNT/LEASE/REPAI 0 0 0 0 Õ Õ Ŏ 4425 MAINTENANCE AGREEMENTS 0 0 0 0 4438 MISC. SUPPORTING SERVICE 0 0 0 0 CONTRACTUAL \* TOTAL 0 0 0 0 6430 00 ECONOMIC OPP/DEVELOPMENT 1110 E.O.D. SPEC.-FIN. ANALYS 1110 PLANNER TRAINEE 1110 ECONOMIC DEV.PROG.ASSIST 1110 ECONOMIC OPP. & DEV. DIR 1110 ECONOMIC OPP. & DEV.SPEC 0 0 0 0 40 294 0 0 0 0 14,588 56,750 39,898 32,504 59,526 32,504 59,526 39,992 32,504 59,526 39,992 30,817 30,817 367 65,150 38,842 472 57,032 39,620 473 40,742 1110 SENIOR ACCT CLERK TYPIST 474 1110 SENIOR CLERK STENO 503 n 1110 SR ECONOMIC DEV SPC/FINA 1,880 674 n n 1110 SR PLANNER 689 11,718 50,160 50,160 50,160 n 0 690 1110 ASSISTANT PLANNER n 0 n 26,062 27,273 154,742 27,273 28,460 1110 PRINCIPAL STENOGRAPHER 28,460 28,460 1381 210,642 \* 211,392 \* 173,800 TOTAL FULL-TIME EMPLOYEES 139,178 210,642 489 1111 OVERTIME 97 1,500 1,500 0 3,000 3,000 0 \* 3,000 \* TOTAL OVERTIME PAY 97 1,500 1,500 3,000 1125 OTHER COMP/RAISES 16 0 0 0 0 \* OTHER COMP. AND RAISES 0 0 0 0 TOTAL 2210 OFFICE FURNITURE 0 0 2220 OFFICE EQUIPMENT 0 0 0 2259 COMPUTER EQUIPMENT 778 2,000 2,000 2,000 2999 REAL PROPERTY PURCHASE 0 0 \* TOTAL **EQUIPMENT** 0 778 2,000 2,000 \* 2,000 4407 OFFICE EQUIPMENT 4408 OFFICE SUPPLIES 1,200 1,347 1,600 1,400 1,400 4409 OFFICE FURNITURE 0 4410 UTILITIES 523 107 4411 TELEPHONE 4422 EQUIP RENTAL/LEASE/REPAI 3,605 4,567 3,800 4425 MAINTENANCE AGREEMENTS 4431 PROFESSIONAL SERVICES 1,250 7,500 1,300 372 850 1,300 1,300 4438 MISC. SUPPORTING SERVICE 1,073 800 800 1,000 1,000 1,000 4441 GASOLINE,OIL,DIESEL FUEL 659 500 349 4455 TRAINING 84 700 1,200 1,000 1.000 800 4457 PUBLISHED STUDIES & RPTS n 0 0 400 300 300 4459 COMPUTER SOFTWARE 0 300 0 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 1,000 845 1,500 1.500 676 1.500 1,900 4,000 4,000 500 4,000 720 4475 TRANSPORTATION 0 n n 4476 ASSOC/MEMBERSHIP DUES 500 500 500 965 965 965 1,000 4491 LEGAL NOTICE&ADVERTISING n 0 4525 ECONOMIC DEVEL ZONE/ADMI 7,500

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BUDGET						
Adopted Budget For Department Of Economic Opp/Devel	opment			DEPARTMENT	OFFICER	PAGE: 49
•	EXP/REL	ADOPTED	MODIFIED		RECOMMENDED	ADOPTED
	2005	2006	2006	2007	2007	2007
4561 PROG DEVELOPMNT/MARKETIN	0	0	0	0		
4570 GRANTS, OTHER GOVTS/AGNC	0	0	0	25,000	25,000	10,000
4589 MC PRINTING: INTRAFUND	200	200	200	0		
4597 M C PURCHASING: INTRAFD	440	440	440	0		
* TOTAL CONTRACTUAL	12,263	11,145	20,543	44,365	* 43,965	* 28,965
7180 00 SPEC.RECRET . FACILITY	•	,	•	•	•	,
4572 RECREATION TRAILS	0	20,000	79,525	80,000	80,000	80,000
* TOTAL CONTRACTUAL	0	20,000	79,525	80,000		
8751 00 COUNTY EXTENSION SERV		- ,	- ,	- ,	,	, ,
4438 MISC. SUPPORTING SERVICE	0	21,581	21,581	0		
* TOTAL CONTRACTUAL	Ô	21.581	21,581	Ó	*	
***TOTAL APPROPRIATIONS	151,538	208,968	297,727	337,757	339,607	324,607
***LESS OTHER REVENUES	45,000	97.500	97,500	70,000	70,000	70,000
***LESS STATE REVENUES	36,682-	20.000	79,525	90,000	90,000	90,000
***EQUALS DEPARTMENT COST	106.538	91.468	120.702	177.757	179.607	164.607
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<b>ESTIMATED</b>	<b>FRINGES</b>	FOR	DEPARTMENT	OF Ecor	nomic	Opp/Devel	opment	2006	2007
				8810	FICA		•	13,029.83	12,410.42
				8820	RETIR	EMENT		21,290.62	20,278.50
				8830	WORKE	RS COMPEN	SATION	10,045.91	9,568.34
				8850	HOSPI	TAL & MED	ICAL INS	37,146.00	37,146.00
				8854	DISAB	ILITY INS	URANCE		1,040.00_
					TOT	AL ESTIMA	TED FRINGE	82,552.36	80,443.26

BUDGET Adopted Budget For Department Of District Attorney DEPARTMENT OFFICER EXP/REL ADOPTED MODIFIED REQUESTED RECOMMENDED ADOPTED 2005 2006 2006 2007 2007 2007 **REVENUES** 1270 00 SHARED SERVICES CHARGES 37,807 40,000 40,000 40,000 2,500 10,000 2,500 10,000 2,500 10,000 2,500 10,000 2,500 10,000 2611 00 RESTIT. & REPARA PAYMTS 2,598 2625 00 FORFEITURE CRIME PROCEEDS 0 2626 00 FORFIT CR PROC REST
STATE AID 3030 00 DISTRICT ATTORNEY SALARY
STATE AID 3089 00 STATE AID, OTHER

\*\*\*TOTAL REVENUES 54,287 62,500 10,000 62,500 80,375 10,000 62,500 80,375 10,000 62,500 13,079 10,000 0 \_\_71,543 62,500 \_80,375\_ 80,375 \_80,375\_ 125,027 205,375 249,662 205,375 205,375 205,375 APPROPRIATIONS 1165 00 DISTRICT ATTORNEY 675 1110 CLERK TYPIST 1110 CLERK TYPIST
1110 DISTRICT ATTORNEY 119,800 33,028 21,420 174,248 41,131 119,800 119,800 131,799 131,799 131,799 119,800 32,475 22,711 174,986 41,838 37,961 26,618 32,475 22,711 34,126 34,126 23,692 34,126 23,692 1110 SECRETARY TO DIST. ATTNY 987 23,692 1110 CLERK TYPIST
L FULL-TIME EMPLOYEES
1120 ASST D.A.-PT
1120 ASSISTANT D.A.-PT
1120 CRIMINAL INVESTIGATOR 1110 CLERK TYPIST 1283 174,986 41,838 37,961 26,618 189,617 \* 43,631 39,974 189,617 \* 43,631 39,974 28,043 189,617 43,631 39,974 TOTAL 41,131 37,664 26,238 638 0 6,719 38,014 22 71 28,043 28,043 1120 CRIMINAL INVESTIGATOR 26,238
1120 CLERK TYPIST-PT 638
1120 SENIOR CLERK TYPIST 0
1120 PRINCIPAL CLERK 6,719
1120 ASSISTANT D.A. 38,014
L PART-TIME EMPLOYEES 150,404
1125 OTHER COMPENSATION 23,200
L OTHER COMP. AND RAISES 23,200
2210 OFFICE FURNITURE 0 Ő 8,390 8,390 362 478 0 n 0 9,948 9,948 40,224 9,948 40,224 9,118 9,118 547 38,311 38,311 1292 161,820 \* 23,200 \* 23,200 \* 162,236 23,200 23,200 162,236 23,949 161,820 \* 161,820 TOTAL 23,200 13 23,200 23,200 \* \* TOTAL 23,949 23,200 2210 OFFICE FURNITURE
2220 OFFICE EQUIPMENT ő 0 Λ n 2230 MOTOR VEHICLE EQUIPMENT 15,000 0 O 2250 TECHNICAL EQUIPMENT 10,000 10,000 10,000 10,000 5,000 2259 COMPUTER EQUIPMENT Õ 2260 OTHER EQUIPMENT 0 n n 0 2260 UTIL...
EQUIPMENT
4407 OFFICE EQUIPMENT
4408 OFFICE SUPPLIES
1100 OFFICE FURNITURE 10,000 \* 300 2,988 10,000 300 2,988 \* TOTAL 25,000 10,000 \* 0 5,000 811 800 2,488 300 2,988 300 2,988 300 3,488 1,782 1,750 4410 UTILITIES 4,499 0 0 4,000 4,200 5,250 500 3,000 4411 TELEPHONE 0 3,500 3,500 5,250 500 2,400 600 5,250 500 4,055 4422 EQUIP RENTAL/LEASE/REPAI 5,250 500 4425 MAINTENANCE AGREEMENTS 4431 PROFESSIONAL SERVICES 600 18,322 30,150 29,400 29,400 29,400 33,400 4433 COURT RELATED EXPENSES 4437 CLERICAL SERVICES 21,308 2,295 30,000 29,800 30,000 30,000 30,000 5,000 5,500 5,000 5,500 5,000 5,000 5,000 4438 MISC. SUPPORTING SERVICE 4,496 4441 GASOLINE, OIL, DIESEL FUEL 64 0 684 750 750 750 750 3,550 4,00° 1 4453 POSTAGE EXPENSES 50 50 50 4453 POSTAGE EXPENSES
4459 COMPUTER SOFTWARE
4470 TRAVEL: RELATED COSTS
4471 MILEAGE ALLOCATIONS
4475 TRANSPORTATION 0 0 2,550 4,000 1,050 2,550 4,000 1,050 2,550 2,550 4,000 153 3,217 4,000 0 1,050 4475 TRANSPORTATION 1,050 250 250 150 250 250 150 250 4476 ASSOC/MEMBERSHIP DUES 0 120 4497 FEES & PERMITS 150 150 150 4522 D.A./LAW ENFORCEMENT PRO 3,233-4589 MC PRINTING: INTRAFUND 0 Ó 0 52,787 39,300 0 \_59,173\_\_\_\_ 200 \_143,525\_\_\_\_ 0 n

\* TOTAL

					BUDGET	
Adopted Budget For Department Of District Attorney				DEPARTMENT	OFFICER	PAGE: 51
	EXP/REL	ADOPTED	MODIFIED	REQUESTED	RECOMMENDED	ADOPTED
	2005	2006	2006	2007	2007	2007
***LESS OTHER REVENUES	53,484	62,500	106,787	62,500	62,500	62,500
***LESS STATE REVENUES	71,543	142,875	142,875	142,875	142,875	142,875
***EQUALS DEPARTMENT COST	281,998	256,535	280,034	265,700	265,000	305,000
****************	*****	*****	******	*******	*******	*******
******						

ESTIMATED FRINGES	FOR DEPARTMENT	OF District Attorney 8810 FICA 8820 RETIREMENT 8830 WORKERS COMPENSATION 8850 HOSPITAL & MEDICAL INS	26,805.73 19,495.94 23,877.00	2007 24,553.71 29,180.74 20,728.07 23,877.00
		8854 DISABILITY INSURANCE	2,080.00_	2,080.00_
		TOTAL ESTIMATED FRINGE	95.874.55	100.419.52

