

PROCEEDINGS
of the
BOARD OF SUPERVISORS
of the
COUNTY OF MONTGOMERY
2009

**PROCEEDINGS
of the
BOARD OF SUPERVISORS
of the
COUNTY OF MONTGOMERY
FOR THE YEAR 2009**

JOHN B. THOMAS, Chairman
ROBIN L. LOSKE, Clerk

Compiled and arranged by the Clerk by Order of the Board

TABLE OF CONTENTS

Organizational Meeting	January 1, 2009	1
Committee Meeting - Education/Government	January 13, 2009	5
Committee Meeting - Agriculture, Planning & Development	January 13, 2009	6
Committee Meeting - Public Safety	January 13, 2009	7
Committee Meeting - General Services	January 13, 2009	8
Committee of the Whole	January 20, 2009	9
Committee Meeting - Health & Human Services	January 20, 2009	10
Committee Meeting - Finance	January 20, 2009	12
Public Hearing	January 27, 2009	15
Regular Meeting	January 27, 2009	17
Committee Meeting - Agriculture, Planning & Development	February 3, 2009	42
Special Meeting	February 17, 2009	44
Committee Meeting - General Services	February 17, 2009	46
Committee Meeting - Finance	February 17, 2009	49
Public Hearing	February 24, 2009	53
Regular Meeting	February 24, 2009	54
Committee Meeting - Public Safety	March 3, 2009.....	74
Committee Meeting - Finance	March 17, 2009.....	76
Committee Meeting - Personnel	March 17, 2009.....	79
Public Hearing	March 24, 2009.....	80
Regular Meeting	March 24, 2009.....	81
Committee Meeting - Economic Development/Planning	April 7, 2009	102
Committee Meeting - Personnel	April 14, 2009	103
Committee Meeting - General Services	April 14, 2009	105
Committee Meeting - Health & Human Services	April 14, 2009	107
Committee of the Whole	April 14, 2009	108
Committee Meeting - Finance	April 21, 2009	110
Regular Meeting	April 28, 2009	112
Committee Meeting - Finance	May 19, 2009	126
Regular Meeting	May 26, 2009	129
Committee Meeting - Education/Government	June 2, 2009	136
Committee Meeting - Economic Development/Planning	June 2, 2009	138
Committee Meeting - Public Safety	June 2, 2009	139
Committee Meeting - Health & Human Services	June 9, 2009	141
Committee Meeting - General Services	June 9, 2009	142
Committee Meeting - Finance	June 16, 2009	144
Regular Meeting	June 23, 2009	147
Committee Meeting - Economic Development/Planning	July 7, 2009	165
Committee Meeting - Public Safety	July 7, 2009	166
Committee Meeting - Education/Government	July 7, 2009	167
Committee Meeting - Needs Assessment	July 8, 2009	169

TABLE OF CONTENTS

Committee Meeting - Health & Human Services	July 14, 2009	171
Committee Meeting - Personnel	July 14, 2009	173
Committee Meeting - General Services	July 14, 2009	175
Committee Meeting - Finance	July 21, 2009	176
Public Hearing	July 28, 2009	178
Public Hearing	July 28, 2009	179
Regular Meeting	July 28, 2009	180
Committee Meeting - Needs Assessment	July 30, 2009	195
Committee Meeting - Economic Development/Planning	August 4, 2009	196
Committee Meeting - Public Safety	August 4, 2009	198
Committee Meeting - Finance	August 18, 2009	199
Committee Meeting - Personnel	August 18, 2009	202
Regular Meeting	August 25, 2009	204
Committee Meeting - Health & Human Services	September 8, 2009	216
Committee Meeting - General Services	September 8, 2009	218
Committee Meeting - Personnel	September 8, 2009	219
Committee Meeting - Finance	September 15, 2009	221
Regular Meeting	September 22, 2009	224
Committee Meeting - Education/Government	October 6, 2009	237
Committee Meeting - Economic Development/Planning	October 6, 2009	238
Committee Meeting - Public Safety	October 6, 2009	239
Committee Meeting - Health & Human Services	October 13, 2009	241
Committee Meeting - Personnel	October 13, 2009	242
Committee Meeting - Finance	October 14, 2009	243
Committee Meeting - Labor Manangement	October 15, 2009	246
Committee Meeting - Finance	October 15, 2009	247
Committee Meeting - Finance	October 20, 2009	249
Regular Meeting	October 27, 2009	252
Committee Meeting - Education/Government	November 10, 2009	273
Committee Meeting - Public Safety	November 10, 2009	275
Committee Meeting - General Services	November 10, 2009	276
Committee Meeting - Health & Human Services	November 10, 2009	277
Special Meeting	November 16, 2009	278
Committee Meeting - Finance	November 17, 2009	286
Public Hearing	November 24, 2009	289
Regular Meeting	November 24, 2009	290
Committee Meeting - Economic Development/Planning	December 1, 2009	304
Committee Meeting - Public Safety	December 1, 2009	305
Committee Meeting - General Services	December 8, 2009	307
Committee Meeting - Health & Human Services	December 8, 2009	308
Committee Meeting - Finance	December 8, 2009	309

TABLE OF CONTENTS

Regular Meeting	December 15, 2009	311
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2009 BOARD OF SUPERVISORS

CITY OF AMSTERDAM

First Ward	Vito L. Greco
Second Ward	Barbara Johnson
Third Ward	Ronald J. Barone, Sr.
Fourth Ward	David J. Dybas
Fifth Ward	Karl Baia

TOWN OF

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

BOARD OF SUPERVISORS, CHAIRMAN.....	Vito L. Greco
BOARD OF SUPERVISORS, CLERK OF THE BOARD.....	Robin L. Loske
ATTORNEY.....	Douglas E. Landon
AUDITOR.....	Marco Zumbolo
BOARD OF ELECTIONS.....	Jamie Duchessi/Democrat, Lyn A. May/Republican
CLERK'S OFFICE.....	Helen A. Bartone
COMMISSIONER OF JURORS.....	Victoria P. Sollecito
CORNELL COOPERATIVE EXTENSION FMC.....	Marilyn J. Smith
CORONERS.....	Joseph M. Riley III, Susan L. Quackenbush
DATA PROCESSING/PRINTING.....	Deborah L. Bain
DISTRICT ATTORNEY.....	James E. Conboy
ECONOMIC OPPORTUNITY AND DEVELOPMENT.....	Kenneth F. Rose
EMERGENCY MANAGEMENT AND FIRE SERVICE.....	Gary Nestle
HISTORY & ARCHIVES.....	Kelly A. Farquhar
HUMAN RESOURCES.....	Richard E. Baia
MENTAL HEALTH.....	Jim Gumaer
PROBATION.....	Lucille Sitterly
PUBLIC DEFENDER.....	William Martuscello
PUBLIC HEALTH.....	Kim Conboy
PUBLIC WORKS.....	Paul H. Clayburn
PURCHASING.....	Scott Surento
REAL PROPERTY TAX SERVICE.....	Florence A. Stanton
SAFETY OFFICER.....	Richard Przestrzelski
SHERIFF.....	Michael J. Amato
SOCIAL SERVICES.....	William M. Cranker
TREASURER.....	Shawn J. Bowerman
VETERANS SERVICE AGENCY.....	Daniel Roth
WEIGHTS AND MEASURES.....	Nicholas M. Bartosik
YOUTH BUREAU/STOP-DWI /ALTERNATIVE COMMUNITY SERVICES.....	Jennifer W. Petteys

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
ORGANIZATIONAL MEETING
10:00 AM, January 1, 2009

CALL TO ORDER

The Organizational Meeting for 2009 was called to order by Outgoing Chairman Greco at 10:00 am.

SALUTE TO THE FLAG

Supervisor Paton led the Salute to the Flag.

ROLL CALL

Roll call indicated that the following Supervisors were present: Quackenbush, McMahon, Thomas, Strevy, Greco, Johnson, Thayer, Barone, Baia, Paton and DiMezza. Supervisors Dybas, Walters, Jonker and Stagliano were absent.

SELECTION OF A TEMPORARY CHAIRMAN

Supervisor Bob McMahon was nominated Temporary Chairman (per Resolution #1).

RESOLUTION NO. 1 of 2009

DATED: January 1, 2009

RESOLUTION SELECTION TEMPORARY CHAIRMAN FOR 2009 ORGANIZATIONAL MEETING OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS

Resolution by Supervisor: Greco

Seconded by Supervisor: Strevy

RESOLVED, that Supervisor McMahon is hereby selected temporary Chairman of the 2009 Organizational Meeting of the Montgomery County Board of Supervisors.

RESOLUTION ADOPTED with Aye(1472). Supervisors Dybas, Walters, Jonker and Stagliano were absent. (1/1/2009)

Douglas Landon
County Attorney

Cheryl Reese
Interim Clerk, Board of Supervisors

SELECTION OF PERMANENT CHAIRMAN

Supervisor Thomas was nominated Permanent Chairman (per Resolution #2).

RESOLUTION NO. 2 of 2009

DATED: January 1, 2009

RESOLUTION ELECTING CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR THE YEAR 2009

Resolution by Supervisor: Greco

Seconded by Supervisor: Barone, Sr.

RESOLVED, that Supervisor _____ hereby is elected Chairman of the Montgomery County Board of Supervisors for the year 2009, and

FURTHER RESOLVED, that the annual salary of said Chairman hereby is fixed in the amount of \$15,000.00, and

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

MOTION TO AMEND by Supervisor Strevy, seconded by Supervisor Barone, Sr., to insert in the RESOLVED clause "Supervisor Thomas"

passed with Aye(1472). Supervisors Dybas, Walters, Jonker and Stagliano were absent. (1/1/2009)

RESOLUTION ADOPTED with Aye(1472). Supervisors Dybas, Walters, Jonker and Stagliano were absent. (1/1/2009)

Douglas Landon
County Attorney

Cheryl Reese
Interim Clerk, Board of Supervisors

Per Resolution #2 - Newly appointed Chairman Thomas thanked the Board of Supervisors for their support.

RESOLUTION NO. 3 of 2009

DATED: January 1, 2009

RESOLUTION ELECTING VICE-CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR THE YEAR 2009

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Greco

RESOLVED, that Supervisor _____ hereby is elected Vice-Chairman of the Montgomery County Board of Supervisors for the year 2009, and

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

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

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Greco, to insert in the RESOLVED clause "Supervisor Walters"

was defeated with Aye(840). Supervisors Greco, McMahon, Strevy, Thomas, Quackenbush, Paton and Thayer voted Aye. Supervisor Baia abstained. Supervisors Dybas, Walters, Jonker and Stagliano were absent. (1/1/2009)

MOTION TO AMEND by Supervisor McMahon, seconded by Supervisor Thayer, to insert in the RESOLVED clause "Supervisor Walters"

passed with Aye(1472). Supervisors Dybas, Walters, Jonker and Stagliano were absent. (1/1/2009)

RESOLUTION ADOPTED with Aye(1472). Supervisors Dybas, Walters, Jonker and Stagliano were absent. (1/1/2009)

Douglas Landon
County Attorney

Cheryl Reese
Interim Clerk, Board of Supervisors

NEW BUSINESS

RESOLUTION NO. 4 of 2009

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

DATED: January 1, 2009

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

Resolution by Supervisor: Strevy

Seconded by Supervisor: Thayer

RESOLVED, that the Rules of Procedure, attached hereto, hereby are adopted by the Montgomery County Board of Supervisors for 2009, or until amended by Resolution.

RESOLUTION ADOPTED with Aye(1472). Supervisors Dybas, Walters, Jonker and Stagliano were absent. (1/1/2009)

Douglas Landon
County Attorney

Cheryl Reese
Interim Clerk, Board of Supervisors

RESOLUTION NO. 5 of 2009

DATED: January 1, 2009

RESOLUTION DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR 2009

Resolution by Supervisor: Thayer

Seconded by Supervisor: Strevy

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 2009:

The Recorder

Courier-Standard Enterprise

RESOLUTION ADOPTED with Aye(1472). Supervisors Dybas, Walters, Jonker and Stagliano were absent. (1/1/2009)

Douglas Landon
County Attorney

Cheryl Reese
Interim Clerk, Board of Supervisors

RESOLUTION NO. 6 of 2009

DATED: January 1, 2009

RESOLUTION DESIGNATING DEPOSITORIES FOR COUNTY FUNDS IN THE NAME OF THE COUNTY TREASURER DURING 2009 AND FIXING MAXIMUM AMOUNTS WHICH MAY BE KEPT ON DEPOSIT THEREIN AT ANY ONE TIME

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Quackenbush

WHEREAS, according to Section 212 of 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 County Law, the following banks are hereby designated by the Montgomery County Board of Supervisors as an depositories for the deposit of County funds by the County Treasurer of this County and deposited in the name of said County Treasurer for the year 2009, 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 BANK, 12 CORPORATE WOODS BLVD. , ALBANY, NY

CITIZENS BANK, 833 BROADWAY, ALBANY, NY

FIRST NIAGARA BANK, AMSTERDAM BRANCH, AMSTERDAM, NY

, and

FURTHER RESOLVED, that the maximum amount of County funds which may be kept on deposit in said depositories at any one time in the name of the County Treasurer be and the same hereby is fixed and determined as follows:

NBT BANK, FONDA BRANCH, FONDA, NY - \$20,000,000

BANK OF AMERICA, AMSTERDAM BRANCH, AMSTERDAM, NY - \$20,000,000

KEY BANK, N. A. , AMSTERDAM BRANCH, AMSTERDAM, NY - \$10,000,000

JP MORGAN CHASE BANK, 12 CORP. WOODS BLVD. , ALBANY, NY - \$15,000,000

CITIZENS BANK, 833 BROADWAY, ALBANY, NY - \$10,000,000

FIRST NIAGARA BANK, AMSTERDAM BRANCH, AMSTERDAM, NY - \$10,000,000

, and

FURTHER RESOLVED, that 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 bank 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, Village or School District in the State of New York, to the amount on deposit, less the amount certified by the depository as covered by insurance under the Federal Depositor Insurance Act as pursuant to Section 212, Subdivision 6 of the County Law of the State of New York, subject to approval of said County Attorney and said County Treasurer.

RESOLUTION ADOPTED with Aye(1472). Supervisors Dybas, Walters, Jonker and Stagliano were absent. (1/1/2009)

Douglas Landon
County Attorney

Cheryl Reese
Interim Clerk, Board of Supervisors

RESOLUTION NO. 7 of 2009

DATED: January 1, 2009

RESOLUTION APPOINTING BUDGET OFFICER

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Barone, Sr.

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

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

RESOLVED, that _____, is hereby appointed Montgomery County Budget Officer for a term commencing on January 1, 2009 and ending on December 31, 2009, and

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

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Barone, Sr., to insert in the RESOLVED clause "Shawn Bowerman"

passed with Aye(1472). Supervisors Dybas, Walters, Jonker and Stagliano were absent. (1/1/2009)

RESOLUTION ADOPTED with Aye(1472). Supervisors Dybas, Walters, Jonker and Stagliano were absent. (1/1/2009)

Douglas Landon
County Attorney

Cheryl Reese
Interim Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Thomas, seconded by Supervisor DiMezza, passed with Aye(1472). Supervisors Dybas, Walters, Jonker and Stagliano were absent.

Respectfully submitted,

Cheryl Reese
Interim Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - EDUCATION/GOVERNMENT
7:00 PM, January 13, 2009

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Baia, Barone, Paton, Strevy and Thayer. Supervisor Stagliano was absent.

Additional Supervisors present were Supervisors Greco, DiMezza, Quackenbush, Johnson, Thomas, Walters, Jonker, Dybas.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO ADVERTISE FOR CLERK OF THE WORKS POSITION FOR FMCC CRITICAL MAINTENANCE PROJECT
2. RESOLUTION AUTHORIZING CHAIRMAN TO ADVERTISE FOR BIDS FOR FMCC CRITICAL MAINTENANCE PROJECT
3. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT CLOSING OUT FLEX ELECTRICAL CONSTRUCTORS' CONTRACT WITH FULTON AND MONTGOMERY COUNTIES FOR THE FMCC CLASSROOM BUILDING RENOVATION PROJECT
4. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER #3 AGREEMENT CLOSING OUT DUTCH VALLEY GENERAL CONTRACTING, INC'S CONTRACT WITH FULTON AND MONTGOMERY COUNTIES FOR THE FMCC CLASSROOM BUILDING RENOVATION
5. Other

Item #1: (RESOLUTION AUTHORIZING ADVERTISEMENT FOR CLERK OF THE WORKS POSITION FOR FMCC CRITICAL MAINTENANCE PROJECT). Supervisors Barone and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION AUTHORIZING CHAIRMAN TO ADVERTISE FOR BIDS FOR FMCC CRITICAL MAINTENANCE PROJECT) Supervisors Barone and Strevy made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #3: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT CLOSING OUT FLEX ELECTRICAL CONSTRUCTORS' CONTRACT WITH FULTON AND MONTGOMERY COUNTIES FOR THE FMCC CLASSROOM BUILDING RENOVATION PROJECT) Supervisors Dybas and Strevy made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Finance Committee. There were no objections.

Item #4: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER #3 AGREEMENT CLOSING OUT DUTCH VALLEY GENERAL CONTRACTING, INC'S CONTRACT WITH FULTON AND MONTGOMERY COUNTIES FOR THE FMCC CLASSROOM BUILDING RENOVATION) Supervisors Dybas and Paton made a motion and seconded, respectively, to sponsor the Resolution. It was moved Finance Committee. There were no objections.

Item #5: (Other) Supervisor DiMezza inquired about an add-on Resolution regarding the Labor Management Committee. Supervisor DiMezza indicated that the members of the Labor Management Committee should appoint a designee in case they cannot attend a meeting. It was agreed that the Chairman of the Board would appoint the designees.

Supervisors Thomas and Barone made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Motion was made and seconded by Supervisors Barone and McMahon, respectively, to adjourn the Committee meeting.

Chairman McMahon adjourned the Education/Government Committee meeting at 7:11 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - AGRICULTURE, PLANNING & DEVELOPMENT
7:12 PM, January 13, 2009

COMMITTEE MEETING DISCUSSION

Chairman Baia presided over the meeting commencing at 7:12 PM.

Roll call indicated Committee members present included Supervisors DiMezza, Johnson, Jonker, McMahon, Paton and Strevy.

Additionally present were Supervisors Quackenbush, Greco, Barone, Walters, Dybas, Thayer, Thomas. Supervisor Stagliano was absent.

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

1. RESOLUTION APPOINTING SUPERVISOR - MONTGOMERY COUNTY RECORDS MANAGEMENT ADVISORY BOARD (HISTORY & ARCHIVES)
2. RESOLUTION FOR MORIALIZATION/SUPPORT OF CONTINUATION FOR EMPIRE ZONE PROGRAM
3. RESOLUTION APPROVING REQUEST TO STATE/MODIFY SECTION 303 OF THE AGRICULTURE & MARKETS LAW
4. RESOLUTION APPOINTING MCIDA LIAISON
5. Other

Item #1: (RESOLUTION APPOINTING SUPERVISOR - MONTGOMERY COUNTY RECORDS MANAGEMENT ADVISORY BOARD (HISTORY & ARCHIVES) Supervisors Barone and Strevy made a motion and seconded, respectively, to sponsor the Resolution and to insert the name of Karl Baia to serve on the Montgomery County Records Management Advisory Board. The Resolution was moved to the full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION FOR MORIALIZATION/SUPPORT OF CONTINUATION FOR EMPIRE ZONE PROGRAM) County Attorney Doug Landon pointed out that there needed to be a correction in the last "FURTHER RESOLVED" clause to reflect that the Senate Majority Leader is Malcolm Smith and the Senate Minority Leader is Dean Skelos. With those changes noted Supervisors McMahon and Greco made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the full Board with a positive recommendation. There were no objections.

Item #3: (RESOLUTION APPROVING REQUEST TO STATE/MODIFY SECTION 303 OF THE AGRICULTURE & MARKETS LAW) Supervisors Johnson and Jonker made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Karl Baia stated that the modification to Agriculture & Markets Law could take a lot of the Board's time and would involve public hearings. It was a general consensus that it might not be a good time to take on such a task.

Supervisors Johnson and Jonker withdrew their sponsorship of the Resolution.

Item #4: (RESOLUTION APPOINTING MCIDA LIAISON) Supervisors Thomas and Barone 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: (Other) There were no other discussion items.

Supervisors Thayer and Baia made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Baia adjourned the Agriculture, Planning & Development Committee meeting at 7:18 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PUBLIC SAFETY
7:18 PM, January 13, 2009

COMMITTEE MEETING DISCUSSION

Chairman Thayer presided over the meeting commencing at 7:18 PM.

Roll call indicated Committee members present included Supervisors Baia, Barone, DiMezza, Jonker, Strevy and Quackenbush.

Additional Supervisors present were Johnson, Greco, McMahon, Paton, Walters, Dybas and Thomas. Absent was Supervisor Stagliano.

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

1. RESOLUTION AUTHORIZING AMENDMENT TO NYS CORRECTION LAW SECTION 500(A)
2. Other

Item #1: (RESOLUTION AUTHORIZING AMENDMENT TO NYS CORRECTION LAW SECTION 500(A) - Sheriff). The Resolution was sponsored and seconded by Supervisors Greco and Baia, respectively.

Sheriff Amato explained that the current law prohibits persons to be retained in the Montgomery County Correctional Facility while being held for arraignment. At this time persons being held for arraignment are usually shackled or handcuffed to a chair. Sheriff Amato felt it would be more appropriate to have a holding area for this kind of situation.

Supervisor Barone stated that several other Counties, such as Warren and Genesee, have made similar arrangements at their Correctional Facilities for holding persons while waiting arraignment.

Supervisor DiMezza indicated that the County Attorney should research the liability issue related to this matter.

Supervisor Quackenbush asked County Attorney Doug Landon if there would be any additional liability associated with amending the law. Attorney Landon felt that the liability would be the same as it currently is but he will research the issue.

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

Item #2: (Other)

(RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY FIRE ADVISORY BOARD - EMERGENCY MANAGEMENT) The Resolution was sponsored and seconded by Supervisors Quackenbush and McMahon, respectively. The Resolution was moved to the full Board with a positive recommendation with no objections.

(RESOLUTION AMENDING 2009 OPERATING BUDGET - JUSTICE GRANT - SHERIFF) The Resolution was sponsored and seconded by Supervisors Strevy and Barone, respectively. The Resolution was moved to the full Board with a positive recommendation with no objections.

There were no other discussion items.

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

Chairman Thayer adjourned the Public Safety Committee meeting at 7:27 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - GENERAL SERVICES
7:27 PM, January 13, 2009

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:27 p.m.

Roll call indicated Committee members present included Supervisors DiMezza, Johnson, Jonker, Paton, Strevy and Thayer.

Additional Supervisors present were Supervisors Greco, Quackenbush, McMahon, Barone, Walters, Baia, Thomas. Supervisor Stagliano was absent.

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

1. RESOLUTION APPOINTING REGION IV FISH AND WILDLIFE MANAGEMENT BOARD MEMBERS
2. RESOLUTION APPOINTING MEMBER OF MONTGOMERY COUNTY SANITARY SEWER DISTRICT #1 BOARD OF DIRECTORS
3. Other

Item #1: (RESOLUTION APPOINTING REGION IV FISH AND WILDLIFE MANAGEMENT BOARD MEMBERS) Supervisors Thayer and DiMezza made a motion and seconded, respectively. Chairman Walters noted that some changes needed to be made to the Resolution. The Resolution was moved to the full Board with no recommendation. There were no objections.

Item #2: (RESOLUTION APPOINTING MEMBER OF MONTGOMERY COUNTY SANITARY SEWER DISTRICT #1 BOARD OF DIRECTORS) Supervisors Quackenbush and Jonker made a motion and seconded, respectively, to sponsor the Resolution and insert the name "George Capece" in the "Resolved" clause. The Resolution was moved to the full Board with a positive recommendation. There were no objections.

Item #3 (Other) (RESOLUTION AMENDING 2009 OPERATING BUDGET - THIRD PARTY TRANSPORTATION PROVIDER - SECTION 5311 CAPITAL PROJECT - BOARD OF Supervisors) Supervisors Greco and Thayer made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

DPW Commissioner Paul Clayburn updated the Board of Supervisors regarding the labor cost for the demolition of 35 buildings throughout the County.

Supervisors DiMezza and Greco suggested that enough funds be allocated to cover the whole project, which would consist of labor, equipment and disposal costs. Several Supervisors pointed out that separate line items should be created to track the expenses appropriately.

Supervisors Baia and Dybas made a motion and seconded, respectively, to sponsor a Resolution for the demolition project to be drawn by County Treasurer Bowerman. The Resolution will be sent to the Finance Committee as an add-on for the January 20th meeting. There were no objections.

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

Chairman Walters adjourned the General Services Committee meeting at 7:55 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY 12068
COMMITTEE OF THE WHOLE
6:00 PM, January 20, 2009

COMMITTEE MEETING DISCUSSION

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

Roll call indicated that Supervisors Johnson, McMahon, Strevy, Dybas, Thayer, Barone, Walters, Thomas, Baia, DiMezza and Paton were present.

Absent were Supervisors Stagliano, Quackenbush and Jonker.

Chairman Thomas has called a Committee Meeting of the Whole at 6:00 p.m. on January 20, 2009.

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

1. Interviews for Solid Waste Coordinator candidates
2. Other

*** It is likely that this meeting will take place in Executive Session.

Item #1 (Interviews for Solid Waste Coordinator) Executive Session - Pursuant to Section 105 (e) of the NYS Open Meeting Law, the motion was made and seconded by Supervisors Barone and Baia, respectively, to enter into Executive Session to interview Solid Waste Coordinator candidates. Executive Session commenced at 6:01 pm.

Motion was made and seconded by Supervisors Strevy and Thayer, respectively, to adjourn Executive Session. Executive Session adjourned at 7:30 pm.

Motion was made and seconded by Supervisors Thomas and Walters, respectively, to sponsor a Resolution with a Solid Waste Coordinator appointment. The Resolution moved to the full Board with a positive recommendation. There were no objections.

ADJOURNMENT

Supervisors Thomas and Strevy made a motion and seconded, respectively, to adjourn the Committee of the Whole Meeting. There were no objections.

Chairman Thomas adjourned the Meeting at 7:30 PM.

Respectfully submitted,

Robin Loske
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, January 20, 2009

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Baia, Dybas, Paton, and Strevy. Absent were Supervisors Jonker and Stagliano.

Additional Supervisors present were Greco, DiMezza, Johnson, McMahon, Walters, Thayer and Thomas. Absent was Supervisor Quackenbush.

Chairman Barone has called a meeting of the Health and Human Services Committee for 7:00 p.m. on Tuesday, January 20, 2009, in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. Resolution Amending 2009 Operating Budget-Carry Over Grant Funds- Public Health Emergency Preparedness Grant
2. Resolution Authorizing Chairman to Sign Agreement - Early Intervention (EI) Administration (Public Health)
3. Resolution Authorizing Chairman to Sign Agreement for Services Approved by 2009 Social Services Operating Budget (Social Services)
4. Resolution Appointing Members - Montgomery County Criminal Justice Coordinating Council (Youth Bureau/Alternative Community Services Department)
5. Other

Item #1: (Resolution Amending 2009 Operating Budget-Carry Over Grant Funds-Public Health Emergency Preparedness Grant) The Resolution, sponsored by Supervisors Strevy and Dybas, respectively, was moved to the Full Board with a positive recommendation. There were no objections.

Item #2: (Resolution Authorizing Chairman to Sign Agreement - Early Intervention (EI) Administration - Public Health) The Resolution, sponsored by Supervisors Dybas and Strevy, respectively, was moved to the Full Board with a positive recommendation. There were no objections.

Item #3: (Resolution Authorizing Chairman to Sign Agreement for Services Approved by 2009 Social Services Operating Budget - Social Services) The Resolution was sponsored by Supervisors Barone and Johnson, respectively.

Supervisor Baia stated that he would like to offer an amendment to add Eastern Medical Support instead of St. Mary's because Eastern Medical Support is less expensive to perform employee physicals. Supervisor Barone stated that it is contractual issue and cannot be changed at this time but could be negotiated.

Supervisor DiMezza stated that it cannot change without going out for an RFP or a bid. He indicated that he understands the nature of the problem by having two similar entities in the Amsterdam area. Supervisor DiMezza stated that Eastern Medical Support would be included in the RFP process, which he intends to initiate.

Supervisor Barone stated that after the RFP process has been completed the Resolution can be amended to reflect the results of the RFP.