PAGE: 52 FUND: A General Fund DEPT: 27 Probation 12/07/06

13:07:12 BUDGET Adopted Budget For Department Of Probation DEPARTMENT OFFICER EXP/REL ADOPTED MODIFIED REQUESTED RECOMMENDED ADOPTED 2005 2006 2006 2007 2007 2007 **REVENUES** 31,200 4,000 1,800 \_170,620\_ 1270 00 SHARED SERVICES CHARGES 1580 00 REPARATION & RESTIT SURCH 34,000 4,915 988 31,200 4,000 31,200 4,000 34,000 4,000 4,000 1588 00 PROBATION FEES 988
STATE AID 3310 00 PROBATION SERVICES 141,789
\*\*\*TOTAL REVENUES 181,692 1,800 153,779 1,800 153,779 1,800 \_170,620\_ 1,800 170,620 190,779 207,620 207,620 APPROPRIATIONS 3140 00 PROBATION 20,265 22,479 44,939 36,726 20,520 23,770 47,765 38,494 34,373 23,533 24,783 49,779 39,297 36,220 35,920 22,520 23,770 47,765 38,494 34,373 1110 ACCT CLK TYPIST 1110 WORK PROJECT SUPERVISOR 23,533 24,783 23,533 24,783 102 112 1110 WURK PROJECT SOLETTER
1110 PROBATION SUPERVISOR 49,779 39,297 49,779 39,297 136 137 1110 SR PROBATION OFFICER 1110 PROBATION OFFICER 6,860 33,493 36,220 35,920 36,220 150 1110 PROBATION OFFICER 394 35,920 35,273 35,273 Ŏ 1110 PROBATION ASSISTANT 1110 PROBATION OFFICER 669 0 670 0 0 27,623 55,108 1110 PRIN ACCOUNT CLERK TYPIS 1110 PROBATION DIRECTOR II 26,373 55,108 28,810 57,453 37,670 28,810 57,453 37,670 28,810 57,453 37,670 724 0 1252 55,354 1110 PROBATION OFFICER 34,446 36,123 1254 36,123 1255 1256 1110 PROBATION OFFICER 0 0 n n 36,520 37,420 37,420 37,920 36,520 37,420 37,420 37,920 34,446 36,123 36,520 37,420 1110 PROBATION OFFICER 36,123 1257 35,623 35,873 35,623 35,373 1110 PROBATION OFFICER 34,099 1110 PROBATION OFFICER 1110 PROBATION OFFICER 34,104 34,736 27,983 37,420 37,920 1258 1259 36,373 36,373 1110 ADMINISTRATIVE ASSISTANT 0 n 1261 n 1110 INTENSIVE SUPVR-PROB OFF 1110 SR ACCT CLERK TYPIST 1277 0 0 0 0 26,141 489,932 2,000 2,000 27,261 510,006 \* 24,987 26,141 488,682 27,261 510,006 \* 27,261 510,006 1278 \* TOTAL FULL-TIME EMPLOYEES 444,917 1111 OVERTIME L OVERTIME PAY 553\_ 1,669 3,250 3,250 2,000 2,000 \* 2,000 2,000 \* 2,000 TOTAL 1,669 2,000 0 0 0 0 0 0 0 0 659 1121 TAXABLE MEALS, ETC. 0 0 0 \* \* TOTAL TAXABLE MEALS, ETC. 0 2210 OFFICE FURNITURE 0 6,000 6,000 0 1,600 4,300 4,300 1 2220 OFFICE EQUIPMENT 0 2250 TECHNICAL EQUIPMENT 6,000 5,401 6,000 2259 COMPUTER EQUIPMENT 6,000 6,000 \* 6,000 \* \* TOTAL 5,401 784 ,000 250 EQUIPMENT 6,000 4407 OFFICE EQUIPMENT 4408 OFFICE SUPPLIES 250 1,700 250 1,209 1,600 1,600 325 4409 OFFICE FURNITURE 776 1,000 750 750 4,288 4410 UTILITIES 4411 TELEPHONE 4412 LIGHT & POWER 1,450 1,450 1,450 1,450 700 650 650 700 700 4414 NATURAL GAS 4421 PROPERTY RNT/LEASE/REPAI 2,150 2,150 2,150 2,150 2,150

4,800

10,336

851

486

440

414

32

12

4422 EQUIP RENTAL/LEASE/REPAI

4425 MAINTENANCE AGREEMENTS 4431 PROFESSIONAL SERVICES

4438 MISC. SUPPORTING SERVICE 4441 GASOLINE, OIL, DIESEL FUEL

4444 CUSTODIAL, HSHLD SUPP/MAT 4445 MEDICAL SUPPLIES 4447 CLOTHING & UNIFORMS

4449 SPECIAL SUPPLIES & MATER 4453 POSTAGE EXPENSES

4436 MEDICAL FEES

4,800

2,000 1,800 1,700

950

500

100

600

0

0

4,800

1,700

2,150

1,305 2,250

575

220

99

0

100

596

4,800

1,650

2,500 2,000 2,000

550

220

100

100

1,000

0

4,800

1,650

2,250

2,000 2,000

100

100

750

550

220

4,800

1,650

2,250

2,000

2,000

100

100

750

550

220

					BUDGET	
Adopted Budget For Department Of Probation				DEPARTMENT	OFFICER	PAGE: 53
	EXP/REL	ADOPTED	MODIFIED		RECOMMENDED	ADOPTED
	2005	2006	2006	2007	2007	2007
4455 TRAINING	210	900	900	900	900	900
4459 COMPUTER SOFTWARE	4,183	5,112	5,112	14,000	14,000	14,000
4461 WORK PROGRAM EXPENSE	14	100	100	100	100	100
4470 TRAVEL: RELATED COSTS	1,712	2,500	2,500	2,500	2,500	2,500
4471 MILEAGE ALLOCATIONS	9,246	11,500	11,500	12,900	12,500	12,500
4475 TRANSPORTATION	186	´ 0	, O	, O	,	•
4476 ASSOC/MEMBERSHIP DUES	275	275	275	300	300	300
4480 INSURANCES	0	0	0	0		
4497 FEES & PERMITS	0	120	120	60	60	60
4583 MONT CO. DATA/INTRAFUND	5,832	6,144	6,144	6,516	6,516	6,516
4589 MC PRINTING: INTRAFUND	0	0	0	0		
4595 MC MAIL INTRAFD.	0	0	0	0		
4597 M C PURCHASING: INTRAFD	0	. 0	0	0		
* TOTAL CONTRACTUAL	46,732	45,376_	47,075_		_*58,196_;	
***TOTAL APPROPRIATIONS	498,719	543,308	543,307	577,452	576,202	575,477
***LESS OTHER REVENUES	39,903	37,000	37,000	37,000	37,000	39,800
***LESS STATE REVENUES	141,789	153,779	153,779	170,620	170,620	170,620
***EQUALS DEPARTMENT COST	317,027	352,529	352,528	369,832	368,582	365,057

ESTIMATED FRINGES	FOR DEPARTMENT	OF Probation	2006	2007
		8810 FICA	37,215.73	38,900.63
		8820 RETIREMENT	60,810.20	63,563.22
		8830 WORKERS COMPENSATION	28,693.14	29,992.11
		8850 HOSPITAL & MEDICAL INS	105,846.00	105,846.00
		8854 DISABILITY INSURANCE	3,640.00_	3,640.00_
		TOTAL ESTIMATED FRINGE	236,205.07	241,941.96

Adopted Budget For Department Of Public Defender	EXP/REL 2005	ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED RE 2007	BUDGET OFFICER ECOMMENDED 2007	ADOPTED 2007
REVENUES	0	0	0	0		
1267 00 PUBLIC DEFENDER RECOUP STATE AID 3025 00 INDIGENT LEGAL SERVICES ***TOTAL REVENUES	0 65,863 65,863	0 50,000 50,000	0 50,000_ 50,000	0 80,399 80,399	80,399 80,399	80,399_ 80,399
APPROPRIATIONS						
1170 00 PUBLIC DEFENSE (INDIGENT)			_			
318 1110 INVESTIGATOR	0	0	0	0		
835 1110 CONFIDENTIAL SECRETARY	31,799	31,196	31,196	32,789	32,789	32,789
* TOTAL FULL-TIME EMPLOYEES	31,799	31,196	31,196	32,789 *	32,789 *	32,789
440 1120 CONFIDENTIAL SECRETARY-P	0	0	0	0		0.010
734 1120 PT ACCOUNT CLERK TYPIST	0	0	0	8,910	CC F30	8,910
1238 1120 PUBLIC DEFENDER-PT	62,107	63,381	63,381	66,538	66,538	66,538
1239 1120 1ST ASST PUB DEFENDER PT	50,490	51,310	51,310	53,835	53,835	53,835
1240 1120 ASST PUBLIC DEFENDER – P 1361 1120 ASST PUBLIC DEFENDER PT	36,100	37,394	37,394	39,054	39,054	39,054
1361 1120 ASST PUBLIC DEFENDER PT * TOTAL PART-TIME EMPLOYEES	36,600 185,297	37,394 189,479	37,394 189,479	39,304 207,641 *	39,304 198,731 *	39,304 207,641
159 1125 OTHER COMPENSATION	103,237	103,4/3	103,4/3	207,041	130,731	207,041
* TOTAL OTHER COMPENSATION  * TOTAL OTHER COMP. AND RAISES	0	Ŏ	Ŏ	0 *		
2220 OFFICE EQUIPMENT	Ŏ	ŏ	ň	0		
2259 COMPUTER EQUIPMENT	Ŏ	ŏ	ň	Ŏ		
* TOTAL EQUIPMENT	Ŏ	Ŏ	Ŏ	0 *		
4407 OFFICE EQUIPMENT	ň	ŏ	250	Ŏ		
4408 OFFICE SUPPLIES	1,031	1,000	1,000	1,000	1,000	1,000
4409 OFFICE FURNITURE	0	1,000	1,000	1,000	1,000	1,000
4410 UTILITIES	19	ŏ	ŏ	ŏ		
4431 PROFESSIONAL SERVICES	189,692	200,000	199,750	200,000	200,000	200,000
4433 COURT RELATED EXPENSES	5,568	6,000	6,000	6,000	6,000	6,000
4438 MISC. SUPPORTING SERVICE	809	1,000	1,000	1,000	1,000	1,000
4470 TRAVEL: RELATED COSTS	863	500	500	500	500	500
4471 MILEAGE ALLOCATIONS	1,024	2,000	2,000	2,000	2,000	2,000
4476 ASSOC/MEMBERSHIP DUES	175	<sup>^</sup> 75	<sup>2</sup> 75	75	<sup>^</sup> 75	<sup>^</sup> 75
* TOTAL CONTRACTUAL	_199,181	_210,575	210,575_	210,575_*_	210,575_*_	_210,575_
***TOTAL APPROPRIATIONS	416,277	431,250	431,250	451,005	442,095	451,005
***LESS STATE REVENUES	65,863	50,000	50,000	80,399	80,399	80,399
***EQUALS DEPARTMENT COST	350,414	381,250	381,250	370,606	361,696	370,606
***************	*****	******	*****	*****	*****	******

ESTIMATED	FRINGES	FOR	DEPARTMENT	8810 8820 8830 8850	ic Defender FICA RETIREMENT WORKERS COMPEN HOSPITAL & MED DISABILITY INS TOTAL ESTIMA	ICAL INS URANCE	27,584.37 13,015.61	

FUND: A General Fund	DEPT: 29 Medical Examiner/Coroners	12/07/06 13:07:12	PAGE: 55
		BUDGET	

Adopted Budget For Department Of Medical Examiner/Co	oroners			DEPARTMENT	OFFICER	
Adopted Budget For Beparement of Medical Examinery ed	EXP/REL 2005	ADOPTED 2006	MODIFIED 2006		RECOMMENDED 2007	ADOPTED 2007
***TOTAL REVENUES						
APPROPRIATIONS						
1185 00 MED EXAMINER/CORONERS						
410 1120 HEAD CORONER	6,647	6,913	6,913	7,224	7,224	7,224
567 1120 CORONER	5,969	6,208	6,208	6,487	6,487	7,224 6,487
* TOTAL PART-TIME EMPLOYEES	12,616	13,121	13,121	13,711 *	13,711 *	13,711
4408 OFFICE SUPPLIES	0	300	300	300	300	300
4421 PROPERTY RNT/LEASE/REPAI	0	850	850	850	850	850
4436 MEDICAL FEES	18,261	20,000	20,000	20,000	20,000	20,000
4445 MEDICAL SUPPLIES	1,174	800	800	800	800	800
4471 MILEAGE ALLOCATIONS	´ 0	650	650	650	650	650
4589 MC PRINTING: INTRAFUND	15	0	0	0		
* TOTAL CONTRACTUAL	19,450	22,600	22,600_	22,600_*	22,600_*_	22,600_
***TOTAL APPROPRIATIONS	32,066	35,721	35,721	36,311	36,311	36,311
***EQUALS DEPARTMENT COST	32,066	35,721	35,721	36,311	36,311	36,311
**********************************	*****	*****	******	*******	******	******