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

Item #4: Resolution Appointing Members - Montgomery County Criminal Justice Coordinating Council - Youth Bureau/Alternative Community Services Department) The Resolution, sponsored by Supervisors Dybas and Strevy, respectively, was moved to the Full Board with a positive recommendation. There were no objections.

Item #5: (Other) There were no other items for discussion.

Motion was made and seconded by Supervisors Baia and Barone, respectively, to adjourn the Committee meeting.

Chairman Barone adjourned the Health & Human Services Committee meeting at 7:37 PM.

Douglas
Landon

Christine Pasquarelli

County
Attorney

Clerk, Board of

Supervisors

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY 12068
COMMITTEE MEETING - FINANCE
7:05 PM, January 20, 2009

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the Finance Committee meeting commencing at 7:37 PM.

Roll call indicated Committee members present included Supervisors Barone, DiMezza, Dybas, Greco, Johnson. Absent was Supervisor Jonker.

Additional Supervisors present were Paton, Walters, Thayer and Baia. Absent were Supervisors Quackenbush, McMahon and Stagliano.

Chairman Strevy has called a meeting of the Finance Committee for 7:05 p.m. on Tuesday, January 20, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ADMINISTRATIVE AND STAFF SUPPORT SERVICES AGREEMENT - MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECONOMIC DEVELOPMENT AND PLANNING)
2. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT - CAROLINA CLUBS, INC. (ECONOMIC DEVELOPMENT AND PLANNING)
3. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONSERVATION EASEMENT MODIFICATION AND SPREADER AGREEMENT - FLORIDA BUSINESS PARK (ECONOMIC DEVELOPMENT AND PLANNING)
4. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT (MOHAWK VALLEY ECONOMIC DEVELOPMENT DISTRICT) - (ECONOMIC DEVELOPMENT AND PLANNING)
5. RESOLUTION AMENDING 2009 OPERATING BUDGET - NON-BARGAINING PERSONNEL SALARIES (PERSONNEL)
6. RESOLUTION AMENDING 2009 OPERATING BUDGET - PUBLIC WORKS ECONOMIC STIMULUS PROJECTS (PUBLIC WORKS)
7. RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL AUTHORITY TO COUNTY AUDITOR (RPTSA)
8. RESOLUTION CORRECTING 2009 TOWN AND COUNTY TAX ROLLS - VARIOUS PARCELS (RPTSA)
9. RESOLUTION AMENDING 2009 OPERATING BUDGET - CORRECTION SUPERVISORS SALARIES (SHERIFF/JAIL)
10. RESOLUTION AMENDING 2009 OPERATING BUDGET - DEPUTY SHERIFFS SALARIES(SHERIFF)
11. RESOLUTION AMENDING 2009 OPERATING BUDGET - CLERK OF THE BOARD OF SUPERVISORS (BOARD OF SUPERVISORS)
12. RESOLUTION AMENDING 2009 OPERATING BUDGET - DEPUTY BUDGET OFFICER COMPENSATION (BOARD OF SUPERVISORS)
13. RESOLUTION AMENDING RESOLUTION #409 OF 2008 - NON-BARGAINING POLICY (HOLIDAY TIME) - (PERSONNEL)
14. Other

Item #1 (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ADMINISTRATIVE AND STAFF SUPPORT SERVICES AGREEMENT - MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY ECONOMIC DEVELOPMENT AND PLANNING) Supervisors Thayer and Dybas made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #2 (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT - CAROLINA CLUBS, INC. - ECONOMIC DEVELOPMENT AND PLANNING) Supervisors DiMezza and Johnson made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #3 (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONSERVATION EASEMENT MODIFICATION AND SPREADER AGREEMENT - FLORIDA BUSINESS PARK - ECONOMIC DEVELOPMENT AND PLANNING) Supervisors Strevy and DiMezza made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the

Full Board with a positive recommendation. There were no objections.

Item #4 (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT (MOHAWK VALLEY ECONOMIC DEVELOPMENT DISTRICT - ECONOMIC DEVELOPMENT AND PLANNING) Supervisors Greco and Walters made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #5 (RESOLUTION AMENDING 2009 OPERATING BUDGET - NON-BARGAINING PERSONNEL SALARIES (PERSONNEL) Supervisors DiMezza and Thayer made a motion and seconded, respectively, to sponsor the Resolution. County Treasurer Bowerman explained that the 2009 Budget was adopted prior to the raises and longevity being approved. Therefore, that is why the 2009 Budget needs to be amended. It was moved to the Full Board with a positive recommendation. Supervisor Dybas objected.

Item #6 (RESOLUTION AMENDING 2009 OPERATING BUDGET - PUBLIC WORKS ECONOMIC STIMULUS PROJECTS - PUBLIC WORKS) Supervisors Walters and Greco made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #7 (RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL AUTHORITY TO COUNTY AUDITOR - RPTSA) Supervisors Barone and Greco made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #8 (RESOLUTION CORRECTING 2009 TOWN AND COUNTY TAX ROLLS - VARIOUS PARCELS - RPTSA) Supervisors Dybas and Barone made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #9 (RESOLUTION AMENDING 2009 OPERATING BUDGET - CORRECTION SUPERVISORS SALARIES (SHERIFF/JAIL) Supervisors DiMezza and Barone made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. Supervisor Dybas objected.

Item #10 (RESOLUTION AMENDING 2009 OPERATING BUDGET - DEPUTY SHERIFFS SALARIES - SHERIFF) Supervisors Johnson and Thayer made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. Supervisor Dybas objected.

Item #11 (RESOLUTION AMENDING 2009 OPERATING BUDGET - CLERK OF THE BOARD OF SUPERVISORS (BOARD OF SUPERVISORS) Supervisors Barone and Thayer made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #12 (RESOLUTION AMENDING 2009 OPERATING BUDGET - DEPUTY BUDGET OFFICER COMPENSATION -BOARD OF SUPERVISORS) Supervisors DiMezza and Barone made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. Supervisor Dybas objected.

Item #13 (RESOLUTION AMENDING RESOLUTION #409 OF 2008 - NON-BARGAINING POLICY (HOLIDAY TIME - PERSONNEL) Supervisors Barone and Johnson made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #14 (Other) Add on Resolution - (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER #3 AGREEMENT CLOSING OUT DUTCH VALLEY GENERAL CONTRACTING, INC'S CONTRACT WITH FULTON AND MONTGOMERY COUNTIES FOR THE FMCC CLASSROOM BUILDING RENOVATION) Supervisors Dybas and Paton made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Add on Resolution - (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT CLOSING OUT FLEX ELECTRICAL CONSTRUCTORS' CONTRACT WITH FULTON AND MONTGOMERY COUNTIES FOR THE FMCC CLASSROOM BUILDING RENOVATION PROJECT) Supervisors Dybas and Strevy made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Add on Resolution - (RESOLUTION SCHEDULING PUBLIC HEARING-REVIEW OF AGRICULTURAL DISTRICT NO. 2). Supervisors DiMezza and Thayer made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Add on Resolution - (RESOLUTION AMENDING 2009 OPERATING BUDGET- COUNTY WIDTE DEMOLITION TEAM PUBLIC WORKS) Supervisors Baia and Dybas made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Add on Resolution - (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2008 MASS TRANSPORTATION SERVICES - MONTGOMERY AREA EXPRESS (THE MAX) - BOARD OF SUPERVISORS). Supervisors Walter and Thayer made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Dybas indicated that the Resolution should not be added on because it was just received and the Supervisors have not had sufficient time to review the considerable backup material that is attached to the Resolution.

Supervisor Walters explained that the current contract expires on February 18th and there is not another Board meeting until after that date unless a Special Meeting is called. Supervisor Walters stated that it was a time sensitive issue and if not acted on in a timely manner could result in the County not having bus service.

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

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

Chairman Strevy adjourned the Finance Committee meeting at 7:52 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY 12068
PUBLIC HEARING
6:50 PM, January 27, 2009

A Local Law which Authorizes the Contribution of Funds to Demolition of Pioneer Street Mill in the Town of Amsterdam

PUBLIC HEARING DISCUSSION

Chairman Thomas called the public hearing to order at 6:50 p.m. in the Supervisors Chambers.

Present were Supervisors Quackenbush, McMahon, Strevy, Dybas, Thayer, Barone, Paton, Thomas, Johnson, Greco, Jonker, Baia, Walters, and DiMezza. Supervisor Stagliano was absent.

The following notice was read:

NOTICE OF PUBLIC HEARING

A Local Law which authorizes the contribution of funds to the demolition of Pioneer Street Mill in the Town of Amsterdam.

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

WHEREAS, in 2007 the Town acquired the Pioneer Street Mill from an absentee (tax delinquent) owner with the intent of demolishing the mill and ending a decade long threat to public welfare and the environment. The Town was successful in securing \$211,000 from the Clean Water/Clean Air Bond Act approved by the NYS voters in 1996, and

WHEREAS, the contract with NYSDEC requires the Town to conduct a Remedial Investigation and prepare a Alternatives Analysis (RI/AA) to address any contamination found at the site. As part of the RI/AA process the Town has identified the several Interim Remedial Measures (IRMs), which address sources of contamination that can be effectively addressed before completion of the RI/AA, and

WHEREAS, the total estimated cost to complete the IRMs and the RI//AA has escalated to \$740,000. And this cost does not include clean-up of any subsurface contamination discovered during the remedial investigation nor the cost associated with preparing the site for any future use, and

WHEREAS, the Town does not have the financial resources to complete this project without assistance from other sources, and

WHEREAS, the Montgomery County Board of Supervisors recognizes that public welfare and the environment are important issues and desires to assist local municipalities which have taken the initiative to address such issues, and

WHEREAS, the Montgomery County Board of Supervisors recognizes the benefit to county residents derived from the removal of an unsightly structure which poses potential safety and health risks to county residents as well as the utility of the site as a park open to county residents once the demolition and remediation are concluded,

RESOLVED, that Montgomery County hereby allocates up to \$100,000 to the Town of Amsterdam to assist the town with the cost of the Pioneer Street Mill demolition and remediation project, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval from the County Attorney, is authorized and directed to execute necessary documentation in furtherance of said contribution, and

FURTHER RESOLVED, that said public hearing shall be held January 27, 2009 at 6:50 PM, in the Chamber 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.

By order of the Board of Supervisors of Montgomery County.

Robin L. Loske
Clerk of the Board
DATED: January 27, 2009

Chairman Thomas asked if anyone wished to speak.

There were no speakers.

Chairman Thomas adjourned the public hearing at 6:51 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, January 27, 2009

CALL TO ORDER

Chairman Thomas called the Regular Meeting of the Montgomery County Board of Supervisors for January 27, 2009 to order at 7:00 PM.

SALUTE TO THE FLAG

The Honorable McNulty led the Salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors Quackenbush, McMahon, Strevy, Dybas, Thayer, Barone, Paton, Thomas, Johnson, Greco, Jonker, Bala, Walters, and DiMezza were present. Supervisor Stagliano was absent.

PRIVILEGE OF THE FLOOR

A. Public Comment

Lauren Bibby, Director of United Way, took the floor and noted that the County has not met its GAT in the past several years. She indicated that the County couldn't continually blame MOSA, when there are things that can be done to control the situation. Ms. Bibby stated that one of the things that can be done is code enforcement. Tonnage can be raised and shortfalls can be reduced by junk being disposed of in the proper manner rather than letting it collect on properties in areas of the County. Ms. Beebe hoped that with the new Solid Waste Coordinator coming on board that the situation will improve.

Tom Dwyer, from the Town of Charleston, took the floor and stated that the Board will be voting to approve a loan with Carolina Club Inc. He pointed out that the Vice Chairman of the Board of Supervisors is pictured on the web site as a seller of logs to the Carolina Club.

B. Proclamation

Chairman Thomas and Supervisor DiMezza read and presented the recently retired Congressman McNulty with a Proclamation for his outstanding thirty-nine years of service to his constituents. The Honorable McNulty's father, Jack McNulty, was also in attendance and was recognized by the Board of Supervisors.

The Honorable McNulty thanked the Board and accepted the Proclamation with deep gratitude and thanked Kathleen Joyce, who worked in the Montgomery County Office, Bob Car who was a constant presence throughout Montgomery and to his father who had been elected into office for seven decades. He pointed out that it was his father who inspired him to get into public office.

The Honorable McNulty stated that he felt privileged to precede the late great Sam Stratton and to be succeeded by Paul Tonko.

C. Presentation

Gina DaBiere-Gibbs, Director of Tourism of the Montgomery County Chamber of Commerce, took the floor and presented a Tourism Update regarding visitor stats, the website, advertising and funds.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (12/16/2008 through 1/20/2009), by Supervisor Quackenbush, seconded by Supervisor Barone, Sr., passed with Aye(1772). Supervisor Stagliano was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Strevy, seconded by Supervisor DiMezza, passed with Aye(1772). Supervisor Stagliano was absent.

UNFINISHED BUSINESS

There were no tabled resolutions from the previous meeting.