ESTIMATED FRINGES FOR DEPARTMENT OF Medical Examiner/Coroners  8810 FICA 8820 RETIREMENT 8830 WORKERS COMPENSATION 8850 HOSPITAL & MEDICAL INS 8854 DISABILITY INSURANCE	2006 1,003.73 1,640.12 773.88 .00 520.003937.73	2007 1,048.87 1,713.87 808.67 .00 520.00_ 4 091.41	
TOTAL ESTIMATED FRINGE	3,937.73	4,091.41	

FUND: A General Fund DEPT: 30 Auditing 12/07/06 PAGE: 56 13:07:12

BUDGET Adopted Budget For Department Of Auditing DEPARTMENT OFFICER EXP/REL ADOPTED MODIFIED REQUESTED RECOMMENDED **ADOPTED** 2005 2006 2006 2007 2007 2007 \*\*\*TOTAL REVENUES **APPROPRIATIONS** 1320 00 COUNTY AUDITOR 1110 AUDIT CLERK 1110 SENIOR ACCT CLERK TYPIST 21 26 0 24,637 26,141 6,535 0 124 1110 ACCOUNT CLERK TYPIST 0 0 654 1110 ACCOUNT CLERK TYPIST 1110 PRINCIPAL ACCT CLERK TYP
FULL-TIME EMPLOYEES 20,717 27,252 28,810 28,810 \* 28,810 28,810 \* 28,810 28,810 1330 \* TOTAL 24,637 26,141 1,000 1,000 1,000 1,000 1,080 1,080 \* 1,080 1,080 160 1111 OVERTIME 460 1,080 OVERTIME PAY 1,080 **TOTAL** 460 1120 ACCOUNT CLERK TYPIST PT 1120 ACCOUNT CLERK TYPIST 50% 1120 COUNTY AUDITOR - PT 1120 AUDITOR PART-TIME 653 0 0 0 0 673 0 0 27,920 27,920 703 27,500 22,604 26,750 27.920 869 0 0 0 \* TOTAL 752 PART-TIME EMPLOYEES 27,500 22,604 26,750 27,920 \* 27,920 \* 27.920 1140 0 0 0 660 0 SICK LEAVE BUY-BACK 0 0 TOTAL 0 0 660 2210 OFFICE FURNITURE 2220 OFFICE EQUIPMENT 0 0 n n 1,448 0 0 0 1,043 780 2259 COMPUTER EQUIPMENT 0 n \* TOTAL **EQUIPMENT** 2,491 0 780 n 4407 OFFICE EQUIPMENT n n n n 4408 OFFICE SUPPLIES 4409 OFFICE FURNITURE 332 700 300 725 725 725 0 0 0 n 50 50 75 4422 EQUIP RENTAL/LEASE/REPAI 750 513 4425 MAINTENANCE AGREEMENTS 750 370 750 750 375 125 4438 MISC. SUPPORTING SERVICE 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 350 375 247 350 375 95 100 100 125 125 194 300 300 325 325 325 4589 MC PRINTING: INTRAFUND 0 0 0 0 CONTRACTUAL
\*\*\*TOTAL APPROPRIATIONS 250 470 , 375. 2,375 2,375 \* TOTAL 381 60,845 60,185 60,185 \*\*\*EQUALS DEPARTMENT COST 60,185 60,185 60,845

ESTIMATED	FRINGES	FOR	DEPARTMENT	8810 8820		2006 4,159.52 3,452.87 3,206.97	2007 4,008.36 3,601.25 3,090.42
					HOSPITAL & MEDICAL INS	5,547.00	5,547.00
				8854	DISABILITY INSURANCE	520.00	520.00_
					TOTAL ESTIMATED FRINGE	16.886.36	16.767.03

FUND: A General Fund DEPT: 31 Central Purchasing 12/07/06 PAGE: 57 13:07:12

						13:07:12 PUDCET	
Adonted Bude	get For Department Of Central Purchasing				DEPARTMENT	BUDGET OFFICER	
Adopted Budg	jet for Department or Central Furchasting	EXP/REL	ADOPTED	MODIFIED		RECOMMENDED	ADOPTED
		2005	2006	2006	2007	2007	2007
REVENUES		2003	2000	2000	2007	2007	2007
KEVENUES	1272 00 CENTRAL MAILING	0	0	0	0		
	1272 00 CENTRAL MAILING 1273 00 PURCHASING FEES	20,000	20,000	20,000	20,000	20,000	20,000
	1289 00 OTHER GENERAL GOVT INCOME	20,000	20,000	20,000	20,000	20,000	20,000
	2680 00 INSURANCE RECOVERIES	0	20,000	20,000	20,000	20,000	20,000
		0				20,000	20,000
	2690 00 OTHER COMPENSATION LOSS		0 300	0 300	0 300	300	200
	2801 00 INTERFUND REVENUES	336					300_
* DDD ODD T ATTC	***TOTAL REVENUES	20,336	40,300	40,300	40,300	40,300	40,300
APPROPRIATIO							
1345 UU P	PURCHASING	35 000	27 150	27 150	20 700	20 700	20 700
	701 1110 PURCHASING AGENT	35,000	37,150	37,150	38,788	38,788	38,788
	856 1110 ACCOUNT CLERK TYPIST	22,707	24,020	9,599	0	27 511	0= 544
	1272 1110 SR ACCOUNT CLERK TYPIST	0	0	15,834	27,511	27,511	27,511
	1312 1110 PURCHASING BUYER	0	0	0	0		
	* TOTAL FULL-TIME EMPLOYEES	57,707	61,170	62,583	66,299	* 66,299 *	66,299
	1424 1120 PURCHASING AGENT-PT	0	0	0	0		
	* TOTAL PART-TIME EMPLOYEES	0	0	0	0	*	
	2220 OFFICE EQUIPMENT	0	0	0	0		
	2259 COMPUTER EQUIPMENT	0	0	0	2,400	2,400	2,400
	* TOTAL EQUIPMENT	0	0	0	2,400	* 2,400 *	2,400
	4407 OFFICE EQUIPMENT	0	0	0	0		•
	4408 OFFICE SUPPLIES	601	500	643	500	500	500
	4409 OFFICE FURNITURE	0	0	265	0		
	4410 UTILITIES	Ö	Ö	0	Ō		
	4422 EQUIP RENTAL/LEASE/REPAI	1,274	20,000	20,000	20,000	20,000	20,000
	4425 MAINTENANCE AGREEMENTS	226	225	296	250	250	250
	4438 MISC. SUPPORTING SERVICE	148	200	200	200	200	200
	4452 PRINTING/COPYING	0	500	20	500	500	500
	4453 POSTAGE EXPENSES	172	100	0	100	100	100
	4455 TRAINING	7,2	100	ŏ	100		100
	4470 TRAVEL: RELATED COSTS	405	650	402	650		650
	4471 MILEAGE ALLOCATIONS	113	650	80	650	650	650
	4476 ASSOC/MEMBERSHIP DUES	50	150	50	150	150	150
	4491 LEGAL NOTICE&ADVERTISING	578	900	604	900		900
	* TOTAL CONTRACTUAL	3,567	23,975	22,560	24,000		24,000
1660 00 C	CENTRAL STOREROOM	3,30,	23,313	22,500	27,000	۷٦,000	24,000
1000 00 0	4408 OFFICE SUPPLIES	1,798	8,000	8,000	10,000	10,000	10,000
	4454 CENTRAL PURCHASING	0	0,000	0,000	10,000	10,000	10,000
	* TOTAL CONTRACTUAL	1,798	8,000	8,000	10,000	* 10,000 *	10,000
1010 00 1	NALLOCATED INSURANCE	1,750	0,000	0,000	10,000	° 10,000	10,000
T3T0 00 0		475,399	581,000	581,000	584,383	584,383	623,030
	* TOTAL CONTRACTUAL _		581,000	581,000 581,000_		_*584,383_*_	
	* TOTAL CONTRACTUAL _ ***TOTAL APPROPRIATIONS	_475,399					
		538,471	674,145	674,143	687,082	687,082	725,729
	***LESS OTHER REVENUES	20,336	40,300	40,300	40,300	40,300	40,300
	***EQUALS DEPARTMENT COST	518,135	633,845	633,843	646,782	646,782	685,429
******	: X		******	*****	: ***********	*********	************

ESTIMATED	FRINGES	FOR	DEPARTMENT	OF Centr	a٦	Purchasing		2006	2007
				8810 F	ICA			4,860.87	5,071.85
				8820 R	ETI	REMENT		7,942.62	8,287.37
				8830 W	ORK	ERS COMPENSA	ATION	3,747.70	3,910.37
				8850 н	OSP	ITAL & MEDIO	CAL INS	17,358.00	17,358.00
				8854 D	ISA	BILITY INSU	RANCE _	520.00	520.00_
					TO	TAL ESTIMATI	ED FRINGE	34,429.19	35,147.59

					BUDGET	
Adopted Budget For Department Of STOP DWI				DEPARTMENT	OFFICER	
	EXP/REL		MODIFIED	REQUESTED	RECOMMENDED	ADOPTED
	2005	2006	2006	2007	2007	2007
REVENUES						
2615 00 STOP D.W.I. FINES	147,109	130,500	130,500	165,000	165,000	165,000
2701 00 REFUND OF PRIOR YRS EXPEN	0	0	0	0		
STATE AID 3324 00 LAW ENF COST/DRUG ENF PRG	2,698	0	0_	0_		
***TOTAL REVENUES	149,807	130,500	130,500	165,000	165,000	165,000
APPROPRIATIONS						
3315 00 STOP DWI						
271 1120 STOP DWI COORDINATOR-PT	6,923	8,000	8,000	9,000	8,695	8,695
274 1120 SR. ACCT. CLERK TYPIST-P	2,000	2,000	2,000	3,000	2,174	2,174
* TOTAL PART-TIME EMPLOYEES	8,923	10,000	10,000	12,000	* 10,869 *	10,869
2250 TECHNICAL EQUIPMENT	0	0	0	Ü		
2259 COMPUTER EQUIPMENT	Ü	Ŭ	Ü	Ü	J.	
* TOTAL EQUIPMENT	Ü	0	700	0 -		700
4408 OFFICE SUPPLIES	Ü	700	700	700	700	700
4410 UTILITIES	Ü	0	0	0	900	900
4411 TELEPHONE	U	800	800	800	800	800
4422 EQUIP RENTAL/LEASE/REPAI	Ü	0	0	0		
4438 MISC. SUPPORTING SERVICE		100	100	100	100	100
4453 POSTAGE EXPENSES	53	100	100	100	100	100
4459 COMPUTER SOFTWARE	0	0 100	100	100	100	100
4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS	28	300	100 300	100 300	100 300	300
	402	500 500	500	600	600	600
4476 ASSOC/MEMBERSHIP DUES 4520 STOP DWI/LAW ENFCMT PROG	108.053	106,000	106,000	124,500	124,500	
4520 STOP DWI/LAW ENFOMT PROG 4526 EDUCATION PROGRAMS	11,734	12,000	12,000	15,900	17,031	124,500 17,031
4520 EDUCATION PROGRAMS 4550 GRANTS OTHER GOVTS/AGNCY	2,000	12,000	12,000	13,900	17,031	17,031
4562 CATH.CHARITIES OF MONT.C	7,497	Ŏ	ŏ	10,000	10,000	10,000
4589 MC PRINTING: INTRAFUND	7,497	ň	ň	10,000	10,000	10,000
	_129,767	120,500	120,500_	153,000_	*154,131_*_	154 131
***TOTAL APPROPRIATIONS	138,690	130,500	130,500	165,000	165,000	165,000
***LESS OTHER REVENUES	147,109	130,500	130,500	165,000	165,000	165,000
***LESS STATE REVENUES	2,698	130,300	130,300	103,000	103,000	103,000
***EQUALS DEPARTMENT COST	11.117-			0		
**************		*****	*****	****	*****	*****