NEW BUSINESS

A. Resolutions

B. Other

RESOLUTION NO. 8 of 2009

DATED: January 27, 2009

RESOLUTION APPOINTING SUPERVISOR - MONTGOMERY COUNTY RECORDS MANAGEMENT ADVISORY BOARD (HISTORY & ARCHIVES)

Resolution by Supervisor: Baia

Seconded by Supervisor: Strevy

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

WHEREAS, the duties of said Board include providing advising the Records Management Officer on the development of the Records Management Program; review the performance of the Program on a continual basis and propose changes and improvements; review retention periods proposed by the Records Management Officer for records not covered by the State Education Department schedules; provide advice on the appraisal of records for archival value; review all requests for disposition of records and grant final approval before disposition takes place; and actively support the Records Management Program and promote it among all the departments and agencies of County Government and the local community, and

WHEREAS, said Board shall be composed of the County Treasurer, County Clerk, County Historian/Records Management Officer, Director of Data Processing, Director of Economic Opportunity and Development/Planning, three Montgomery County residents, to be appointed by the Records Management Officer and a member of the Board of Supervisors to be designated each January, (or their designee),

RESOLVED, that Karl Baia is hereby appointed to serve on the Montgomery County Records Management Advisory Board for a term to expire on December 31, 2009.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 9 of 2009

DATED: January 27, 2009

RESOLUTION FOR MORALIZATION/SUPPORT OF CONTINUATION FOR EMPIRE ZONE PROGRAM

Resolution by Supervisor: McMahon

Seconded by Supervisor: Greco

WHEREAS, the economic stability and sustainability of Montgomery County is vital to its residents and businesses, and

WHEREAS, the County of Montgomery is desirous of a balanced economy existing of a range of various types of business, industry, tourism and recreation, and

WHEREAS, the County of Montgomery is cognizant of the need for additional commercial growth to attain such economic stability and sustainability, and

WHEREAS, the tax revenue generated by businesses throughout Montgomery County and the State of New York provide much needed relief to the individual taxpayers and their families, and

WHEREAS, the New York State Empire Zone program has been a proven stimulus in the growth and revitalization of weakened local economies throughout New York State, and

WHEREAS, the New York State Empire Zone program has been successful in bringing hundreds of thousands of new jobs to its sponsoring counties, and

WHEREAS, the Montgomery County Empire Zone, established in 2007, is in its very early stages of operation and thus attraction of new businesses and jobs for the people of Montgomery County, and

WHEREAS, the New York State Empire Zone program has shown great promise for the economy of Montgomery County in the peaked interest of prospective businesses inquiring from outside the State of New York, and

WHEREAS, the New York State Empire Zone program has a planned sunset date of June 30, 2011,

RESOLVED, that the Montgomery County Board of Supervisors, in anticipation of great success and promise for new job creation within its Empire Zones hereby requests the State of New York to continue its Empire Zone stimulus program beyond 2011 to June 30, 2017, and

FURTHER RESOLVED, that the New York State Legislature, in an effort to maintain continuity and a positive momentum, is encouraged to enact legislation before the end of the 2009 legislative session which will enable the continued existence of the Empire Zone program through June 30, 2017, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors hereby enlists the support of each and every county in the State of New York in an effort to maintain the continued operation and stimuli that the New York State Empire Zone Program offers, and

FURTHER RESOLVED, that the Clerk of the Montgomery County Board of Supervisors is hereby directed to forward this resolution in support of continuing the Empire Zone to the Montgomery County Board of Supervisors requesting their support, and

FURTHER RESOLVED, that the Clerk of the Legislature is hereby directed to forward this resolution in support of continuing the Empire Zone to New York State Governor David A. Paterson, Senate Majority Leader Malcolm A. Smith, Assembly Speaker Sheldon Silver, Assembly Majority Leader Ron Canistrari, Senate Minority Leader Dean Skelos, Assembly Minority Leader James Tedisco, State Senator Hugh Farley, Assemblyman George Amedore, and to County Legislators and Empire Zone Coordinators of every county in the great State of New York to encourage and enlist their support.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 10 of 2009

DATED: January 27, 2009

RESOLUTION APPOINTING MCIDA LIAISON

Resolution by Supervisor: Thomas

Seconded by Supervisor: Barone, Sr.

RESOLVED, that Supervisor Barbara Johnson hereby is appointed liaison between the Board of Supervisors and the Montgomery County Industrial Development Agency, for a term ending on December 31, 2009.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 11 of 2009

DATED: January 27, 2009

RESOLUTION AUTHORIZING ADVERTISEMENT FOR CLERK OF THE WORKS POSITION FOR FMCC CRITICAL MAINTENANCE PROJECT

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Quackenbush

WHEREAS, Resolution 162 of 2008 endorsed and supported certain critical maintenance projects at Fulton Montgomery Community College for 2009, and

WHEREAS, Resolution 312 of 2008 authorized the signing of a contract with Phillips Associates of Saratoga, NY to prepare design plans and bid specifications for said project, and

WHEREAS, coordinating the work of prime contractors, as well as FMCC's faculty and administration and given the complexity of this project, Fulton and Montgomery Counties should hire a "Clerk of the Works" knowledgeable in mechanical systems for the time period of May 2009 through September 2009,

RESOLVED, that Fulton Montgomery Community College is hereby authorized and directed to advertise for a Clerk of the Works for Critical Maintenance Projects 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(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 12 of 2009

DATED: January 27, 2009

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR FMCC CRITICAL MAINTENANCE PROJECT

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Strevy

WHEREAS, Resolution 162 of 2008 endorsed and supported certain critical maintenance projects at Fulton Montgomery Community College for 2009, and

WHEREAS, Phillips Associates did submit a cost proposal in an initial amount to conduct preliminary engineering and prepare a preliminary design report and cost estimate, which will better define the scope of work and allow Phillips Associates to develop the most accurate fee for completing the design, and

WHEREAS, Phillips Associates conducted preliminary engineering and prepared a preliminary design report and cost estimate for the 2009 critical maintenance projects as endorsed in Resolution 162 of 2008 at a cost not to exceed \$14,000,

RESOLVED, that Phillips Associates completed the final plans and specification, with the Tentative Bid Schedule as follows:

Advertise for Bids:	Monday, February 2, 2009
Open Bids:	Tuesday, February 24, 2009 @ 2:00 p.m.
Finance Committee:	Thursday, February 26, 2009
Fulton County Awards Contract:	Monday, March 9, 2009
Montgomery County Awards Contracts:	Tuesday, March 24, 2009

, and

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

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 13 of 2009

DATED: January 27, 2009

RESOLUTION AUTHORIZING AMENDMENT TO NEW YORK STATE CORRECTION LAW SECTION 500 (A) OR 500 (C) - (SHERIFF)

Resolution by Supervisor: Greco

Seconded by Supervisor: Bai a

WHEREAS, the Montgomery County Sheriff does hereby request an amendment to Section 500(a) or 500 (c) of the Correction Law which will allow the use of the Montgomery County Correctional Facility for the detention of persons under arrest being held for arraignment in the booking area and holding cells of the facility, and

WHEREAS, the Public Safety Committee did review this request and does recommend approval at this time,

RESOLVED, that the Montgomery County Board of Supervisors supports an amendment to New York State Correction Law Section 500(a) or 500(c) by the addition of language to effect that the Montgomery County Correctional Facility may also be used for the detention of persons under arrest being held for arraignment, and

FURTHER RESOLVED, that a copy of this resolution be forwarded to Senator Hugh T. Farley and Assemblyman George Amedore.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 14 of 2009

DATED: January 27, 2009

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

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: McMahon

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

RESOLVED, that the following are hereby appointed as members of the Montgomery County Fire Advisory Board for a one-year term and these terms shall take effect immediately and continue through December 31, 2009.

NAME	ADDRESS	REPRESENTING
John Prime	1234 Latimer Hill Road, Canajoharie	Ames
Richard DePasquale	321 Locust Avenue, Amsterdam	Amsterdam
Phil Bradt	2053 Burtonsville Road, Esperance	Burtonsville
Frank Nestle	100 Lafayette Street, Palatine Bridge	Canajoharie
David Ramsey	742 Corbin Hill Road, Sprakers	Charleston
Brian Delisa	223 Swart Hill Road, Amsterdam	Cranesville
Timothy Healey	11 Putnam Road, Fonda	Fonda
Raymond Tylutki	P0 Box 187, Fort Hunter	Fort Hunter
Richard Sager	6 Horseshoe Drive, Johnstown	Fort Johnson
David P Bouck	113 STHWY 80, Fort Plain	Fort Plain
James Whipple	49 Prospect Street, Fultonville	Fultonville
Dale Furman	405 Ingersoll Road, Fultonville	Glen
Nicholas M Bartosik	32 Hagaman Avenue, Hagaman	Hagaman
Scott Bobar	110 Lynk Street, Sprakers	Rural Grove
Jeffrey Swartz	24 Kingsbury Avenue, St. Johnsville	St. Johnsville
Pam VanAlstine	269 Thayer Road, Amsterdam	Town of Florida
Dwight Schwabrow	130 Pilling Drive, Fonda	Town of Mohawk
Daniel Carter	340 Mohawk Drive, Tribes Hill	Tribes Hill
Sherman Rockwell	1070 STHWY 163, Fort Plain	South Minden
James Siudy	60 McNeir Avenue, Amsterdam	Member at Large

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 15 of 2009

DATED: January 27, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - JUSTICE ASSISTANCE GRANT (SHERIFF)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Barone, Sr.

WHEREAS, the Sheriff received \$20,000 Justice Assistance Grant (JAG) from the NYS Department of Criminal Justice, and

WHEREAS, said funding was used to purchase a new computer and software which will record evidence from in-car video cameras, improving access to video-recorded evidence,

RESOLVED, that \$861.00 remains unused from Justice Assistance Grant, and

FRUTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget, as follows:

INCREASE REVENUES:

A-15-3-3389	Public Safety Communication System	\$861.00
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INCREASE APPROPRIATIONS:

A-15-4-3110-00-. 4422 Equipment Rental Lease/Repair \$861.00

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 16 of 2009

DATED: January 27, 2009

RESOLUTION APPOINTING REGION IV FISH AND WILDLIFE MANAGEMENT BOARD MEMBERS

Resolution by Supervisor: Thomas

Seconded by Supervisor: Di Mezza

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

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

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

WHEREAS, the Board currently consists of the following:

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

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

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

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

Mike Marshall of Town of Amsterdam representing the Landowner Appointment for a term ending on December 31, 2008.

Miles Fraiser of Town of Palatine representing the Alternate Landowner Appointment for a term ending on December 31, 2008.

, and

WHEREAS, for those appointments expiring on December 31, 2007, the Chairman of the Board of Supervisors has reappointed the following as members of the Region IV Fish and Wildlife Management Board:

Supervisor Shayne T. Walters representing the Legislative Appointment for a term ending on December 31, 2009.

Supervisor John B. Thomas representing the Alternate Legislative Appointment for a term ending on December 31, 2009.

Paul Orzolek of Charleston representing the Sportsman Appointment for a term ending on December 31, 2009.

Jamie Carter of St. Johnsville representing the Alternate Sportsman Appointment for a term ending on December 31, 2009.

WHEREAS, for those appointments expiring on December 31, 2008, the Chairman of the Board of Supervisors has reappointed the following as members of the Region IV Fish and Wildlife Management Board:

_____ representing the Landowner Appointment for a term ending on December 31, 2009.

_____ representing the Alternate Landowner Appointment for a term ending on December 31, 2009.

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

MOTION TO AMEND by Supervisor Walters, seconded by Supervisor Thayer, to strike the resolution in its entirety and replace with:

"WHEREAS, Article II, Section 501(4) a of the Environmental Conservation Law requires a regional Fish and Wildlife Management Board to be appointed for Region IV and shall include three members from Montgomery County, and

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

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

WHEREAS, the Board currently consists of the following:

Supervisor Shayne T. Walters representing the Legislative Appointment for a term ending on December 31, 2009;

Supervisor William Strevy representing the Alternate Legislative Appointment for a term ending on December 31, 2009;

Paul Orzolek of Charleston representing the Sportsman Appointment for a term ending on December 31, 2009;

Jamie Carter of St. Johnsville representing the Alternate Sportsman Appointment for a term ending on December 31, 2009;

Mike Marshall of the Town of Amsterdam representing the Landowner Appointment for a term ending on December 31, 2008;

Miles Fraiser of the Town of Palatine representing the Alternate Landowner Appointment for a term ending on December 31, 2008, and

WHEREAS, for those appointments expiring on December 31, 2008, the Chairman of the Board of Supervisors has appointed the following as members of the Region IV Fish and Wildlife Management Board:

Tim Davis representing the Landowner Appointment for a term ending on December 31, 2010;

Miles Fraiser representing the Alternate Landowner Appointment for a term ending on December 31, 2010,

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

passed with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 17 of 2009

DATED: January 27, 2009

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

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Jonker

WHEREAS, Resolution 109 of 1998 states that the Montgomery County Sanitary Sewer District Board shall consist of seven (7) members comprised of the current Supervisors of the Towns of Canajoharie, Minden, and Palatine and the current Mayors of the Villages of Fort Plain, Nelliston and Palatine Bridge and one member-at-large, to be appointed by the Board of Supervisors, for a one-year term commencing on January 1, 2009 and ending on December 31, 2009,

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, 2009.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 18 of 2009

DATED: January 27, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - THIRD PARTY TRANSPORTATION PROVIDER - SECTION 5311 CAPITAL PROJECT (BOARD OF SUPERVISORS)

Resolution by Supervisor: Greco

Seconded by Supervisor: Thomas

WHEREAS, Resolution 144 of 2008 authorized the acceptance of a grant, of which partial proceeds would be passed through to the County's third party transportation provider, Brown Coach, Inc. to provide for the purchase of certain equipment to be utilized for the Montgomery County Transportation System and also the Montgomery County Commuter System, with the local share being provided by Brown's Coach, and

WHEREAS, the monies that were appropriated in the 2008 Budget for said project were not utilized by the close of the year and will need to be moved forward in the 2009 Operating Budget to provide for said purchase,

RESOLVED, that the County Treasurer is hereby authorized to amend the 2009 Operating Budget, as follows:

INCREASE REVENUES:

A-01-3-1789	Other Transportation Income	\$ 5,500
A-01-3-3594	State Aid mass Transportation	\$ 5,500
A-01-3-4589	Federal Aid - Other Transportation - Bus	\$44,000

INCREASE APPROPRIATIONS:

A-01-4-5630-00-2235	Auto Maintenance Equipment	\$55,000
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RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 19 of 2009

DATED: January 27, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET-CARRY OVER GRANT FUNDS-PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT

Resolution by Supervisor: Strevy

Seconded by Supervisor: Dybas

WHEREAS, the Board of Supervisors authorized acceptance of the 2008-09 Public Health Emergency Preparedness Grant funds for the period commencing August 10, 2008 and ending August 09, 2009, and

WHEREAS, said funds were appropriated in the 2008 Operating Budget and the unexpended balance should be carried forward in the 2009 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget, as follows:

INCREASE REVENUE:

A-16-3-3401-06	Public Health Grant	\$67640.27
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INCREASE APPROPRIATIONS:

A-10-4-9001-00	Public Health Grant	
	. 8810 FICA	\$ 2238.10
	. 8820 Retirement	\$ 1053.15

. 8830	Worker's Compensation	\$ 427.05
. 8854	Disability Insurance	\$ 480.00

INCREASE APPROPRIATIONS:

A-16-4-4010-06

Public Health Grant

. 1120(535)	Part-time Employee	\$29260.00
. 2250	Technical Equipment	\$ 9000.00
. 4408	Office Supplies	\$ 653.30
. 4411	Telephone Expense	\$ 2846.12
. 4425	Maintenance Agreements	\$ 3084.50
. 4438	Misc. Supporting Svc.	\$ 3864.12
. 4444	Custodial/Household Sup.	\$ 1000.00
. 4445	Medical Supplies	\$ 7500.00
. 4446	Food Supplies	\$ 1500.00
. 4459	Computer Software	\$ 877.77
. 4470	Travel Related Exp.	\$ 744.06
. 4471	Mileage Expense	\$ 162.10
. 4491	Legal Notice & Advertising	\$ 1450.00
. 4526	Education Programs	\$ 1500.00

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County AttorneyRobin Loske
Clerk, Board of Supervisors**RESOLUTION NO. 20 of 2009****DATED:** January 27, 2009RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - EARLY INTERVENTION (EI)
ADMINISTRATION (PUBLIC HEALTH)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Strevy

WHEREAS, the Public Health Director has recommended renewal of the contract for EI Administration in the amount of \$35,585,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign 2008-2009 contract renewal agreement for such services, and

FURTHER RESOLVED, that said contracts are effective for an annual period commencing on October 1, 2008 and ending on September 30, 2009, and

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. (1/27/2009)

Douglas Landon
County AttorneyRobin Loske
Clerk, Board of Supervisors**RESOLUTION NO. 21 of 2009****DATED:** January 27, 2009RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS FOR SERVICES APPROVED BY 2009 SOCIAL
SERVICES OPERATING BUDGET (SOCIAL SERVICES)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Johnson

WHEREAS, the Commissioner of Social Services, upon the approval of budgeted items in the 2009 Operating Budget, desires to enter into agreements with various contractors to provide needed services, and

WHEREAS, the Commissioner of Social Services has made recommendations to enter into such agreements upon approval of funding by the Board of Supervisors,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized and directed to sign agreements for services funded in the 2009 Operating Budget with the following providers:

Amsterdam Memorial Health Care System
(Employability Physicals for Public Assistance Clients)

Berkshire Farm Center and Services for Youth
(Stepping Stones Program – Intensive Crisis Intervention and Support
Services to Avert Placement of Detention)

Catholic Charities of Montgomery County
(Court-ordered Supervised Visitations)

Catholic Charities of Montgomery County
(Non-Residential Domestic Violence 24-Hour Hotline Service)

Catholic Charities of Montgomery County
(In-School PINS Prevention (Fresh Start) Preventive PINS/Detention
Program)

Catholic Charities of Montgomery County
(Domestic Violence Assessment and Counseling)

Catholic Charities of Montgomery County
(Non-Residential Special Needs Domestic Violence – For Cases with Acute
Mental Health Issues – Physical and Psychological Disabilities)

Catholic Charities of Montgomery County
(Intensive Case Management for Public Assistance Long-Term Recipients)

Cornell Cooperative Extension of Fulton & Montgomery Counties
(Food Stamp Nutrition Education Program)

Employment Resources
(Food Stamp Employees to Seek Employment)

Employment Resources
(New York Works Block Grant Project)

Fonda-Fultonville School District
(Preventive Services)

Fulton-Montgomery Community College
(BRIDGE Program)

Greater Amsterdam School District
(Preventive Services) (Contract #1)

Greater Amsterdam School District
(Preventive Services) (Contract #2)

Hispanic Outreach Services
(Translation/Interpretation Services)

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

Mental Health Association in Fulton & Montgomery Counties
(Community Solutions for Transportation)

Montgomery County Data Processing Department
(Systems Support Services)

Montgomery County Sheriff's Department
(Security Guard – To Provide Security at County Office Building)

Montgomery County Office for Aging, Inc.
(Point of Entry – Long Term Care)

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

Rev. Bonnie M. Orth
(Managed Care Services)

St. Mary's Hospital at Amsterdam
(Drug and Alcohol Core Assessment and Training, Abuse Screening,
Additional Related Drug and Alcohol Counseling/Vocational Counseling)

St. Mary's Hospital at Amsterdam
(One (1) – Clinical Social Worker – Assessment and Treatment Plan for
Children)

RESOLUTION ADOPTED with Aye(1633). Supervisor Greco abstained. Supervisor Stagliano was
absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 22 of 2009

DATED: January 27, 2009

**RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY CRIMINAL JUSTICE
COORDINATING COUNCIL (YOUTH BUREAU/ALTERNATIVE COMMUNITY SERVICES DEPARTMENT)**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Strevy

WHEREAS, Article 13-A, Section 261, of NYS Executive Law calls for certain appointments to be
made to the Montgomery County Criminal Justice Coordinating Council, and

WHEREAS, additional members beyond the specified appointments within the Executive Law are
encouraged, and

WHEREAS, the Council currently consists of the following:

POSITION	NAME
County Court Judge	Honorable Felix J. Catena
Town Court Judge	Honorable Raymond Mars, Town of Florida
District Attorney	James E. Conboy
Legal Services Representative	William F. Martuscello, Public Defender
Member of County Board of Supervisors Chairperson of Public Safety Committee	John B. Thomas, Public Safety Chairperson
Director of Probation	Lucille Sitterly
Chief Administrative Officer	Vito L. Greco, Chairman
Representative of local police agencies	Jeff Smith, Under sheriff
ATI Representative	Jennifer Petteys, Youth Bureau/ACSD Director
Ex-Offender	Cynthia Miller
Crime Victim	Jean Karutis
County Executive	Vito L. Greco, Chairman
Director of Community Services	James Gumaer
NYS Certified Alcohol and/or Substance Abuse Treatment Provider	Judy Devost, Director of "The Lighthouse" Treatment Program for Women
(Additional Members)	

POSITION	NAME
Corrections Administrator	Michael T. Franko
Executive Director, Foundation of St. Mary's Hospital	Al Turo
Town Court Judge	Honorable Herbert Menge, Town of Amsterdam

Town Court Judge	Honorable Jean Walters, Town of Charleston
Town Court Judge Town/Village of Canajoharie	Honorable Francis E. Avery,
Town Court Judge	Honorable John A. Brookman, Town of Glen
Vice-Chairman, Board of Supervisors	Barbara M. Johnson
Director, Hamilton, Fulton and Montgomery Prevention Council	Ann Rhodes
, and	

WHEREAS, it is recommended that the Council be updated by resolution to reflect the people who are currently in each legislative position that is represented on the Criminal Justice Coordinating Council and also to provide for a new appointment under additional members,

RESOLVED, that the appointments to the Montgomery County Criminal Justice Coordinating Council shall be as follows:

POSITION	NAME
Member of County Board of Supervisors Chairperson of Public Safety	John W. Thayer, Public Safety Chairman
Chief Administrative Officer	John B. Thomas, Chairman
Ex-Offender	Michael Kaczor
County Executive	John B. Thomas, Chairman
(Additional Member)	
Supervisor, City of Amsterdam – 2nd Ward	Barbara M. Johnson (Change in title)
Town Court Judge, President of Montgomery County Magistrates Association	Honorable Kathleen R. Buck, Town of Mohawk

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 23 of 2009

DATED: January 27, 2009

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

Resolution by Supervisor: Thayer

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 an agreement for provision of administrative and staff support services to the Montgomery County Industrial Development Agency, and

FURTHER RESOLVED, that said agreement shall be for a period commencing on January 1, 2009 and ending on December 31, 2009.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 24 of 2009

DATED: January 27, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT- CAROLINA CLUBS, INC. (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Johnson

WHEREAS, Montgomery County administers an Economic Development Program for the purpose of creating and retaining jobs, and

WHEREAS, the Montgomery Industrial Development Agency (MCIDA) has reviewed and recommended approval of a business loan application from Carolina Clubs, Inc, and

WHEREAS, said applicant has agreed to create 7 new full-time 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, is hereby 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 \$145,650 to Carolina Clubs, 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 72 equal monthly installments, with an interest rate of two (2) percent, 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(1723). Supervisor Walters abstained. Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 25 of 2009

DATED: January 27, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONSERVATION EASEMENT MODIFICATION AND SPREADER AGREEMENT-FLORIDA BUSINESS PARK (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Di Mezza

WHEREAS, the Montgomery County Industrial Development Agency (the "Grantor") currently owns approximately 147 acres in the Florida Business Park which are currently held under a conservation easement by Montgomery County(the Holder"), and

WHEREAS, as conditions of permits issued in association with the Hero Group, Inc. Project in the Florida Business Park, by the United States Army Corps. Of Engineers and New York State Department of Environmental Conservation, it is necessary to amend the existing conservation easement between the Grantor and Holder, and

WHEREAS, said permits require that an additional 47 acres be preserved and managed in accordance with said permits,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval by the County Attorney, is hereby authorized to accept and sign the Conservation Easement Modification and Spreader Agreement between the Grantor and Holder.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 26 of 2009

DATED: January 27, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MOHAWK VALLEY ECONOMIC DEVELOPMENT DISTRICT (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Greco

Seconded by Supervisor: Walters

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, 2009 and ending on December 31, 2009.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 27 of 2009

DATED: January 27, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - NON-BARGAINING PERSONNEL SALARIES (PERSONNEL)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thayer

WHEREAS, pursuant to Resolution No. 409 of 2008 the Board of Supervisors adopted changes to the Non-Bargaining Policy, and

WHEREAS, the funding of these changes to the Non-Bargaining personnel were not included in the 2009 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE:

A-599	Appropriated Fund Balance	\$146,413
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INCREASE:

A-01-4-1010-00-1110 (142)	S W Recycle/Market Coord.	\$1,650
A-01-4-1010-00-1110 (235)	Safety Officer	\$1,347
A-01-4-1010-00-1110 (748)	Sr. Account Clerk Typist	\$2,393
A-01-4-1010-00-1110 (1090)	Mobility Coordinator	\$2,169
A-02-4-3640-00-1110 (202)	Emerg. Mgmt. Director	\$2,127
A-03-4-3410-00-1120 (117)	Fire Coordinator - PT	\$ 223
A-06-4-1325-00-1110 (82)	County Treasurer	\$2,746
A-06-4-1325-00-1110 (98)	Deputy County Treasurer	\$2,100
A-07-4-1355-00-1110 (616)	Director of Real Property	\$3,445
A-08-4-1410-00-1110 (79)	County Clerk	\$2,996
A-08-4-1410-00-1110 (97)	Deputy County Clerk	\$2,450
A-09-4-1420-00-1120 (78)	County Attorney	\$2,463
A-09-4-1420-00-1120 (866)	Asst. County Attorney	\$1,013
A-10-4-1430-00-1110 (526)	Human Resource Clerk	\$1,150
A-10-4-1430-00-1110 (709)	Human Resource Clerk	\$1,583
A-10-4-1430-00-1110 (858)	Personnel/Self Ins. Dir.	\$3,065
A-10-4-1430-00-1110 (1274)	Personnel Associate	\$3,057
A-10-4-1430-00-1110 (1392)	Principal Account Clerk	\$2,443
A-11-4-1450-00-1110 (568)	Deputy Commissioner	\$1,150
A-11-4-1450-00-1110 (680)	Election Commissioner	\$2,806
A-11-4-1450-00-1110 (681)	Election Commissioner	\$1,956
A-11-4-1450-00-1110 (736)	Voting Mach/Election Coord.	\$1,150
A-11-4-1450-00-1110 (737)	Voting Mach/Election Coord.	\$1,150
A-11-4-1450-00-1110 (1134)	Deputy Commissioner	\$1,150
A-12-4-1490-00-1110 (50)	Comm. of Public Works	\$3,700
A-12-4-1490-00-1110 (458)	Business Manager	\$2,972
A-12-4-1490-00-1110 (1088)	Confidential Secretary	\$1,900
A-14-4-1680-00-1110 (444)	Director Data Processing	\$3,950
A-15-4-3110-00-1110 (419)	Undersheriff	\$3,150
A-15-4-3110-00-1110 (509)	Sheriff	\$3,850
A-15-4-3110-00-1110 (510)	Sheriffs Confid. Secretary	\$2,081
A-15-4-3150-00-1110 (470)	Corrections Administrator	\$2,152
A-15-4-3150-00-1120 (228)	Primary Health Care Nurse	\$1,454
A-16-4-4010-00-1110 (32)	Public Health Director	\$2,200
A-16-4-4010-00-1110 (270)	Business Manager	\$2,222
A-16-4-4010-00-1110 (281)	Asst. Director of Pub. Hlth.	\$2,550

A-16-4-4010-00-1110	(257)	PHC Coordinator	\$1,850
A-17-4-4310-00-1110	(296)	Psychiatrist	\$ 364
A-17-4-4310-00-1110	(302)	Director of Comm. Svcs.	\$2,700
A-18-4-6010-00-1110	(52)	Comm. of Social Services	\$3,950
A-18-4-6010-00-1110	(108)	Director of Eligibility	\$3,750
A-18-4-6010-00-1110	(441)	Director of Social Services	\$2,000
A-18-4-6010-00-1110	(1091)	Confidential Secretary	\$1,000
A-18-4-6010-00-1110	(908)	Director Financial Mgmt.	\$3,423
A-18-4-6010-00-1120	(276)	DSS Attorney – PT	\$2,766
A-18-4-6010-00-1120	(512)	DSS Attorney – PT	\$1,318
A-18-4-6010-00-1120	(513)	DSS Attorney – PT	\$1,670
A-19-4-6510-00-1110	(912)	Dir. Veterans Svc Agency	\$1,700
A-20-4-6610-00-1110	(81)	Dir. Weights & Measures	\$2,017
A-21-4-7310-00-1110	(161)	Youth Bureau/ACSD Dir.	\$2,006
A-22-4-7510-00-1110	(1177)	Co. Historian (Record Mgr)	\$2,040
A-24-4-6430-00-1110	(472)	Economic Opp & Dvlp Dir.	\$2,716
A-24-4-6430-00-1110	(473)	Economic Opp & Dvlp Spec.	\$1,504
A-24-4-6430-00-1110	(1203)	Economic Opp & Dvlp Spec.	\$1,504
A-25-4-1165-00-1110	(987)	Confidential Secretary	\$1,920
A-25-4-1165-00-1120	(20)	Asst. District Attorney-PT	\$1,805
A-25-4-1165-00-1120	(22)	Asst. District Attorney-PT	\$2,111
A-25-4-1165-00-1120	(71)	Criminal Investigator	\$1,356
A-25-4-1165-00-1120	(404)	Asst. District Attorney-PT	\$1,461
A-25-4-1165-00-1120	(1292)	Asst. District Attorney-PT	\$2,111
A-27-4-3140-00-1110	(1252)	Probation Director II	\$3,800
A-28-4-1170-00-1110	(835)	Confidential Secretary	\$1,107
A-28-4-1170-00-1120	(412)	Asst. Public Defender-PT	\$1,209
A-28-4-1170-00-1120	(1239)	1st Asst. Public Defender-PT	\$1,906
A-28-4-1170-00-1120	(1238)	Public Defender-PT	\$2,944
A-28-4-1170-00-1120	(1240)	Asst. Public Defender-PT	\$1,759
A-28-4-1170-00-1120	(1361)	Asst. Public Defender-PT	\$1,209
A-29-4-1185-00-1120	(410)	Head Coroner	\$ 226
A-29-4-1185-00-1120	(567)	Coroner	\$ 203
A-30-4-1320-00-1120	(703)	County Auditor – PT	\$1,352
A-31-4-1345-00-1110	(701)	Purchasing Agent	\$1,693

TRANSFER FROM:

G-26-4-8120-00-1125	(407)	Other Comp. and Raises	\$4,300
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TRANSFER TO:

G-26-4-8120-00-1110	(54)	Superintendent	\$2,000
G-26-4-8120-00-1110	(586)	Maintenance Mechanic	\$ 800
G-26-4-8120-00-1110	(678)	WW Treatment Plant Oper.	\$1,500

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 28 of 2009**DATED:** January 27, 2009**RESOLUTION AMENDING 2009 OPERATING BUDGET- PUBLIC WORKS ECONOMIC STIMULUS PROJECTS (PUBLIC WORKS)**

Resolution by Supervisor: Walters

Seconded by Supervisor: Greco

WHEREAS, pursuant to Resolution No. 406 of 2008 the Board of Supervisors authorized and directed the Chairman to sign a contract with Earth Tech Northeast, Inc. for engineering services for the Economic Stimulus Program projects, and

WHEREAS, the services were to be provided at a cost not to exceed \$209,000, and

WHEREAS, the funding of this project was not included in the 2009 operating budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE:

A-599	Appropriated Fund Balance	\$209,000
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INCREASE:

A-06-4-9900-00-9950 Transfer to Cap. Proj. Fd. \$209,000

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 29 of 2009

DATED: January 27, 2009

RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL AUTHORITY TO COUNTY AUDITOR (REAL PROPERTY)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Barone, Sr.
Barone, Sr.

WHEREAS, the Board of Supervisors is authorized 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 credits/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 2009, 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(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 30 of 2009

DATED: January 27, 2009

RESOLUTION CORRECTING 2009 TOWN AND COUNTY TAX ROLLS - VARIOUS PARCELS (REAL PROPERTY)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Dybas

WHEREAS, various property owners have filed Applications for Corrected Tax Roll, pursuant to Section 554 of the Real Property Tax Law, with the Real Property Tax Director, alleging errors on the 2009 Tax Roll, and

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

RESOLVED, that the 2009 Tax Roll hereby is ordered corrected as follows:

APPLICANT:	SBL:	CORRECTION:
Andy Byler	64.-1-2.2	Reduce school relevy to \$0.
Amanda Byler	Town of Palatine	
199 S Gray Rd		
Palatine Bridge, NY 13428		

, and

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

FURTHER RESOLVED, that said County Director also is authorized and directed to make an order setting forth the corrected taxes, and directing the officer having jurisdiction over tax roll to

correct the rolls, and to affix the orders and approved applications to the tax rolls and the warrants, per Section 554 of the Real Property Tax Law, such annexed applications and warrants becoming a part of such tax rolls, and

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

FURTHER RESOLVED, that said County Director shall mail Notices of Approval of Application to the applicants and the County Auditor shall submit a monthly report, setting forth all corrections and/or refunds processed, to the Board of Supervisors, and

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

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

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

FURTHER RESOLVED, that said Treasurer is directed to notify the appropriate districts, prior to May 1, 2009 of any relevy cancelled by this resolution and will be charged back on the ensuing tax roll.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 31 of 2009

DATED: January 27, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - CORRECTION SUPERVISORS SALARIES (SHERIFF/JAIL)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Barone, Sr.

WHEREAS, pursuant to Resolution No. 407 of 2008 the Board of Supervisors ratified and approved a full-time Memorandum of Agreement between Montgomery County and the Montgomery County Local 82 of Correction Supervisors, and

WHEREAS, the funding of the salary changes were not included in the 2009 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE:

A-599	Appropriated Fund Balance	\$71,028
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INCREASE:

A-15-4-3150-00-1110 (2)	Correction Sergeant	\$7,486
A-15-4-3150-00-1110 (10)	Correction Sergeant	\$7,290
A-15-4-3150-00-1110 (73)	Correction Corporal	\$6,221
A-15-4-3150-00-1110 (135)	Correction Corporal	\$6,221
A-15-4-3150-00-1110 (152)	Correction Corporal	\$6,221
A-15-4-3150-00-1110 (155)	Correction Corporal	\$6,221
A-15-4-3150-00-1110 (316)	Correction Sergeant	\$7,290
A-15-4-3150-00-1110 (642)	Correction Corporal	\$5,387
A-15-4-3150-00-1110 (1078)	Correction Corporal	\$6,544
A-15-4-3150-00-1110 (1080)	Correction Corporal	\$6,616
A-15-4-3150-00-1110 (1419)	Correction Lieutenant	\$5,531

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 32 of 2009**DATED:** January 27, 2009**RESOLUTION AMENDING 2009 OPERATING BUDGET - DEPUTY SHERIFFS SALARIES (SHERIFF)**

Resolution by Supervisor: Johnson

Seconded by Supervisor: Thayer

WHEREAS, pursuant to Resolution No. 410 of 2008 the Board of Supervisors ratified and approved a full-time Memorandum of Agreement between Montgomery County and the Montgomery County Deputy Sheriff's PBA, and

WHEREAS, the funding of the salary changes were not included in the 2009 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE:

A-599	Appropriated Fund Balance	\$71,502
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INCREASE:

A-15-4-3110-00-1110 (3)	Deputy Sheriff	\$1,337
A-15-4-3110-00-1110 (38)	Deputy Sheriff	\$1,159
A-15-4-3110-00-1110 (68)	Deputy Sheriff	\$5,347
A-15-4-3110-00-1110 (429)	Deputy Sheriff	\$4,288
A-15-4-3110-00-1110 (434)	Deputy Sheriff Inves.	\$4,686
A-15-4-3110-00-1110 (438)	Deputy Sheriff Inves.	\$738
A-15-4-3110-00-1110 (481)	Dep. Sheriff/Bl dg Secur.	\$3,093
A-15-4-3110-00-1110 (482)	Deputy Sheriff Sergeant	\$4,314
A-15-4-3110-00-1110 (484)	Deputy Sheriff	\$2,946
A-15-4-3110-00-1110 (507)	Deputy Sheriff Sergeant	\$4,331
A-15-4-3110-00-1110 (524)	Deputy Sheriff Lieut.	\$3,901
A-15-4-3110-00-1110 (637)	Deputy Sheriff Sergeant	\$4,331
A-15-4-3110-00-1110 (638)	Deputy Sheriff	\$2,394
A-15-4-3110-00-1110 (639)	Deputy Sheriff	\$4,200
A-15-4-3110-00-1110 (640)	Deputy Sheriff	\$2,144
A-15-4-3110-00-1110 (898)	Deputy Sheriff Inves.	\$5,855
A-15-4-3110-00-1110 (921)	Deputy Sheriff	\$1,267
A-15-4-3110-00-1110 (922)	Deputy Sheriff	\$2,394
A-15-4-3110-00-1110 (1115)	Deputy Sheriff	\$2,040
A-15-4-3110-00-1110 (1117)	Deputy Sheriff	\$1,365
A-15-4-3110-00-1110 (1182)	Deputy Sheriff	\$1,702
A-15-4-3110-00-1110 (1295)	Deputy Sheriff Inves.	\$3,897
A-15-4-3110-00-1110 (1418)	Deputy Sheriff Sergeant	\$3,773

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 33 of 2009**DATED:** January 27, 2009**RESOLUTION AMENDING 2009 OPERATING BUDGET - CLERK OF THE BOARD OF SUPERVISORS SALARY (BOARD OF SUPERVISORS)**

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Thayer

WHEREAS, pursuant to Resolution No. 431 of 2008 the full-time Clerk of the Board of Supervisors was appointed with an annual base salary of \$43,000, and

WHEREAS, the funding in the 2009 Operating Budget does not reflect this salary,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400	Contingent Account	\$8,000
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TRANSFER TO:

A-01-4-1040-00-1110 (116) Clerk of the Board of Suprvs \$8,000

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 34 of 2009

DATED: January 27, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - DEPUTY BUDGET OFFICER COMPENSATION (BOARD OF SUPERVISORS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Barone, Sr.

WHEREAS, pursuant to Resolution No. 7 of 2009 the Budget Officer is permitted to appoint a Deputy Budget Officer with an annual compensation of \$2,000, and

WHEREAS, the funding in the 2009 Operating Budget does not reflect this compensation,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400 Contingent Account \$2,000

TRANSFER TO:

A-01-4-1340-00-1120 (455) Deputy Budget Officer \$2,000

RESOLUTION ADOPTED with Aye(1521). Supervisors Dybas and Jonker voted Nay. Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 35 of 2009

DATED: January 27, 2009

RESOLUTION AMENDING RESOLUTION NO. 409 OF 2008 - NON-BARGAINING POLICY (HOLIDAY TIME) - (PERSONNEL)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Johnson

WHEREAS, the Board of Supervisors is amending Resolution No. 409 of 2008, and

WHEREAS, it is recommended by the Personnel Officer that Section 6, Paragraph D, of the Non-Bargaining Policy be revised,

RESOLVED, that Section 6, Paragraph D, be replaced with the "same as C. S. E. A."

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 36 of 2009

DATED: January 27, 2009

RESOLUTION SCHEDULING PUBLIC HEARING-REVIEW OF AGRICULTURAL DISTRICT NO. 2

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thayer

WHEREAS, Agricultural District No. 2 is required to undergo a review every eight years, pursuant to New York State Agricultural and Markets Law, Article 25AA, and

WHEREAS, the Montgomery County Agricultural and Farmland Protection Board has conducted an in-depth review, recommending modifications to said district, and

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

RESOLVED, that the Board of Supervisors hereby schedules a Public Hearing on Agricultural District No. 2 to be held at 6:55 p.m., Tuesday, February 24th, 2009 in the Chambers of the Board of Supervisors, County Office Building, Fonda, New York, and

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

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 37 of 2009

DATED: January 27, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET COUNTY-WIDE DEMOLITION TEAM (PUBLIC WORKS)

Resolution by Supervisor: Bai a

Seconded by Supervisor: Dybas

WHEREAS, the Board of Supervisors has created a County-Wide Demolition Team, and

WHEREAS, in order to facilitate this team, the Commissioner of DPW recommends that certain appropriations be created within the Department of Public Works,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

TRANSFER FROM:

A-12-4-1620-00-1110 (149)	Hourly Employees	\$12,800
A-06-4-9900-00-9901	Transfer to Co. Rd. Fund	\$17,200

TRANSFER TO:

A-12-4-8160-00-1110 (540)	Hourly Employees	\$30,000
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INCREASE:

A - 599	Appropriated Fund Balance	\$70,000
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ADD and INCREASE:

A-12-4-8160-00-1125 (544)	Other Compensation	\$20,000
A-12-4-8160-00-2250	Technical Equipment	\$39,500
A-12-4-8160-00-4448	Construction & Maint. Supplies	\$10,500

DECREASE:

D-12-3-5031	Interfund Transfers	\$17,200
D-12-4-5110-00-1110 (144)	Hourly Employees	\$17,200

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 38 of 2009

DATED: January 27, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2009 MASS TRANSPORTATION SERVICES -

MONTGOMERY AREA EXPRESS -THE MAX (BOARD OF SUPERVISORS)

Resolution by Supervisor: Walters

Seconded by Supervisor: Thayer

WHEREAS, Resolution No. 39 of 2007 authorized an RFP for Bus Systems Operators to manage and maintain bus routes for Montgomery County, and

WHEREAS, by Resolution No. 218 of 2007, the County established the Montgomery County Bus Transportation System, and by Resolution No. 219 of 2007 authorized the signing of an agreement with Brown Coach, Inc. to manage and maintain bus routes for Montgomery County as outlined in the RFP for a period of one year, with a review for contract extension as the RFP outlined proposals for two years of services, and

WHEREAS, a review of the first year of service has been made and it has been recommended that said agreement be renewed with Brown Coach, Inc. through December 31, 2009,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized to sign an agreement with Brown Coach, Inc. of Amsterdam, NY to manage and maintain the Montgomery County Area Express (The MAX) through December 31, 2009, and

FURTHER RESOLVED, that said contract shall be at rate of \$3.98 per mile when the provider must use its own buses for the operation of services and a rate of \$3.28 per mile when using County owned buses.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 39 of 2009

DATED: January 27, 2009

RESOLUTION RESCINDING RESOLUTION 66 OF 2004 AND RESOLUTION 53 OF 2005 AND RE-ESTABLISHING LABOR MANAGEMENT COMMITTEE

Resolution by Supervisor: Thomas

Seconded by Supervisor: Barone, Sr.

WHEREAS, Resolution No. 66 of 2004 re-established the Labor Management Committee, and

WHEREAS, Resolution No. 53 of 2005 amended Resolution No. 66 of 2004,

RESOLVED, that Resolution No. 66 of 2004 and Resolution No. 53 of 2005 are hereby rescinded, and

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

FURTHER RESOLVED, the Designated Representatives for 2009 are as follows:

Title	Designated Representative
Chairman of Board of Supervisors	Supervisor Thomas Di Mezza
Vice Chairman of Board of Supervisors	Supervisor Vito Greco
Chairman of Personnel Committee	Supervisor Barbara Johnson
Chairman of Finance Committee	Supervisor Ronald Barone
Sheriff	Undersheriff Jeff Smith, and

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

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

FURTHER RESOLVED, that the dollar settlement limit that can be negotiated and agreed to by the Labor Management Committee can not exceed \$500.00, and

FURTHER RESOLVED, that any grievance that cannot be resolved, or if the cost of the settlement exceeds \$500.00, the grievance will be forwarded to the Personnel Committee for further review,

and

FURTHER RESOLVED, that Labor Management Committee will provide verbal reports to the Personnel Committee on a monthly basis regarding the disposition and status of all grievances filed and any grievance resolved, and

FURTHER RESOLVED, that this Resolution supercedes all other Resolutions relative to establishing and/or amending the Labor Management Committee.