ESTIMATED FRINGES FOR DEPARTMENT OF STOP DWI 2006 2007

8810 FICA 789.48 818.08

8820 RETIREMENT 1,290.00 1,336.75

8830 WORKERS COMPENSATION 608.68 630.74

8850 HOSPITAL & MEDICAL INS .00 .00

8854 DISABILITY INSURANCE 520.00 520.00

TOTAL ESTIMATED FRINGE 3,208.16 3,305.57

FUND: CD Community Developmnt Fund DEPT: 24 Ed	conomic Op	p/Developme	ent		12/07/06 13:07:12	PAGE: 59
Adopted Budget For Department Of Economic Opp/Deve	lonment			DEPARTMENT	BUDGET OFFICER	
Adopted Budget For Department of Economic Opp/Deve	EXP/RE	L ADOPTED	MODIFIED		RECOMMENDED	ADOPTED
	2005	2006	2006	2007	2007	2007
REVENUES	2005	2000	2000	200.	200.	2007
2170 00 COMMUNITY DEVELOP. INCOME	280,488	227,543	227,543	133,771	133,771	133,771
2189 00 HOME & COMM SERV.DEPT INC	275	1,250,000	1,250,000	1,470,000	1,470,000	1,470,000
2401 00 INTEREST & EARNINGS	33,960	28,076	28,076	11,035	11,035	11,035
2701 00 REFUND OF PRIOR YRS EXPEN	7,751	0	0	0		
FEDERAL AID 4910 00 COMM. DEVELOPMENT INCOME	0	0	0	0		
FEDERAL AID 4911 00 CD/SML CITIES PROG INCOME	599,000	Ü	U 550 270	U		
5031 00 INTERFUND TRANSFERS		1 FOF 610	559,270_	1 614 906	1 614 906	1 614 906
***TOTAL REVENUES APPROPRIATIONS	921,474	1,505,619	2,064,889	1,614,606	1,614,806	1,614,806
8668 00 REHAB LOANS & GRANTS						
4431 PROFESSIONAL SERVICES	0	0	2,000	0		
4491 LEGAL NOTICE&ADVERTISING	ŏ	200	200	300	300	300
4510 REVOLVING LOANS	53,500	1,442,919			1,593,506	1,593,506
4570 GRANTS, OTHER GOVTS/AGNC	33,081	62,500	60,500	15,000		15,000
* TOTAL CONTRACTUAL	86,581	1,505,619	2,064,889	1,608,806	*1,608,806	*1,608,806
8686 00 ADMINISTRATION			_			
4431 PROFESSIONAL SERVICES	3,000	0	0	6,000	6,000	6,000
4511 SMALL CITIES PROGRAMS	599,000	Ü	Ü	0	* 6.000	* C 000
* TOTAL CONTRACTUAL	_602,000_	U_	U_	6,000_		
***TOTAL APPROPRIATIONS  ***LESS OTHER REVENUES	688,581 322,474	1,505,619 1,505,619	2,064,889 2,064,889	1,614,806	1,614,806 1,614,806	1,614,806
***LESS FEDERAL REVENUES	599,000	1,303,013	2,004,009	1,014,000	1,014,000	1,014,000
***EOUALS DEPARTMENT COST	232,893-			0		
******************	*****	*****	*****	******	*****	*****

FUND: D County Road Fund DEPT: 12 Public Works 12/07/06 PAGE: 60

22 2					13:07:12 BUDGET	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Adopted Budget For Department Of Public Works	EXP/REI 2005	L ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED 2007	OFFICER RECOMMENDED 2007	ADOPTED 2007
REVENUES						
2401 00 INTEREST & EARNINGS 2590 00 PERMITS, OTHER 2650 00 SALE OF SCRAP/EXCESS MTRL 2701 00 REFUND OF PRIOR YRS EXPEN	4,756 1,223 1,820 0	3,500 1,000 1,000 0	3,500 1,000 1,000 0	2,500 1,000 1,000 0	2,500 1,000 1,000	2,500 1,000 1,000
2770 00 UNCLASSIFIED REVENUES 2771 00 WORK FOR OTHER GOVERNMENT 2801 00 INTERFUND REVENUES	0 1,860 1,447	0 1,500 1,500	0 1,500 1,500	1,500 0	1,500	1,500
STATE AID 3960 00 EMERG DISASTER ASSISTANCE	1,898,580	1,528,463	1,678,700 4,575	0	1,678,700	1,678,700
FEDERAL AID 4960 00 FED.AID-EMERGEN.DIS.AID 5031 00 INTERFUND TRANSFERS ***TOTAL REVENUES	0 2,792,348_ 4,702,034	0 _3,290,114_ 4,827,077	22,439 _3,306,602 5,020,816	0 4,104,131_ 5,788,831	4,450,169_ 6,134,869	_4,450,169_ 6,134,869
APPROPRIATIONS						
3310 00 TRAFFIC CONTROL 277 1110 HOURLY EMPLOYEES * TOTAL FULL-TIME EMPLOYEES 2250 TECHNICAL EQUIPMENT	52,540 52,540 0	54,403 54,403 0	53,208 53,208 0	56,429 56,429 0	56,429 * 56,429	56,429 * 56,429
2259 COMPUTER EQUIPMENT * TOTAL EQUIPMENT 4422 EQUIP RENTAL/LEASE/REPAI	0 0 7,500	0 0 7,500	909 909 7,500	0 0 7,500	* 7,500	7,500
4438 MISC. SUPPORTING SERVICE	0	0 500	0 500	0 500	500	500
4440 SMALL TOOLS 4447 CLOTHING & UNIFORMS 4448 CONST. & MAINT. SUPPLIES	423 4,994	800 6,500	800 6,500	800 8,500	800 8,500	800 8,500
4459 COMPUTER SOFTWARE 4465 ROAD STRIPING * TOTAL CONTRACTUAL	0 54,956 67,873	0 65,000 80,300	285 81,488 97,073	100,000 117,300	85,000 * 102,300	85,000 * 102,300
5010 00 HIGHWAY ADMINISTRATION	0,,0,5	00,500	37,073	11,,500	102,500	102,500
41 1110 SR. ACCT. CKERK TYPIST	23,069	26,391	4,567	0		
147 1110 PRINCIPAL ACCT CLERK TYP 502 1110 PRINCIPLE ACCT CLK TYPIS		0 27,873	23,048	29,060	29,060	29,060 29,060
502 1110 PRINCIPLE ACCT CLK TYPIS * TOTAL FULL-TIME EMPLOYEES	48,974	54,264	27,873 55,488	29,060 58,120	29,060 * 58,120	
2210 OFFICE FURNITURE	0	0	0	0	30,220	30,220
2220 OFFICE EQUIPMENT	0	0	0	0		
2259 COMPUTER EQUIPMENT * TOTAL EQUIPMENT	0	0	0	0	*	
4407 OFFICE EQUIPMENT	ő	ő	ő	ő		
4408 OFFICE SUPPLIES 4409 OFFICE FURNITURE	973 0	1,500 1,000	1,500 1,000	2,000 1,500	1,500 1,500	1,500 1,500
4410 UTILITIES	7,738	0	0	0		
4411 TELEPHONE	0	9,000	9,000	7,000	7,000	7,000
4422 EQUIP RENTAL/LEASE/REPAI 4425 MAINTENANCE AGREEMENTS	6,698 513	7,000 0	7,000 0	7,500 0	6,300	6,300
4438 MISC. SUPPORTING SERVICE		ŏ	ŏ	ŏ		
4451 DATA PROCESSING	10,000	10,000	10,000	10,000	10,000	10,000
4452 PRINTING/COPYING 4455 TRAINING	856 0	1,500 0	1,440 160	1,500	1,500	1,500
4459 COMPUTER SOFTWARE	0	0	0	0		
4470 TRAVEL: RELATED COSTS 4476 ASSOC/MEMBERSHIP DUES	0	1,000	590 250	1,500 250	1,500 250	1,500 250
4470 ASSOC/MEMBERSHIP DOES 4497 FEES & PERMITS	0	0	60	0	230	230
* TOTAL CONTRACTUAL	26,778	31,000	31,000	31,250	* 29,550	* 29,550
5020 00 ENGINEERING 118 1110 SR. ENGINEERING TECHICIA	27,201	28,808	25,758	29,698	29,698	29,698
624 1110 SR ENGINEERING TECHNICIA		33,226	33,226	34,586	34,586	34,586

Adopted Budget For Department Of Public Works	2005	2006	MODIFIED 2006	2007	RECOMMENDED 2007	2007
* TOTAL FULL-TIME EMPLOYEES	58,160	62,034	58,984	64,284	* 64,284	* 64,284
2250 TECHNICAL EQUIPMENT 2259 COMPUTER EQUIPMENT * TOTAL EQUIPMENT	0	0	0	1,100 1,100	* 1,100 * 1,100	* 1,100 * 1,100
4408 OFFICE SUPPLIES	250	300	300	300	300	300
* TOTAL FULL-TIME EMPLOYEES  2250 TECHNICAL EQUIPMENT  2259 COMPUTER EQUIPMENT  EQUIPMENT  4407 OFFICE EQUIPMENT  4408 OFFICE SUPPLIES  4409 OFFICE FURNITURE  4422 EQUIP RENTAL/LEASE/REPAI  4448 CONST. & MAINT. SUPPLIES  4449 SPECIAL SUPPLIES & MATER  4459 COMPUTER SOFTWARE  4470 TRAVEL: RELATED COSTS  * TOTAL CONTRACTUAL  5110 00 MAINT ROADS & BRIDGES	1,383 0 0	0 0 250 300	0 0 250 3,350	4,000 250 300	4,000 250 300	4,000 250 300
4459 COMPUTER SOFTWARE 4470 TRAVEL: RELATED COSTS  * TOTAL CONTRACTUAL 5110 00 MAINT ROADS & BRIDGES	0 0 1,633	0 400 1,250	0 400 4,300	300 400 5,550	300 400 * 5,550	300 400 * 5,550
* TOTAL CONTRACTUAL  5110 00 MAINT ROADS & BRIDGES  144 1110 HIGHWAY LABOR 278 1110 HIGHWAY MAINT SUPERVISOR * TOTAL FULL-TIME EMPLOYEES 991 1111 OVERTIME PAY 1175 1125 OTHER COMPENSATION 0 TOTAL OTHER COMP. AND RAISES 19 1130 MEO I TEMP. 1409 1140 SICK LEAVE BUY-BACK 1409 1140 SICK LEAVE BUY-BACK 1418 MISC. SUPPORTING SERVICE 4447 CLOTHING & UNIFORMS 4448 CONST. & MAINT. SUPPLIES 4449 SPECIAL SUPPLIES & MATER	422,002 30,738 452,740 1,706 1,706 5,200	541,727 32,317 574,044 1,500 1,500 5,200	521,801 32,317 554,118 4,300 4,300 6,890 6,890	627,624 33,954 661,578 1,500 1,500 7,280	575,802 33,954 * 609,756 1,500 * 1,500 7,280 * 7,280	575,802 33,954 * 609,756 1.500
19 1130 MEO I TEMP.  * TOTAL TEMPORARY EMPLOYEES 1409 1140 SICK LEAVE BUY-BACK  * TOTAL SICK LEAVE BUY-BACK  4422 FOULT RENTAL LEASE/REPAT	0 0 0 0 0 291 807	0 0 0 0 0 400 000	14,210 14,210 0 0 400,000	7,280 0 0 0 0 400,000	* 400 000	400,000
4438 MISC. SUPPORTING SERVICE 4447 CLOTHING & UNIFORMS 4448 CONST. & MAINT. SUPPLIES 4449 SPECIAL SUPPLIES & MATER	5,393 249,794	7,500 350,000 0	7,500 373,815 3,200	7,500 975,000	7,500 600,000	7,500 600,000
* IOTAL CONTRACTUAL	546,994	757,500	784,515	1,382,500	^1,007,500	
3142 00 SNOW REMOVAL 279 1110 HOURLY EMPLOYEES  * TOTAL FULL-TIME EMPLOYEES 4422 EQUIP RENTAL/LEASE/REPAI 4448 CONST. & MAINT. SUPPLIES 4469 SNOW CONTRACTS  * TOTAL CONTRACTUAL  5148 00 SERV OTHER GOVT - HIGHWAY 901 1110 HOURLY EMPLOYEES	15,440 15,440 15,989 0 1,184,340 1,200,329	32,800 32,800 20,000 500 1,184,340 1,204,840	32,800 32,800 20,000 500 1,184,340 1,204,840	38,000 38,000 20,000 500 1,184,340 1,204,840	38,000 * 38,000 20,000 500 1,973,900 *1,994,400	38,000 * 38,000 20,000 500 1,973,900 *1,994,400
* TOTAL FULL-TIME EMPLOYEES 4448 CONST. & MAINT. SUPPLIES	2,997 0	8,200 500	8,200	8,000	0,000	* 8,000 500
9001 00 FRINGE BENEFITS  8810 FICA  8820 RETIREMENT  8830 WORKERS COMPENSATION  8840 UNEMPLOYMENT INSURANCE	49,059 92,101 59,100 2,025	50,531 59,248 71,400 0	405	71,400 0	71,400	53,000 62,000 71,400
* TOTAL CONTRACTUAL  9001 00 FRINGE BENEFITS  8810 FICA  8820 RETIREMENT  8830 WORKERS COMPENSATION  8840 UNEMPLOYMENT INSURANCE  8850 HOSPITAL & MEDICAL INS  8851 HOSP. & MED. INS. PAYBAC  8852 DENTAL BENEFITS  8853 VISUAL CARE BENEFITS  8854 DISABILITY INSURANCE  8855 SICK LV/RET.HLTH INS.ALT  * TOTAL FRINGE BENEFITS  9900 00 INTERFUND TRANSFERS	186,250 20,466 8,300 5,800 5,800 5,350 434,251	200,000 15,000 10,000 5,800 5,800 5,000 422,779	200,000 15,000 10,000 5,800	240,000 15,000 12,500 7,000 6,000 5,000	240,000 15,000 12,500 7.000	240,000 15,000 12,500 7,000 6,000 5,000 * 471,900
9900 00 INTERFUND TRANSFERS 9905 TRANS TO OTHER FUNDS	60,520	0	0	0	•	•

9950 TRANS. TO CAPT. PROJ. FD 1,528,463 1,536,463 1,686,700 1,678,700 1,678,700 1,678,700 ** TOTAL INTER FUND TRANSFERS 1,588,983_1,536,463_1,686,700_1,678,700_*1,67	Adopted Budget For Department Of Public Works	EXP/REL ADOPTED 2005 2006	DEPARTMENT MODIFIED REQUESTED 2006 2007	BUDGET OFFICER PAGE: 62 RECOMMENDED ADOPTED 2007 2007
***LESS OTHER REVENUES 2,803,454 3,298,614 3,315,102 4,110,131 4,456,169 4,456,169  ***LESS STATE REVENUES 1,898,580 1,528,463 1,683,275 1,678,700 1,678,700  ***LESS FEDERAL REVENUES 22,439  ***EQUALS DEPARTMENT COST 197,436- 2- 0	* TOTAL INTER FUND TRANSFERS  ***TOTAL APPROPRIATIONS  ***LESS OTHER REVENUES  ***LESS STATE REVENUES  ***LESS FEDERAL REVENUES	1,588,9831,536,463_ 4,504,598	1,686,7001,678,700 5,020,814	_*1,678,700_*1,678,700_ 6,134,869 6,134,869 4,456,169 4,456,169

FUND: DM Road Machinery Fund DEPT: 12 Public Works 12/07/06 PAGE: 63 13:07:12

					13:07:12 BUDGET	
Adopted Budget For Department Of Public Works	EXP/REL 2005	ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED 2007		ADOPTED 2007
2401 00 INTEREST & EARNINGS 2414 00 RENTAL OF EQUIPMENT 2650 00 SALE OF SCRAP/EXCESS MTRL 2665 00 SALES OF EQUIPMENT 2701 00 REFUND OF PRIOR YRS EXPEN	1,145 892 1,774 6,490 972	900 700 900 0 0	900 700 900 0 0	800 500 900 0 0	800 500 900	800 500 900
2665 00 SALES OF EQUIPMENT 2701 00 REFUND OF PRIOR YRS EXPEN 2770 00 UNCLASSIFIED REVENUES 2773 00 COUNTY GARAGE 2801 00 INTERFUND REVENUES 2810 00 INFD. REV. GEN. FUND 2822 00 INFD. REV CO ROAD FUND 2852 00 INFD. REV CAPT. PROJ. STATE AID 3960 00 EMERG DISASTER ASSISTANCE	22,157 162,263 45,000 315,296 110,000	16,800 99,400 50,000 427,500 130,000	16,800 99,400 50,000 427,500 130,000	19,600 124,350 50,000 427,500 130,000	19,600 124,350 50,000 427,500 130,000	19,600 124,350 50,000 427,500 130,000
5031 00 INTERFUND TRANSFERS  ***TOTAL REVENUES	_182,130	0 295,796_ 1,021,996	0 295,796_ 1,021,996		276,350 1,030,000	276,350_ 1,030,000
APPROPRIATIONS 5130 00 MACHINERY						
148 1110 HOURLY EMPLOYEES 1338 1110 SUPERVISING AUTO MECHANI 1341 1110 SR PUB. WORKS STOREKEEPE	214,632 33,702 0	247,794 35,688 0	247,794 35,688 0	268,062 37,181 0	268,062 37,181	268,062 37,181
* TOTAL FULL-TIME EMPLOYEES 1398 1140 SICK LEAVE BUY-BACK * TOTAL SICK LEAVE BUY-BACK	248,334	283.482	283.482		* 305,243 *	305,243
2230 MOTOR VEHICLE EQUIPMENT 2240 HIGHWAY & STREET EQUIP 2250 TECHNICAL EQUIPMENT 2255 BLDGS & GROUNDS FOULTPMEN	0 0 3,000	50,000 10,770 0	45,435 15,335 0	38,825 0 0	26,325	26,325
2260 OTHER EQUIPMENT  * TOTAL EQUIPMENT  4407 OFFICE FOULTHMENT	0 3,000 112	60,770 0	60,770 0	8,400 47,225 0	* 8,400 * 34,725	8,400 34,725
4408 OFFICE SUPPLIES 4409 OFFICE FURNITURE	220 0	500 0 0	500 0 0	500	500	500
* TOTAL FULL-TIME EMPLOYEES  1398 1140 SICK LEAVE BUY-BACK  * TOTAL SICK LEAVE BUY-BACK  2230 MOTOR VEHICLE EQUIPMENT  2240 HIGHWAY & STREET EQUIP  2250 TECHNICAL EQUIPMENT  2255 BLDGS & GROUNDS EQUIPMEN  2260 OTHER EQUIPMENT  * TOTAL EQUIPMENT  4407 OFFICE EQUIPMENT  4408 OFFICE SUPPLIES  4409 OFFICE FURNITURE  4410 UTILITIES  4411 TELEPHONE  4412 LIGHT & POWER  4413 WATER & SEWER  4414 NATURAL GAS  4421 PROPERTY RNT/LEASE/REPAI	01,073 0 0 0 0 0	1,200 21,000 1,200 55,500 20,000	1,200 21,000 1,200 55,500 20,000	900 24,500 1,200 44,000 25,000	900 24,500 1,200 44,000 20,000	900 24,500 1,200 44,000 20,000
4422 EQUIP RENTAL/LEASE/REPAI 4438 MISC. SUPPORTING SERVICE 4440 SMALL TOOLS	,	155,000 0 4,000	155,000 0 4,000	175,000 0 7,500	165,000 7,500	165,000 7,500
4441 SMALL TOUCHS, 1940 A441 GASOLINE, OIL, DIESEL FUEL 4444 CUSTODIAL, HSHLD SUPP/MAT 4447 CLOTHING & UNIFORMS	225,429 462 1,764	247,800 800 2,800	247,800 800 2,800	271,400 800 2,800	271,400 800 2,800	271,400 800 2,800
4455 TRAINING 4470 TRAVEL: RELATED COSTS * TOTAL CONTRACTUAL	0 0 439,575	0 50 509,850	0 50 509,850	0 50 553,650	* 538,650 *	50 538,650
9001 00 FRINGE BENEFITS  8810 FICA  8820 RETIREMENT  8830 WORKERS COMPENSATION	19,056 36,841 37,642	19,628 29,624 37,642	19,628 29,340 37,642	21,000 31,000 37,642	21,000 31,000 37,642	21,000 31,000 37,642
8840 UNEMPLOYMENT INSURANCE 8850 HOSPITAL & MEDICAL INS 8851 HOSP. & MED. INS. PAYBAC 8852 DENTAL BENEFITS	0 57,500 0 5,000	62,000 6,000 5,000	62,000 0 5,000	72,000 6,000 7,500	72,000 6,000 7,500	72,000 6,000 7,500

Adopted Budget For Department Of Public Works	EXP/REL 2005	ADOPTED 2006	MODIFIED 2006	DEPARTMENT REQUESTED 2007	BUDGET OFFICER RECOMMENDED 2007	PAGE: 64 ADOPTED 2007	
8853 VISUAL CARE BENEFITS	2,500	2,500	2,500	3,000	3,000	3,000	
8854 DISABILITY INSURANCE	2,500	2,500	2,500	2,750	2,750	2,750	
8855 SICK LV/RET.HLTH INS.ALT	3,000	3,000	9,284	3,000	3,000	3,000	
* TOTAL FRINGE BENEFITS	164,039	167,894	167,894	183,892	* 183,892	* 183,892	
9900 00 INTERFUND TRANSFERS	,	•	•	•	•	•	
9905 TRANS TO OTHER FUNDS	39,710	2,869	2,869	0			
* TOTAL INTER FUND TRANSFERS	39,710	2,869_	2,869_	0_	*		
***TOTAL APPROPRIATIONS	894,658	1,024,865	1,024,865	1,090,010	1,062,510	1,062,510	
***LESS OTHER REVENUES	848,119	1.021.996	1,021,996	1,090,010	1,030,000	1,030,000	
***EQUALS DEPARTMENT COST	46,539	2,869	2,869	0	32,510	32,510	
************		*****	*****	*****	*******	******	***

12/07/06 13:07:12 BUDGET OFFICER DEPT: 34 MONTGOMERY MEADOWS Adonted Budget For Department Of MONTGOMERY MEADOWS