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

FURTHER RESOLVED, that the Chairman of the Board shall annually appoint the designated representatives for the Labor Management Committee at the beginning of the calendar year.

passed with Aye(1868). (1/27/2009)

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 40 of 2009

DATED: January 27, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER #3 AGREEMENT CLOSING OUT DUTCH VALLEY GENERAL CONTRACTING, INC'S CONTRACT WITH FULTON AND MONTGOMERY COUNTIES FOR THE FMCC CLASSROOM BUILDING RENOVATION

Resolution by Supervisor: Dybas

Seconded by Supervisor: Paton

WHEREAS, by Resolution No. 63 of 2008, various contracts were authorized for the Classroom Building Renovation - Phase I - Mechanical System upgrade Project at FMCC, and

WHEREAS, by Resolution No. 160 of 2008, various change orders with contractors were authorized for necessary items that were not in the original scope of work, and

WHEREAS, said project had certain mechanical equipment being relocated in the lower level of the Mechanical Room and in order to accomplish this, steel beams were installed to construct a rigging system, and

WHEREAS, in the process of developing the rigging system, it was discovered that the existing beams had asbestos-containing fireproofing material on them which was abated, and

WHEREAS, the steel beams were re-fireproofed after the asbestos was removed, and walls in the Mechanical Room were removed and reconstructed to make room for these new pieces of equipment and additional items such as repairing ceiling grids, repainting walls, patching finishes, etc, and

WHEREAS, all of the additional work was not in the original scope of work nor part of the original costs of said project, but does not exceed the amount originally appropriated for said capital project by Resolution No. 122 of 2008,

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 #3 with Dutch Valley General Contractors as follows:

CONTRACT AMOUNT	\$205,700.00
CHANGE ORDER NO.	\$ 4,565.00
CHANGE ORDER NO. 2	\$ 15,000.00
CHANGE ORDER NO. 3 (-)	\$ 6,053.00

REVISED CONTRACT AMOUNT	\$219,212.00
TOTAL PAID TO DATE	\$207,082.90
TOTAL RETAINAGE	\$ 10,899.10

BALANCE DUE:	\$ 1,230.00
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, and

FUTHER RESOLVED, that \$307.50 represents Montgomery County's share of the balance due, 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. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 41 of 2009

DATED: January 27, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT CLOSING OUT FLEX ELECTRICAL CONSTRUCTORS' CONTRACT WITH FULTON AND MONTGOMERY COUNTIES FOR THE FMCC CLASSROOM BUILDING RENOVATION PROJECT

Resolution by Supervisor: Dybas

Seconded by Supervisor: Strevy

WHEREAS, by Resolution No. 63 of 2008, various contracts were authorized for the Classroom Building Renovation - Phase I - Mechanical System upgrade Project at FMCC, and

WHEREAS, by Resolution No. 160 of 2008 Change Order 1 was approved for necessary items that were not in the original scope of work which included a change for Flex Electrical Constructors, Inc. in the amount of \$4,722, and

WHEREAS, by Resolution No. 309 of 2008 Change Order 2 was approved for additional electrical work not in the original scope of work which included a change for Flex Electrical Constructors, Inc., in the amount of \$2,000, and

WHEREAS, all of the additional work was not in the original scope of work nor part of the original costs of said project, but does not exceed the amount originally 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 close out said contract with Flex Electrical Constructors, Inc. as follows:

CONTRACT AMOUNT	\$150,000.00
CHANGE ORDER NO. 1	\$ 4,722.00
CHANGE ORDER NO. 2	\$ 2,000.00
<hr/>	
FINAL CONTRACT AMOUNT	\$156,722.00
TOTAL PAID TO DATE	\$146,357.00
TOTAL RETAINAGE	\$ 7,703.00
<hr/>	
BALANCE DUE:	\$ 2,662.00

, and

FURTHER RESOLVED, that \$665.50 represents Montgomery county's share of the balance due, 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. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 42 of 2009

DATED: January 27, 2009

RESOLUTION APPOINTING SOLID WASTE COORDINATOR (BOARD OF SUPERVISORS)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Walters

RESOLVED, that pursuant to Section 475 of County Law, Dennis Heaton is hereby appointed Solid Waste Coordinator of Montgomery County effective February 17, 2009, at an annual base salary of \$56,650.00.

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Walters, to add a "Further Resolved" clause as follows:

FURTHER RESOLVED, that the position of Solid Waste Coordinator is a non-bargaining management

position in the Board of Supervisors Budget to be located in the Public Works Department and said position shall report to the Chairman of the Board.

passed with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (1/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

OTHER

MOSA Discussion

Supervisor Walters, Town of Charleston, asked the Clerk of the Board to make copies of the MOSA Service Agreement and distribute it to the Supervisors who do not have a copy. Supervisors Walters asked that all Supervisors familiarize themselves with the Service Agreement.

Supervisor Thayer, Town of Root, reported that MOSA had its Organizational Meeting earlier in the day. He stated that the GAT numbers are not good. He pointed out that after the Pioneer Street project is subtracted out, Montgomery County is 25% below its projected GAT. Otsego County is down by 7% and Schoharie County is just meeting its GAT. Supervisor Thayer indicated that the new Solid Waste Coordinator has really got a challenge in front of him.

Supervisor Walters stated that Otsego County is now seeing what Montgomery County saw last year with its shortfall. He went on record to say that the Town of Charleston has never been short.

Supervisor Greco, City of Amsterdam - First Ward, suggested that the County use the state of the economy as a means of reducing the payment for the GAT shortfall. Supervisor Thayer suggested that this would be another job for the new Solid Waste Coordinator.

Supervisor Thayer stated that Otsego County is requesting that MOSA forgive the T&D portion of the GAT Shortfall but they were basically given the same answer that Montgomery County received the year before.

Chairman Thomas suggested that once the Solid Waste Coordinator is on board that a meeting be setup with the three Montgomery County MOSA representatives, Supervisor Walters, Shawn Bowerman and himself to discuss a strategy to deal with the shortfall payment. Chairman Thomas stated that any one of the Supervisors who would be interested in attending the meeting is welcome.

Supervisor McMahon, Town of Canajoharie, stated that when the Canajoharie School was demolished the material did not go to MOSA. It was considered clean fill and was used at another location. He pointed out that it couldn't be justified to dispose of this type of material when it could be used as fill. Supervisor McMahon stated that the same is true with scrap metal.

Snowmobiles – Sheriff's Office

Supervisor DiMezza, Town of Amsterdam, asked that the Board give the Sheriff's Office permission to work with Scott Sureto, the County's Purchasing Agent, to seek prices for two snowmobiles to be presented at the next Public Safety meeting. Supervisor DiMezza stated that there have been a number of complaints regarding snowmobiles running late at night, not using the appropriate trails, etc. He pointed out the Sheriff's Department cannot write violators a ticket from a patrol car. There is a need for the Sheriff's Department to have the means and tools for controlling snowmobile violators. Supervisor Greco asked if it would be more appropriate to purchase an all-terrain vehicle so that it could be used year around. Supervisor DiMezza responded that all-terrain vehicles would not be able to keep up with a snowmobile.

Supervisor McMahon stated that the purchase of the snowmobiles is essential as he has noticed that snowmobiles have been in his fields and not staying on the trails. He pointed out that he has barbed wire fencing that the snowmobiles could run into and someone could get badly hurt.

Congressman Tonko Meeting

Chairman Thomas reported that Congressman Tonko is calling a meeting in Albany to discuss a stimulus plan. He asked that anyone interested in attending the meeting contact the Clerk of the Board so arrangements could be made to obtain a County vehicle for transportation of those interested in attending.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Barone, Sr., seconded by Supervisor Strevy, passed with Aye(1772). Supervisor Stagliano was absent.

Chairman Thomas adjourned the meeting at 7:56 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - AGRICULTURE, PLANNING & DEVELOPMENT
7:00 PM, February 3, 2009

COMMITTEE MEETING DISCUSSION

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

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

Additionally present were Supervisors Thayer and Thomas. Supervisors Greco, Quackenbush, Barone, Dybas and Stagliano were absent.

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

1. RESOLUTION MODIFYING MONTGOMERY COUNTY AGRICULTURAL DISTRICT NO. 2 (ECONOMIC DEVELOPMENT AND PLANNING)
2. RESOLUTION AUTHORIZING THE ADOPTION OF THE MONTGOMERY COUNTY MULTI-JURISDICTIONAL ALL HAZARD MITIGATION PLAN (ECONOMIC DEVELOPMENT AND PLANNING)
3. RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN DOCUMENTS-TRANSFER OF PROPERTY-FLORIDA WATER TANK PARCEL (ECONOMIC DEVELOPMENT AND PLANNING)
4. OTHER

Item #1: (RESOLUTION MODIFYING MONTGOMERY COUNTY AGRICULTURAL DISTRICT NO. 2 - ECONOMIC DEVELOPMENT AND PLANNING) Supervisors Strevy and Johnson 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: (RESOLUTION AUTHORIZING THE ADOPTION OF THE MONTGOMERY COUNTY MULTI-JURISDICTIONAL ALL HAZARD MITIGATION PLAN - ECONOMIC DEVELOPMENT AND PLANNING) Supervisors Johnson and Strevy made a motion and seconded, respectively, to sponsor the Resolution.

Doug Green, of the Planning Department, took the floor and stated that FEMA has approved the Plan. Every participant who is part of the County wide Mitigation Plan has to adopt the Plan. This resolution is adopting the Plan at the County level. The Plan has been saved on a CD disk along with a sample resolution which can be used at municipal levels and has been distributed to all municipalities. The Planning Department will make phone calls to the towns and villages to encourage them to get the Plan adopted as soon as possible. Once all the municipalities have adopted it a Mitigation Plan Committee will be established. The Committee will move forward with applying for grants, etc.

Mr. Green indicated that along with the CD, the Planning Department is going to prepare hard copies of the Plan which consists of 450 pages each. A resolution will be presented under "Other" for Finance Committee approval to amend the 2009 Operating Budget by \$1,500 for printing the Plan.

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

Item #3: (RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN DOCUMENTS-TRANSFER OF PROPERTY-FLORIDA WATER TANK PARCEL - ECONOMIC DEVELOPMENT AND PLANNING). Supervisors Strevy and Paton made a motion and seconded, respectively, to sponsor the Resolution.

Randy Siver, of the Planning Department, distributed and reviewed a map relative Ag District #2. It was pointed out that a Public Hearing will be held on February 24, 2009 to address the transfer of the property.

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

Item #5: Other (RESOLUTION AMENDING THE 2009 OPERATING BUDGET-PROFESSIONAL SERVICES-MULTI-JURISDICTIONAL ALL-HAZARD MITIGATION PLAN - ECONOMIC DEVELOPMENT AND PLANNING). Supervisors Paton and Johnson made a motion and seconded, respectively, to sponsor the Resolution. The Resolution was moved to the Finance Committee with a positive recommendation. There were no objections.

Add-on Resolution:

(RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LAW NO. A OF 2009 - A LOCAL LAW

PROHIBITING TEXT MESSAGING WHILE DRIVING). Supervisors Baia and Thomas made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Baia stated that he was the person who asked that the Resolution be added on the meeting.

Supervisor Strevy pointed out that there was already a law prohibiting talking on cell phones while driving.

Supervisor Baia responded that the law does not include text messaging while driving. Supervisor Baia stated that the proposed law is the exact same legislation that Schenectady County passed and will become effective on March 1, 2009.

Supervisor McMahon felt that it was a law that could not be enforced. He pointed out that the cell phone law was not being strictly enforced either. Supervisor McMahon stated that the laws already established need to be enforced before implementing a new one. He indicated that he would not support the Resolution.

Supervisor Baia repeated a story that the Sheriff had told him where a young girl was killed due to text messaging while driving. A ticket could not be issued to the other driver involved because there was no law on the books prohibiting it. Supervisor Baia stated it was safer talking on a cell phone than text messaging while driving and felt that the Resolution was worth supporting.

Supervisor Thomas pointed out that the Resolution was to establish a Public Hearing relative to a proposed law and the public should have the opportunity to address the issue.

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

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

Chairman Baia adjourned the Agriculture, Planning & Development Committee meeting at 7:15 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
SPECIAL MEETING
6:50 PM, February 17, 2009

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for February 17, 2009, was called to order at 6:50 PM by Chairman John Thomas.

SALUTE TO THE FLAG

Supervisor Thayer led the salute to the flag.

ROLL CALL

Roll call indicated that Supervisors Barone, Quackenbush, Greco, Strevy, Dybas, Thayer, DiMezza, Thomas, Jonker, and Walters were present. Absent were Supervisors Johnson, Paton, McMahon, Baia and Stagliano.

STATEMENT OF PURPOSE OF MEETING

A. RESOLUTION OPPOSING GOVERNOR PATERSON'S PROPOSED YOUTH PROGRAMS BLOCK GRANT

RESOLUTION NO. 48 of 2009

DATED: February 17, 2009

RESOLUTION OPPOSING GOVERNOR PATERSON'S PROPOSED YOUTH PROGRAMS BLOCK GRANT (BOARD OF SUPERVISORS)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Thomas

WHEREAS, Governor Paterson has submitted his budget recommending a "Youth Programs Block Grant" and

WHEREAS, this proposed Block Grant recommends a January 1, 2009 effective date which leaves many programs uncertain of funding and of their existence, and

WHEREAS, this proposed block grant would combine youth development, prevention and intervention services of (Youth Development and Delinquency Prevention – YDDP; Special Delinquency Prevention Programs – SDPP; Runaway and Homeless Youth Act – RHYA; Alternatives to Detention and Alternatives to Residential Placement) with state mandated services (Secure and Non-Secure Detention Services provided by the Department of Social Services), and

WHEREAS, the combination of detention and prevention services recommended in this proposed block grant is detrimental to our young people, and

WHEREAS, Counties will be forced to choose between mandated detention services and youth development and prevention services and the proposal of combining mandated, non-secure and secure detention with development and prevention funding will pit comprehensive community based programs and agencies against the more costly detention programs, and

WHEREAS, Youth Development, Prevention and Intervention is essential and critical services to the youth, and

WHEREAS, New York State is abandoning its long-time leadership and partnership in youth prevention, intervention and development services as articulated in the Executive Law 420 19A, and

WHEREAS, the Montgomery County Board of Supervisors believes that providing services and programs for youth is an investment, not only in delinquency prevention but also in the development of our young people in all ways thus enriching our society and nation, and

WHEREAS, the Health and Human Services Committee has met, considered and by unanimous vote approved this resolution,

RESOLVED, that the Montgomery County Board of Supervisors hereby requests Governor Paterson and the New York State Legislature to eliminate the concept of this proposed Block Grant, and

FURTHER RESOLVED, that the Governor and Legislature uphold Executive Law 420 Article 19a to

maintain the current Youth Bureau System, which is in the best interest, of the over 8,500 youth served by Youth Development and Prevention Services in Montgomery County.