Adopted Budget For D	epartment Of MONTGOMERY MEADO	NS			DEPARTMENT	OFFICER	
	epartment Of MONTGOMERY MEADO	EXP/RE	L ADOPTED	MODIFIED	REQUESTED	RECOMMENDED	ADOPTED
DE) (ENUES	PUBLIC NURSING HOME INCOM  MEDICAID  NO DESC  NO DESC  PATIENT NAMI  MEDICARE PART A  MEDICARE PART B  CAFETERIA  MISCELLANEOUS  PRIVATE PAY  HOSPICE  VETERANS  CAFETERIA  MISCELLANEOUS  INTEREST & EARNINGS  SALE OF SCRAP/EXCESS MTRL  SALES OF REAL PROPERTY  REFUND OF PRIOR YRS EXPEN  UNCLASSIFIED REVENUES  WORK FOR OTHER GOVERNMENT  INTERFUND TRANSFERS  ***TOTAL REVENUES	2005	2006	2006	2007	2007	2007
KEVENUES	A DURI TO NURSTNO HOME THOOM	0	0	200 /51	0		
1650 00	NEDICATO	1 863 616	4 805 040	4 805 040	0		
1651 00	NO DESC	4,003,040	4,803,040	4,603,040	Ŏ		
1651 01	NO DESC	0	0	0	0		
1652 00	NO DESC	743 529	650 000	650 000	ň		
1653 00	) MEDICARE PART A	625 918	961 505	961 505	Ŏ		
1654 00	) MEDICARE PART B	7 056	71 000	71 000	Õ		
1655 00	) CAFFTERTA	1,965	1 000	1,000	ŏ		
1656 00	MTSCFLIANFOUS	17.225	2,000	2,000	ŏ		
1657 00	PRIVATE PAY	816.746	666.340	666.340	0		
1658 00	HOSPICE	113.988	100,000	100,000	Ö		
1659 00	) VETERANS	61,740	61,540	61,540	0		
1805 00	) CAFETERIA	0	0	0	0		
1808 00	MISCELLANEOUS	0	0	0	0		
2401 00	) INTEREST & EARNINGS	3,957	2,300	2,300	0		
2650 00	SALE OF SCRAP/EXCESS MTRL	0	0	0	0		
2660 00	SALES OF REAL PROPERTY	0	0	0	0		
2701 00	REFUND OF PRIOR YRS EXPEN	112,105	10,000	10,000	0		
2770 00	UNCLASSIFIED REVENUES	0	0	0	0		
2771 00	WORK FOR OTHER GOVERNMENT	0	0	0	0		
5031 00	INTERFUND TRANSFERS	1,738,891_	_1,782,205_	_1,782,205_	0_		
ADDRODDTATIONS	***TOTAL REVENUES	9,106,766	9,112,930	9,401,381			
APPROPRIATIONS	TED THEHRANCE						
1910 00 UNALLOCAT	1180 THELIDANCES	27 364	55 000	55 000	0		
* TOTAL	CONTRACTUAL	27,364	55,000	55,000	Ő	*	
6020 00 MONTGOMER	Y MEADOWS	27,00	55,555	33,000	·		
7	1110 ACCOUNTANT	0	0	0	0		
23	1110 BLDG. MAINTENANCE SUPR	6,183	0	11,952	0		
25	1110 BUILDING MAINT WORKER	26,988	26,673	26,673	28,160		
28	1110 BUILDING MAINT WORKER	25,194	26,673	26,673	27,860		
30	1110 BUILDING MAINT WORKER	485	26,374	24,109	Q		
31	1110 CASEWORKER	16,461	26,673	9,433	0		
35	1110 CLEANER	16,782	22,520	22,520	23,833		
36	1110 CLEANER	22,758	24,020	24,020	25,283		
3/	1110 CLEANER	11,307	0	22,520	24,433		
39	1110 CLEANER	14,600	0	22,520	24,783		
42	1110 PRIMARY HEALTH CARE NURS	15 202	22 520	22 520	22 022		
43 44	1110 CUSTODIAL WORKER	10,392	22,320	10 500	23,033		
44 15	1110 CLEANER	22 443	23,420	23, 420	23,033		
49	1110 CLEANER	18 450	22,520	22,520	23, 833		
58	1110 SCHEDOLING CEEKK	10,130	22,320	22,320	23,033		
59	1110 COOK	24.892	25.791	25.791	27.261		
60	1110 COOK	24.361	25.491	25.491	26.911		
61	1110 COOK	25.193	26.391	26.391	27.511		
84	1110 CUSTODIAL WORKER	19.141	23.120	23.120	24.433		
85	1110 CUSTODIAL WORKER	23,070	26,707	26,707	27,774		
86	1110 CUSTODIAL WORKER	22,758	24,020	24,020	25,033		
100	1110 DIETETIC TECHNICIAN	26,062	27,623	27,623	28,810		
101	1110 OCC THERAPIST ASST	26,062	27,273	27,273	28,460		
107	1110 DIRECTOR OF NURSING SERV	52,107	52,500	57,000	54,340		
109	1110 WARD CLERK	20,870	22,520	22,520	23,833		
120	1110 FOOD SERVICE HELPER	22,453	23,561	22,181	22,792		
121	***TOTAL REVENUES  TED INSURANCE 4480 INSURANCES CONTRACTUAL TY MEADOWS 1110 ACCOUNTANT 1110 BLIDG. MAINTENANCE SUPR 1110 BUILDING MAINT WORKER 1110 BUILDING MAINT WORKER 1110 CASEWORKER 1110 CLEANER 1110 CLEANER 1110 CLEANER 1110 CLEANER 1110 CLEANER 1110 CUSTODIAL WORKER 1110 CLEANER 1110 CLEANER 1110 CLEANER 1110 CLEANER 1110 CLEANER 1110 CUSTODIAL WORKER 1110 COOK 1110 CUSTODIAL WORKER 1110 DIETETIC TECHNICIAN 1110 DIETETIC TECHNICIAN 1110 DIRECTOR OF NURSING SERV 1110 WARD CLERK 1110 FOOD SERVICE HELPER	20,972	22,111	22,111	23,092		

23,047

13,001

24,270

22,520

24,270

25,283

233

234

1110 CNA

1110 CNA

23,997

25,191

25,191

1110 ADMISSIONS COORDINATOR

1421

BUDGET

4441 GASOLINE,OIL,DIESEL FUEL 4443 DRAPES & BLINDS 4444 CUSTODIAL,HSHLD SUPP/MAT 4445 MEDICAL SUPPLIES

4448 CONST. & MAINT. SUPPLIES 4449 SPECIAL SUPPLIES & MATER

4446 FOOD SUPPLIES

4451 DATA PROCESSING

4452 PRINTING/COPYING

4453 POSTAGE EXPENSES

4455 TRAINING

3,123

123,472 560,441

264,244

15,600

2,906

2,099

0

845

3,500

181.980 460,095

260,000

15,600

1,500 2,500

5,000

100

0

0

5,000

145,330

358,660

295,000

15,600

1,500 2,500

7,000

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Adopted Budget For Department Of MONTGOMERY MEADOW	WS EXP/REL 2005	L ADOPTED 2006		DEPARTMENT OFFICER REQUESTED RECOMMENDED 2007 2007	PAGE: 69 D ADOPTED 2007
4459 COMPUTER SOFTWARE 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 4473 REGISTRATION FEES ETC	3,713 23 1,282 234	5,000 4,150 1,000 0	5,000 5,150 2,000 0	0 0	
4476 ASSOC/MEMBERSHIP DUES 4491 LEGAL NOTICE&ADVERTISING 4497 FEES & PERMITS 4499 LEGAL REFERENCE	7,640	11,240 100 1,000 60	11,240 100 2,000 60	0 0 0 0	
* TOTAL CONTRACTUAL 9001 00 FRINGE BENEFITS		2,472,791	2,995,581	0 *	
8810 FICA 8820 RETIREMENT 8830 WORKERS COMPENSATION 8840 UNEMPLOYMENT INSURANCE 8850 HOSPITAL & MEDICAL INS 8851 HOSP. & MED. INS. PAYBAC 8852 DENTAL BENEFITS 8853 VISUAL CARE BENEFITS 8854 DISABILITY INSURANCE 8855 SICK LV/RET.HLTH INS.ALT FRINGE BENEFITS 9700 00 DEBT SERVICE 7106 SERIAL BOND PRINCIPAL 7107 SERIAL BOND INTEREST	25,000 14,500 35,000 35,000 38,577 2,054,780	336,302 385,110 194,775 20,000 1,026,000 60,000 25,000 14,500 35,000 15,000 2,111,687	336,302 385,110 194,775 20,000 1,026,000 60,000 25,000 14,500 35,000 15,000 2,111,687	0 0 0 0 0 0 0 0 0 *	
7306 BOND ANTIC. NOTE PRINC. 7307 BOND ANTIC. NOTE INTERES	0	0	0	0	
* TOTAL DEBT SERVICE 9900 00 INTERFUND TRANSFERS	0	0	0	0 *	1
9905 TRANS TO OTHER FUNDS * TOTAL INTER FUND TRANSFERS	302,600 _302,600	0 0	144,225 144,225_	0 	
***TOTAL APPROPRIATIONS ***LESS OTHER REVENUES ***EOUALS DEPARTMENT COST	9,174,019	9,112,930 9,112,930	9,401,381	3,805,518 - 3,805,518	
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Adopted Budget For Department Of Sewer District	EXP/REL 2005	2006	2006	DEPARTMENT REQUESTED 2007	BUDGET OFFICER RECOMMENDED 2007	ADOPTED 2007
REVENUES  1001 00 REAL PROPERTY TAXES 1081 00 PYMT IN LIEU OF TAXES 2120 00 BEECH NUT 0 & M/SURCHARGE 2122 00 SEWER SERVICE CHARGES 2128 00 INT & PENALTY SEWER RENT 2401 00 INTEREST & EARNINGS 2665 00 SALES OF EQUIPMENT 2680 00 INSURANCE RECOVERIES 2701 00 REFUND OF PRIOR YRS EXPEN 2770 00 UNCLASSIFIED REVENUES STATE AID 3960 00 EMERG DISASTER ASSISTANCE FEDERAL AID 4960 00 FED.AID-EMERGEN.DIS.AID 5031 00 INTERFUND TRANSFERS ***TOTAL REVENUES	103 /28	0	0	0		
1001 00 REAL PROPERTY TAXES	667	0	0	0 0 0 473,362 4,000 3,000		
2120 00 BEECH NUT O & M/SURCHARGE	0	41,000	41,000	Ö		
2122 00 SEWER SERVICE CHARGES	418,026	398,532	398,532	473,362	473,362	473,362
2128 00 INT & PENALTY SEWER RENT	4,389	4,000	4,000 1,750	4,000 3,000	4,000 3,000	4,000
2665 OO SALES OF FOUTPMENT	3,223	1,730	1,730	3,000	3,000	3,000
2680 00 INSURANCE RECOVERIES	ŏ	ŏ	ŏ	ŏ		
2701 00 REFUND OF PRIOR YRS EXPEN	1,563	0	0	0		
2770 00 UNCLASSIFIED REVENUES	17,536	0	0	0		
STATE AID 3960 00 EMERG DISASTER ASSISTANCE	0	0	0	0		
5031 00 INTERFUND TRANSFERS	0	0	0	0		
***TOTAL REVENUES	548,834	445,282	445,282	480,362	480,362	480,362
APPROPRIATIONS						
1380 00 FISCAL AGENT FEES	0	0	0	0		
4400 CONTRACTUAL EXPENSES  * TOTAL CONTRACTUAL	0	0 0	0	0	*	
1910 00 UNALLOCATED INSURANCE	· ·	· ·		· ·		
4480 INSURANCES	24,206	25,000	25,000 25,000	25,000	25,000	
1910 00 UNALLOCATED INSURANCE 4480 INSURANCES * TOTAL CONTRACTUAL 1990 00 CONTINGENT ACCOUNT	24,206	25,000	25,000	25,000	* 25,000 *	25,000
1990 00 CONTINGENT ACCOUNT	0	37,000	32,000	25,000	25,000	25,000
4400 CONTRACTUAL EXPENSES  * TOTAL CONTRACTUAL  \$110,00 CENTE ADMINISTRATION	0	37,000	32,000	25,000		25,000
		•	32,000	20,000	23,000	25,000
4408 OFFICE SUPPLIES	0	0	0	0		
4408 OFFICE SUPPLIES  * TOTAL CONTRACTUAL 8120 00 SANTARY SEWERS	0	0	0	0	*	
8120 00 SANITARY SEWERS 12 1110 SAN. SEWER MAINT MECHANI	0	0	0	0		
54 1110 SUPERINTENDENT	41.179	41.500	41,751	43,845	43,845	43,845
119 1110 LAB TECHNICIAN	22,513	22,538	23,030	24,904	24,904	24,904
392 1110 LABORER	20,035	23,113	24,008	26,583	26,583	26,583
449 1110 OPERATOR TRAINEE 586 1110 MAINTENANCE MECHANIC	28 921	28 380	0 27 351	0 30,222	30,222	30,222
678 1110 WW TREATMENT PLANT OPER	0	20,303	27,351 0	0,222		
* TOTAL FULL-TIME EMPLOYEES	112,648	115,540	116,140	125,554	* 125,554 *	125,554
114 1120 SANITARY SEWER BRD MEMBR	1,050	1,000	1,200	1,000	1,000	1,000
589 1120 TAX COLLECTOR 848 1120 PART TIME EMPLOYEES	4,/30 4 973	4,849 6 980	4,849 6,180	5,067 6,980	5,067 6,980	5,067 6,980
1284 1120 CHAIRMAN OF THE BOARD	1.471	1.508	1,508	1,576	1,576	1,576
* TOTAL PART-TIME EMPLOYEES	12,224	14,337	13,737	14.623	* 14,623 *	14,623
407 1125 OTHER COMP. AND RAISES	0	0	0	0		
* TOTAL OTHER COMP. AND RAISES 5 1130 MATNTENANCE MECHANIC	0	0	0	0	ж	
312 1130 MAINTENANCE MECHANIC	0	0	0	0		
* TOTAL TEMPORARY EMPLOYEES	Ŏ	Ö	Ö	Ŏ	*	
1376 1140 SICK LEAVE BUY-BACK	0	0	0	0		
* TOTAL SICK LEAVE BUY-BACK 1247 1150 ALLOWANCES	600	000	900 900	0 800		800
* TOTAL ALLOWANCES	600 600	900	900	800	* 800 * 800 *	800 800
2220 OFFICE EQUIPMENT	ő	0	0		500	500
2240 HIGHWAY & STREET EQUIP	0	0	0			
2250 TECHNICAL EQUIPMENT	0	1,000	1,000	2,000	2,000	2,000
* TOTAL CONTRACTUAL  8120 00 SANITARY SEWERS  12 1110 SAN. SEWER MAINT MECHANI 54 1110 SUPERINTENDENT 119 1110 LAB TECHNICIAN 392 1110 LABORER 449 1110 OPERATOR TRAINEE 586 1110 MAINTENANCE MECHANIC 678 1110 WW TREATMENT PLANT OPER * TOTAL FULL-TIME EMPLOYEES 114 1120 SANITARY SEWER BRD MEMBR 589 1120 TAX COLLECTOR 848 1120 PART TIME EMPLOYEES 1284 1120 CHAIRMAN OF THE BOARD * TOTAL PART-TIME EMPLOYEES 1284 1120 CHAIRMAN OF THE BOARD OTHER COMP. AND RAISES 0 THER COMP. AND RAISES 0 THER COMP. AND RAISES 0 THER COMP. AND RAISES 1130 MAINTENANCE MECHANIC 312 1130 INTERIM SUPERINTENDENT TOTAL TEMPORARY EMPLOYEES 1376 1140 SICK LEAVE BUY-BACK 1247 1150 ALLOWANCES * TOTAL SICK LEAVE BUY-BACK 1247 1150 ALLOWANCES ALLOWANCES 2220 OFFICE EQUIPMENT 2255 BLDGS & GROUNDS EQUIPMEN 2259 COMPUTER EQUIPMENT	0	1 000	1,000	0		
2233 COM OTEN EQUITMENT	•	_,000	1,000	O		

					BUDGET	
Adopted Budget For Department Of Sewer District				DEPARTMENT	OFFICER	PAGE: 71
		ADOPTED		REQUESTED		ADOPTED
	2005	2006	2006	2007	2007	2007
2274 CHI ORTHE /DURTETCTN CVCTE	0	0	0	0		
2274 CHLORINE/PURIFICTN SYSTE * TOTAL EQUIPMENT 4407 OFFICE EQUIPMENT	0	0 2,000	0 2,000		* 2,500 *	2.500
* TOTAL EQUIPMENT	0	2,000 500	100		500	500
4401 OFFICE EQUIPMENT	195	300 300	500		500 500	500 500
4400 OFFICE SUFFILES	0 1	300 0	300		300	300
4407 OFFICE EQUIPMENT 4408 OFFICE SUPPLIES 4409 OFFICE FURNITURE 4410 UTILITIES	121 500	103,000	101,000		132,200	132,200
4410 UTILITIES 4421 PROPERTY RNT/LEASE/REPAI	1,111	2,000	74,200		2,000	2,000
4421 PROPERTY RNT/LEASE/REPAI 4422 EQUIP RENTAL/LEASE/REPAI	10,791	19,600	17,600		18,000	18,000
4425 MATNTFNANCE AGREEMENTS	2 127	500	400	500	500	500
4425 MAINTENANCE AGREEMENTS 4429 COMPENSATION (NON-EMPLOY	750	1,200	1,300		1.500	1,500
4431 PROFESSIONAL SERVICES	5,000	500	8,700		2,000	2,000
4433 COURT RELATED EXPENSES	6.635	0	0,700			=, =
4438 MISC. SUPPORTING SERVICE	44.126	45,286	44,386	45,000	45,000	45,000
4441 GASOLINE, OIL, DIESEL FUEL	1,600	2,000	4,000		2,500	2,500
4444 CUSTODIAL, HSHLD SUPP/MAT	300	500	<sup>2</sup> 500	500	500	500
4449 SPECIAL SUPPLIES & MATER	9,167	17,000	15,700	18,000	18,000	18,000
4451 DATA PROCESSING	1,022	1,300	1,300	1,500	1,500	1,500
4452 PRINTING/COPYING	<u> 121</u>	300	300		300	300
4453 POSTAGE EXPENSES	377	1,000	1,000		1,000	1,000
4455 TRAINING	2,070	2,500	1,300		2,500	2,500
4459 COMPUTER SOFTWARE	0	200	200		500	500
44/U TRAVEL: RELATED COSIS	500	700	680		700	700
44/1 MILEAGE ALLUCATIONS	145	500	600		700	700
44/b ASSUC/MEMBERSHIP DUES	40 12	100	120		100	100
4491 LEGAL NOTICE&ADVERTISING * TOTAL CONTRACTUAL	207 880	100 199,086	100 274,286		100 * 230,600 *	100
4431 PROFESSIONAL SERVICES 4433 COURT RELATED EXPENSES 4438 MISC. SUPPORTING SERVICE 4441 GASOLINE,OIL,DIESEL FUEL 4444 CUSTODIAL,HSHLD SUPP/MAT 4449 SPECIAL SUPPLIES & MATER 4451 DATA PROCESSING 4452 PRINTING/COPYING 4453 POSTAGE EXPENSES 4455 TRAINING 4459 COMPUTER SOFTWARE 4470 TRAVEL: RELATED COSTS 4471 MILEAGE ALLOCATIONS 4476 ASSOC/MEMBERSHIP DUES 4491 LEGAL NOTICE&ADVERTISING * TOTAL CONTRACTUAL 9001 00 FRINGE BENEFITS	207,005	199,000	2/4,200	230,000	^ 230,000	230,000
8810 ETCV	11,000	9,876	9,876	10,500	10,500	10,500
		10,368	10,368	11,000	11,000	11,000
8830 WORKERS COMPENSATION	10 185	10,185	10,185	10,185	10,185	10,185
8850 HOSPITAL & MEDICAL INS	15.500	16,740	16,740		20,000	20,000
8851 HOSP. & MED. INS. PAYBAC	0	10,740	10,740		20,000	20,000
8852 DENTAL BENEFITS	1.400	1,400	1,400		1,500	1,500
8853 VISUAL CARE BENEFITS	$\bar{1},500$	1,500	1,500	1,750	1,750	1,750
8820 RETIREMENT 8830 WORKERS COMPENSATION 8850 HOSPITAL & MEDICAL INS 8851 HOSP. & MED. INS. PAYBAC 8852 DENTAL BENEFITS 8853 VISUAL CARE BENEFITS 8854 DISABILITY INSURANCE 8855 SICK LV/RET.HLTH INS.ALT FRINGE BENEFITS	900	900	900	900	900	900
8855 SICK LV/RET.HLTH INS.ALT	0	450	450	450	450	450
* TOTAL FRINGE BENEFITS	55,221	51,419	51,419	56,285	* 56,285 *	56,285
3700 00 DEBT SERVICE						
7106 SERIAL BOND PRINCIPAL	100,000	0	0			
7107 SERIAL BOND INTEREST  * TOTAL DEBT SERVICE	4,688	0	0			
* TOTAL DEBT SERVICE	104,688	0	0	0	*	
9900 00 INTERFUND TRANSFERS  9905 TRANS TO OTHER FUNDS  * TOTAL INTER FUND TRANSFERS  ***TOTAL APPROPRIATIONS  ***LESS OTHER REVENUES  ***EQUALS DEPARTMENT COST	0 500	0	0	0		
9905 TRANS TO OTHER FUNDS  * TOTAL INTER FUND TRANSFERS	8,500 9 FOO	Ü	0		J.	
* IUIAL INIEK FUND IKANOFEKO	8,500	44F 282				400 262
***! ECC OTHED DEVENUEC	525,570 E40 034	443,202 445 282	515,482 445,282	480,362 480,362		480,362 480,362
***EQUALS DEPARTMENT COST	340,03 <del>4</del> 77 858_	445,282	70.200	480,362	480,362	480,362
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FUND: MS Self Insurance Fund DEPT: 10 Personnel 12/07/06 PAGE: 72 13:07:12

						13:07:12	
Adopted Bud	get For Department Of Personnel				DEPARTMENT	BUDGET OFFICER	
	300 · 0 · 0 - 2 par oment o · 1 · 0 · 0 · 0 · 0 · 0 · 0 · 0 · 0 · 0		L ADOPTED	MODIFIED	REQUESTED	RECOMMENDED	ADOPTED
DEVENUES.		2005	2006	2006	2007	2007	2007
REVENUES	2222 00 PARTICIPANTS ASSESSMENTS	239,677	566,830	566,830	566,830	566,830	566,830
	2401 00 INTEREST & EARNINGS	37,175	21,453	21,453	21,453	21,453	21,453
	2680 00 INSURANCE RECOVERIES	0	0	0	0	•	ŕ
	2701 00 REFUND OF PRIOR YRS EXPEN	371,928	45,000	45,000	45,000	45,000	45,000
	2801 00 INTERFUND REVENUES  ***TOTAL REVENUES	_419,405_	841,663_ 1 474 946	841,663_ 1 474 946	646,888_ 1 280 171	646,888 1,280,171	646,888_ 1 280 171
APPROPRIATI		1,000,103	1, 17 1,510	1, 17 1, 5 10	1,200,171	1,200,171	1,200,171
1710 00	ADMINISTRATION						
	126 1110 PERSONNEL/OFFICER	9,779	9,770	9,770	9,770	9,770	9,770
	1275 1110 HUMAN RESOURCE CLERK 1276 1110 PERSONNEL ASSOCIATE	8,363 12,324	8,333 12,191	8,333 12,191	8,333 12,191	8,333 12,191	8,333 12,191
	* TOTAL FULL-TIME EMPLOYEES	30.466	30,294	30,294	30,294	* 30,294 *	
	2259 COMPUTER EQUIPMENT	0	1,500	1,500	750	750	750
	2260 OTHER EQUIPMENT	0 301 301	0	0	0	. 750 4	750
	* TOTAL EQUIPMENT	301 0	1,500 0	1,500	750 0	* 750 *	750
	4407 OFFICE EQUIPMENT 4408 OFFICE SUPPLIES	0	75	75	75	75	75
	4409 OFFICE FURNITURE	ŏ	Ő	Ő	0	, ,	, ,
	4410 UTILITIES	240	250	250	250	250	250
	4421 PROPERTY RNT/LEASE/REPAI	1,000	1,000	1,000	1,000	1,000	1,000
	4422 EQUIP RENTAL/LEASE/REPAI 4431 PROFESSIONAL SERVICES	129 51,970	200 80,000	200 77,804	200 80,000	200 80,000	200 80,000
	4431 PROPESSIONAL SERVICES  4433 COURT RELATED EXPENSES	0	750	676	750	750	750
	4436 MEDICAL FEES	6 369	4,000	10,000	4,000	4,000	4,000
	4438 MISC. SUPPORTING SERVICE	244	0	270	0		
	4441 GASOLINE, OIL, DIESEL FUEL	U	1 000	1 000	1 000	1 000	1 000
	4451 DATA PROCESSING 4452 PRINTING/COPYING	1,000 0	1,000 125	1,000 125	1,000 125	1,000 125	1,000 125
	4453 POSTAGE EXPENSES	ŏ	50	50	50	50	50
	4455 TRAINING	Ô	200	200	200	200	200
	4470 TRAVEL: RELATED COSTS	340	775	775	775	775	775
	4471 MILEAGE ALLOCATIONS 4476 ASSOC/MEMBERSHIP DUES	154 55	200 100	200 100	200 100	200 100	200 100
	4584 WORKER'S COMP. ASSESSMEN	164,461	265,000	261,000	250,000	250,000	250.000
	* TOTAL CONTRACTUAL	225,962	353,725	353,725	338,725		
1720 00	BENEFITS & AWARDS						
	4436 MEDICAL FEES	208,658	347,115	347,115	300,000	300,000	300,000
	4464 WORKER'S COMPENSATION BE * TOTAL CONTRACTUAL	474,598 683,256	600,000 947,115	581,914 929,029	447,735 747,735	447,735 * 747,735 *	447,735 747,735
1910 00	UNALLOCATED INSURANCE	003,230	J+7 , 113	323,023	747,733	777,733	747,733
	4480 INSURANCES	114,673	114,897	132,983	135,000	135,000	135,000
2221 22	* TOTAL CONTRACTUAL	114,673	114,897	132,983	135,000	* 135,000 *	135,000
9001 00	FRINGE BENEFITS 8810 FICA	2 400	2 207	2 207	2 207	2 207	2 207
	8810 FICA 8820 RETIREMENT	2,400 3,684	2,387 5,147	2,387 5,147	2,387 5,147	2,387 5,147	2,387 5,147
	8850 HOSPITAL & MEDICAL INS	6,200	7,233	7,233	7,233	7,233	7,233
	8854 DISABILITY INSURANCE	400	400	400	400	400	400
0000 00	* TOTAL FRINGE BENEFITS	12,684	15,167	15,167	15,167	* 15,167 *	15,167
9900 00	INTERFUND TRANSFERS 9905 TRANS TO OTHER FUNDS	842	0	0	0		
	9970 RESERVE FUND CONTRIBUTIO	042	12,248	12,248	12,500	12,500	12,500
	* TOTAL INTER FUND TRANSFERS	842	12,248_	12,248_	12,500_	_*12´,500_*	12,500_
	***TOTAL APPROPRIATIONS	1,068,184		1,474,946	1,280,171	1,280,171	
	***LESS OTHER REVENUES	1,068,185	1,4/4,946	1,4/4,946	1,280,1/1	1,280,171	1,280,1/1

12/07/06 13:07:12

#### MONTGOMERY COUNTY 2007 SUMMARY OF BUDGET - BY FUND

ADOPTED AMOUNT

PAGE: 74

----- APPROPRIATION ---------- REVENUE -----INTER-FUND INTER-FUND **FUND** TOTAL + APPROP = TOTAL (TOTAL + REVENUES + BALANCE) = **TOTAL** 5,254,180 67,707,690 38,733,967 General Fund 62,453,510 2,372,700 41,106,667 Community Developmnt Fund 1,614,806 1,614,806 1,614,806 1,614,806 County Road Fund 5,635,969 498,900 6,134,869 1,684,700 4,450,169 6,134,869 1,062,510 1,062,510 Road Machinery Fund 1,024,868 37,642 326,150 703,850 32,510 Montgomery Meadows 480,362 Sewer Fund 470,177 10,185 480,362 480,362 Self Insurance Fund 1,280,171 1,280,171 633,283 646,888 1,280,171 GRAND TOTAL ALL FUNDS 72,479,501 5,800,907 78,280,408 43,473,268 5,800,907 2,405,210 51,679,385

TOTAL REAL PROPERTY TAX LEVY FOR BUDGETARY PURPOSES IS 26,601,023

PAGE: 75 MONTGOMERY COUNTY ADOPTED AMOUNT

72,479,501

12/07/06

2007 SUMMARY OF BUDGET - ALL FUNDS 13:07:12

TOTAL ESTIMATED REVENUES (EXCLUDING INTER-FUND ITEMS)

TOTAL APPROPRIATION OF ALL FUNDS (EXCLUDING INTER-FUND ITEMS)

LESS: ESTIMATED REVENUES AND APPROPRIATED FUND BALANCE OF ALL FUNDS 43,473,268

APPROPRIATED FUND BALANCE

Retirement - General

General Fund 2,372,700

Reserve: Stop DWI Reserve: E911 Reserve: Debt Serv Community Developmnt Fund Retirement - County Rd County Road Fund

32,510

County Road Fund
Retirement - Rd Machine
Road Machinery Fund
Retirement - Mont Meado
Montgomery Meadows
Retirement - Sewer
Sewer Fund
Retirement - Self Ins
Self Insurance Fund

TOTAL APPROPRIATED FUND BALANCE 2,405,210

TOTAL ESTIMATED REVENUES AND APPROPRIATED FUND BALANCE 45,878,478

26,601,023 TOTAL REAL PROPERTY TAX LEVY FOR BUDGETARY PURPOSES

PLUS: TAX RESERVES

300,000 TOTAL ALLOWANCE FOR UNCOLLECTIBLE TAXES

150,000 TOTAL DEFERRED TAX REVENUE

TOTAL REAL PROPERTY TAX LEVY 27,051,023

12/07/06	MONTGOMERY COUNTY ADOR	PTED BUDGET -	REVENUES	DEDARTMENT	DUDGET OFFI	PAGE: 76
13:07:12	ADOPTED 2006	MODIFIED 2006	REALIZED 2006	ESTIMATED 2007	BUDGET OFFIC RECOMMEND 2007	ADOPTED 2007
TOTAL REVENUES FOR ALL FUNDS	83,492,382	87,880,321	76,652,113	48,663,035	49,019,239	49,274,175
LESS: INTER-FUND REVENUES						
General Fund FROM County Road Fund AND Road Machinery Fund AND Montgomery Meadows AND Sewer Fund AND Self Insurance Fund	2,869	2,869 144,225				
County Road Fund FROM General Fund	3,290,114	3,306,602	3,306,602	4,104,131	4,450,169	4,450,169
Road Machinery Fund FROM General Fund AND County Road Fund AND County Road Fund AND County Road Fund	295,796 7,500 400,000 20,000	295,796 7,500 400,000 20,000	295,796 7,500 400,000 20,000	336,360 7,500 400,000 20,000	276,350 7,500 400,000 20,000	276,350 7,500 400,000 20,000
Montgomery Meadows FROM General Fund	1,782,205	1,782,205	1,505,000			
Self Insurance Fund FROM General Fund AND County Road Fund AND Road Machinery Fund AND Montgomery Meadows AND Sewer Fund	527,661 71,400 37,642 194,775 10,185	527,661 71,400 37,642 194,775 10,185	527,661 71,400 37,642 194,775 10,185	527,661 71,400 37,642 10,185	527,661 71,400 37,642 10,185	527,661 71,400 37,642 10,185
TOTAL INTER-FUND REVENUES	6,640,147	6,800,860	6,376,561	5,514,879	5,800,907	5,800,907
GRAND TOTAL OF ESTIMATED REVENUE EXCLUDING INTER-FUND REVENUES REAL ESTATE PROPERTY TAX REVEN	AND	81,079,461	70,275,552	43,148,156	43,218,332	43,473,268

12/07/06	MONTGOMERY COUNTY ADOP	TED BUDGET -	APPROPRIATI		DUDGET OFFIC	PAGE: 77
13:07:12	ADOPTED 2006	MODIFIED 2006	OBLIGATED 2006	REQUESTED 2007	BUDGET OFFIC RECOMMEND 2007	ADOPTED 2007
TOTAL APPROPRIATIONS FOR ALL FUN	DS 84,695,251	90,183,822	72,127,285	83,206,306	79,357,691	78,280,408
LESS: INTER-FUND APPROPRIATIO	NS					
General Fund TO County Road Fund TO Road Machinery Fund TO Montgomery Meadows TO Self Insurance Fund	3,290,114 295,796 1,782,205 527,661	3,306,602 295,796 1,782,205 527,661	3,306,602 295,796 1,505,000 527,661	4,104,131 336,360 527,661	4,450,169 276,350 527,661	4,450,169 276,350 527,661
County Road Fund TO General Fund TO Road Machinery Fund TO Self Insurance Fund	427,500 71,400	427,500 71,400	427,500 71,400	427,500 71,400	427,500 71,400	427,500 71,400
Road Machinery Fund TO General Fund TO Self Insurance Fund	2,869 37,642	2,869 37,642	37,642	37,642	37,642	37,642
Montgomery Meadows TO General Fund TO Self Insurance Fund	194,775	144,225 194,775	194,775			
Sewer Fund TO General Fund TO Self Insurance Fund	10,185	10,185	10,185	10,185	10,185	10,185
Self Insurance Fund TO General Fund						
TOTAL INTER-FUND APPROPRIATIONS	6,640,147	6,800,860	6,376,561	5,514,879	5,800,907	5,800,907
GRAND TOTAL OF APPROPRIATIONS EXCLUDING INTER-FUND APPROPRIA	TIONS 78,055,104	83,382,962	65,750,724	77,691,427	73,556,784	72,479,501

12/07/06 13:07:12 PERCENT OF CHANGE IN BUDGET TAX LEVY FROM PREVIOUS YEAR BASED ON ADOPTED FIGURES

				2006	2007	DECREASE	PERCENT
REAL PROPERTY TA		TOTAL TAX	RESERVES	26,601,023 450,000 27,051,023	450,000	0	.00 %

APPENDIX "A"

Estimated Unreserved Fund Equity

	General Fund	County Road Fund	Road Machinery Fund	Sewer Fund
Beginning of 2006 Unreserved Fund Equity Available for Appropriation	\$11,204,216	(\$71,813)	\$93,155	\$265,881
2006 Unreserved Fund Equity Appropriated (as of November 28, 2006)	\$1,019,270	\$0	\$0	\$77,000
2006 Estimated Unreserved Fund Equity Available for Appropriation	\$11,500,000	\$0	\$95,000	\$190,000
2006 Unreserved Fund Equity Recommended for Appropriation	\$2,372,700	\$0	\$32,510	\$0

#### APPENDIX "B"

### **Statement of Reserve Funds**

### **GENERAL FUND**

Miscellaneous Reserves (Stop DWI, E911, Occupancy Tax, Retirement Contribution)

This Reserve is also part of the General Fund Reserved Fund Balance to allow for independent accounting of revenues derived from a specific source for a specific purpose as established by law.

Stop DWI	Balance of Fund as of 1/1/2006 Contributions to Fund during 2006 Expenditures from Fund during 2006 Projected Interest Earnings 2006	116,579.01 165,000.00 130,500.00 600.00
	Projected Balance as of 12/31/2006	151,679.01
	Amount Reserved for Budgetary Expenditures for 2006	0.00
E-911	Balance of Fund as of 1/1/2006 Contributions to Fund during 2006 Expenditures from Fund during 2006 Projected Interest Earnings 2006 Projected Balance as of 12/31/2006	46,366.13 205,000.00 215,500.00 0.00 35,866.13
	Amount Reserved for Budgetary Expenditures for 2006	0.00
Occupancy Tax	Balance of Fund as of 1/1/2006 Contributions to Fund during 2006 Expenditures from Fund during 2006 Projected Interest Earnings 2006	57,145.69 110,000.00 95,000.00 250.00
	Projected Balance as of 12/31/2006	72,395.69
	Amount Reserved for Budgetary Expenditures for 2006	0.00
Retirement Contribution	Balance of Fund as of 1/1/2006 Contributions to Fund during 2006 Expenditures from Fund during 2006 Projected Interest Earnings 2006	2,869.00 0.00 2,869.00 0.00
	Projected Balance as of 12/31/2006	0.00
	Amount Reserved for Budgetary Expenditures for 2006	0.00

# APPENDIX "C"

# Schedule of Salaries and Wages (Elected and Fixed Terms)

COUNTY OFFICIAL	2007 ANNUA	L SALARY
Chairman of the Board of Supervisors	\$	10,000
Supervisors (14)	\$	7,000 (each)
Clerk of the Board of Supervisors	\$	7,608
Budget Officer	\$	10,000
County Fire Coordinator	\$	7,119
County Treasurer	\$	57,299
Director of Real Property Tax	\$	48,840
County Clerk	\$	57,949
County Attorney	\$	51,206
Personnel Director/Self Ins. Dir.	\$	60,159
Commissioner-Board of Elections - Democrat	\$	35,041
Commissioner-Board of Elections - Republican	\$	36,191
Commissioner of Public Works	\$	57,335
Sheriff	\$	64,180
Commissioner of Social Services	\$	58,699
County Historian	\$	35,019
Economic Opp. And Dev. Director	\$	59,526
District Attorney	\$	131,799
Head Coroner	\$	7,224
Coroner	\$	6,487
County Auditor	\$	28,810
Purchasing Agent	\$	38,788

### APPENDIX "D"

# **Statement of Debt Outstanding**

As of November 28, 2006

Bond	Final Maturity	Amount Outstanding	Interest Rate
Public Safety Building	5/1/2017	\$5,540,000	5.68%
Public Safety Building #2 & Misc. Capital Projects 93-95	5/1/2012	\$3,226,000	5.14%
Refunding Bond - 1996 partial refunding & 1997 full refunding	5/1/2016	\$5,285,000	3.98%
Public Improvement Bonds 1997, 1998 & 2000 Projects	8/15/2018	\$925,000	5.00%
Florida Business Park Water/Sewer Expenses	10/15/2012	\$1,990,000	3.99%
Public Improvement Bonds 2001 & 2002 Projects	12/1/2022	\$2,800,000	4.31%
Public Improvement Bonds 2003 & 2004 Projects	5/15/2019	\$4,330,000	4.18%
Public Improvement Bonds 2005 & 2006	6/1/2024	\$6,427,217	3.93%
Bond Anticipation Notes			
Retirement Incentive	12/14/2006	\$475,000	5.10%