RESOLUTION ADOPTED with Aye(1208). Supervisors Johnson, Baia, McMahon, Paton and Stagliano were absent. (2/17/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor Barone, Sr., passed with Aye(1208). Supervisors Johnson, Baia, McMahon, Paton and Stagliano were absent.

Chairman Thomas adjourned the Special Meeting at 6:55 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - GENERAL SERVICES
7:00 PM, February 17, 2009

COMMITTEE MEETING DISCUSSION

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

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

Additional Supervisors present were Supervisors Greco, Quackenbush, Barone, Dybas and Thomas. Supervisors McMahon, Baia and Stagliano were absent.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SPARE BUS PROGRAM - CITY OF GLOVERSVILLE/GLOVERSVILLE TRANSIT
2. RESOLUTION APPROVING 2009 CAPITAL PROJECTS - PUBLIC SAFETY FACILITY, B-POD CELL DOOR LOCKS, SWITCHES
3. RESOLUTION APPROVING 2009 CAPITAL PROJECTS - ROAD RESURFACING
4. RESOLUTION APPROVING 2009 CAPITAL PROJECTS - EQUIPMENT REPLACEMENT
5. DISCUSSION ITEMS - DPW
It is likely that one of the discussion items will take place in Executive Session
6. Other

Item #1: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SPARE BUS PROGRAM - CITY OF GLOVERSVILLE/GLOVERSVILLE TRANSIT - Board of Supervisors) Supervisors Thayer and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION APPROVING 2009 CAPITAL PROJECTS - PUBLIC SAFETY FACILITY, B-POD CELL DOOR LOCKS, SWITCHES - Public Works) Supervisors Strevy 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 #3: (RESOLUTION APPROVING 2009 CAPITAL PROJECTS - ROAD RESURFACING) Supervisors Thayer and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Barone asked if the County would qualify under the new stimulus package that was just passed to get reimbursed for the road resurfacing. Commissioner Clayburn, of the Montgomery County DPW, responded that he met recently with NYS DOT and learned that a lot of the money is being directed to the State of New York. The monies are being directed to the local governments as a quicker way of getting it into the economy. Commissioner Clayburn stated that there is a likelihood that the County could get some money for bridge projects.

Commissioner Clayburn stated that the Governor reinstated the CHIPS money to a level that it was at for 2008, which would be \$1,900,000.00. This would reduce the amount needed for resurfacing to \$1,757,150.00. The new amount will be reflected in the Resolution for the Board's consideration.

Supervisor Dybas noted that it will be interesting to see how the stimulus money is distributed and how much Montgomery County might get.

Supervisor DiMezza asked if Wallins Corner and Truax Roads would be resurfaced as part of the program. Commissioner Clayburn responded that Wallins Corner was scheduled for last year but he pulled it out because of all the new construction going on. He felt it would be better to wait until the construction is done. Mr. DiMezza stated that it would require some serious patch work. Commissioner Clayburn stated that the Truax Road is scheduled for some maintenance work.

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

Item #4: (RESOLUTION APPROVING 2009 CAPITAL PROJECTS - EQUIPMENT REPLACEMENT) Supervisors DiMezza and Thayer made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #5 Other: (add-on RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW F OF 2008 - A LOCAL LAW WHICH AUTHORIZES THE CONTRIBUTION OF FUNDS TO THE DEMOLITION OF PIONEER STREET MILL IN THE TOWN OF AMSTERDAM). Supervisors Johnson and Barone made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

(add-on RESOLUTION AMENDING 2009 OPERATING BUDGET - DEMOLITION TIP FEE EXPENSES - BOARD OF SUPERVISORS). Supervisors DiMezza and Barone made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

(add-on RESOLUTION AUTHORIZING MONTGOMERY COUNTY SANITARY DISTRICT TO ENTER INTO AGREEMENT - LITIGATION DEFENSE - SANITARY DISTRICT). Supervisors Jonker and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #6: DISCUSSION ITEMS - DPW - Chairman Walters referred members to a letter from Foit-Albert Associates regarding the "Montgomery County Municipal Building Needs Assessment Study", which was included in their meeting packet. Chairman Walters asked Commissioner Clayburn to address the Committee on the subject.

Commissioner Clayburn explained that over the past several years, there was a consensus that something needed to be done relative to a new County Office Building. He asked the consultants to give him a proposal including everything that had been done to this point so he could bring the information back to the Board.

Supervisor Quackenbush pointed out that there are 15 different opinions as to what should be done. He felt that it would be a waste of the consultant time if the Board could not give them a specific direction.

Supervisors Dybas and DiMezza stated that a Needs Assessment Study had already been performed and did want to go in that direction again.

Supervisor Greco stated that the proposal has some good ideas but felt that the whole project should be started from scratch relative to the "Needs Assessment".

Supervisor Strevy stated that there should be some type of Consensus Building Group to look at the project.

Supervisor DiMezza stated that everything in the proposal was redundant and could not justify spending \$40,000.00 for information that has already been obtained.

Supervisor DiMezza stated that there is a great need for a new facility because there is no room left in the County buildings. He pointed out that BBL has already put a proposal together at no cost.

Extended Striping: Commissioner Clayburn explained that the Seneca Pavement Company is willing to extend its current contract with the County for pavement striping for another year at the same price as 2008.

Supervisors Dybas and Strevy made a motion and seconded, respectively, to sponsor a Resolution to extend the contract with Seneca Pavement for one additional year. It was moved to the Full Board with a positive recommendation. There were no objections.

Pursuant to Section 105 (f) of NYS Open Meeting Law, the motion was made and seconded by Supervisor Barone and DiMezza, respectively, to enter into Executive Session to discuss personnel matters.

Executive Session commenced at 7:24 PM.

Motion to adjourn the Executive Session at 7:34 PM was made and seconded by Supervisors Thomas and DiMezza, respectively.

Executive Session was adjourned at 7:34 PM.

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

Chairman Walters stated that he and other representatives on the MOSA Board should meet with the new Solid Waste Coordinator to review the Service Agreement between MOSA and the three Counties.

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

Chairman Walters adjourned the General Services Committee meeting at 7:36 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE
7:05 PM, February 17, 2009

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the Finance Committee meeting commencing at 7:36 PM.

Roll call indicated Committee members present were Supervisors Barone, DiMezza, Dybas, Greco and Jonker. Absent was Supervisor Johnson.

Additional Supervisors present were Walters, Thayer and Quackenbush. Absent were Supervisors McMahon, Paton, Baia and Stagliano.

Chairman Strevy has called a meeting of the Finance Committee for 7:36 p.m. on Tuesday, February 17, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION ACCEPTING NYS DOT RTAP GRANT FUNDING AND AMENDING 2009 OPERATING BUDGET - MOBILITY COORDINATION
2. RESOLUTION AMENDING THE STANDING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS
3. RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY EMS ADVISORY BOARD
4. RESOLUTION AMENDING 2009 OPERATING BUDGET - NYS OFFICE OF HOMELAND SECURITY(SHSP)
5. RESOLUTION AMENDING 2009 OPERATING BUDGET - NYS OFFICE OF HOMELAND SECURITY(SHSP)
6. RESOLUTION AMENDING 2009 OPERATING BUDGET - NYS HOUSING TRUST FUND CORPORATION (HTFC) GRANT- GREATER CATSKILL FLOOD REMEDIATION PROGRAM
7. RESOLUTION AMENDING THE COUNTY DRESS CODE POLICY TO INCLUDE: CONTEMPORARY BUSINESS CASUAL FRIDAYS
8. RESOLUTION REVISING VARIOUS NON-BARGAINING EMPLOYEES BASE SALARIES FOR FISCAL YEAR 2009
9. RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS TO APPROVE THE NO SMOKING POLICY FOR MONTGOMERY COUNTY OWNED AND LEASED FACILITIES
10. RESOLUTION AMENDING 2009 PROCUREMENT POLICY
11. RESOLUTION AMENDING BID NO. 07-08 DIGITAL RECORDING CAMERA SYSTEM - MONTGOMERY COUNTY PUBLIC SAFETY FACILITY
12. RESOLUTION AUTHORIZING RATE INCREASES - PART TIME DEPUTY SHERIFFS AND CORRECTIONS OFFICERS
13. RESOLUTION AMENDING 2009 OPERATING BUDGET - HEAP
14. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - COMMUNITY SOLUTIONS FOR TRANSPORTATION PROGRAM - MENTAL HEALTH ASSOCIATION OF FULTON AND MONTGOMERY COUNTIES
15. RESOLUTION APPROPRIATING RESERVE FUNDS - STOP DWI
16. DISCUSSION - HORACE J INMAN SENIOR CENTER INC.
17. OTHER

Item #1 (RESOLUTION ACCEPTING NYS DOT RTAP GRANT FUNDING AND AMENDING 2009 OPERATING BUDGET - MOBILITY COORDINATION - BOARD OF SUPERVISORS). Supervisors Walters and Barone made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #2 (RESOLUTION AMENDING THE STANDING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS). Supervisors Barone and Dybas made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #3 (RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY EMS ADVISORY BOARD - EMERGENCY MANAGEMENT). Supervisors Thayer and Barone made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #4 (RESOLUTION AMENDING 2009 OPERATING BUDGET - NYS OFFICE OF HOMELAND SECURITY (SHSP) - EMERGENCY MANAGEMENT). Supervisors Greco and Dybas made a motion and seconded, respectively, to sponsor the Resolution. The amount appropriated would be \$17,277.29. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #5 (RESOLUTION AMENDING 2009 OPERATING BUDGET - NYS OFFICE OF HOMELAND SECURITY (SHSP) - EMERGENCY MANAGEMENT). Supervisors Thayer and Thomas made a motion and seconded, respectively, to sponsor the Resolution. The amount appropriated would be \$53,743.60. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #6 (RESOLUTION AMENDING 2009 OPERATING BUDGET - NYS HOUSING TRUST FUND CORPORATION (HTFC) GRANT- GREATER CATSILL FLOOD REMEDIATION PROGRAM - EMERGENCY MANAGEMENT). Supervisors Dybas and Greco made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor DiMezza asked the status of the situation. Supervisor Greco responded that all the appraisals were completed and a list of all the homes to be demolished was prepared. Mr. Nestle has to complete the final step.

Chairman Strevy asked that Mr. Nestle, Emergency Management Director, be present at the Board meeting to update the Supervisors on the project. Chairman Thomas indicated that he would have the office contact Mr. Nestle to attend the meeting.

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

Item #7 (RESOLUTION AMENDING THE COUNTY DRESS CODE POLICY TO INCLUDE: CONTEMPORARY BUSINESS CASUAL FRIDAYS - PERSONNEL). Supervisors Barone and Thomas made a motion and seconded, respectively, to sponsor the Resolution.

Commissioner Cranker, of Social Services, took the floor and stated that he did not have a problem with the Casual Fridays. He spoke to his staff relative to the matter and made it plain that if they had to appear in court or meet with State representatives they would dress appropriately.

Commissioner Cranker stated that his staff mentioned collecting \$1 per person on Casual Fridays to be donated to a non-profit organization. The Supervisors felt this would not be appropriate.

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

Item #8 (RESOLUTION REVISING VARIOUS NON-BARGAINING EMPLOYEES BASE SALARIES FOR FISCAL YEAR 2009 - PERSONNEL). Supervisors DiMezza and Johnson made a motion and seconded, respectively, to sponsor the Resolution.

County Attorney Doug Landon stated that the Resolution should be split because there are two people on the list who have fixed terms and therefore requires a local law be adopted before they could get an increase in salary.

Supervisor DiMezza reported that the proposed increases for the positions of Director of Weights and Measures, Purchasing Agent and County Attorney was to bring these positions more in line with the surrounding Counties. The increase for the Clerk of the Board would reflect the 3% increase effective January 1, 2009.

The original Resolution as presented was amended to delete the Purchasing Agent and the County Attorney. The Director of Weights and Measures and the Clerk of the Board would remain as is. The Resolution was moved to the Full Board with a positive recommendation. There were no objections.

Supervisors Thomas and Barone made a motion and seconded, respectively, to sponsor a Resolution to authorize a public hearing for a local law to deal with the Purchasing Agent and the County Attorney. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #9 (RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS TO APPROVE THE NO SMOKING POLICY FOR MONTGOMERY COUNTY OWNED AND LEASED FACILITIES - PUBLIC HEALTH). Supervisors Jonker and Thomas made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation.

Supervisor Dybas inquired about the enforcement of the policy. Supervisor DiMezza stated that it would be up to security personnel to enforce the policy.

Item #10 (RESOLUTION AMENDING 2009 PROCUREMENT POLICY - PURCHASING). Supervisors Dybas and Greco made a motion and seconded, respectively, to sponsor the Resolution.

The Purchasing Agent was asked to provide more detailed documentation about the changes to the Procurement Policy for the Board meeting.

It was moved to the Full Board with a positive recommendation. There were no objections.

Item #11 (RESOLUTION AMENDING BID NO. 07-08 DIGITAL RECORDING CAMERA SYSTEM - MONTGOMERY COUNTY PUBLIC SAFETY FACILITY - SHERIFF). Supervisors Greco and Dybas made a motion and seconded, respectively, to sponsor the Resolution.

Under sheriff Smith explained that the two lowest bidders did not meet the bid specifications and the Purchasing Agent verified the same.

The name of Electric Eye Systems, the lowest conforming bidder, was entered into the Resolution for amount of \$20,829.79. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #12 (RESOLUTION AUTHORIZING RATE INCREASES - PART TIME DEPUTY SHERIFFS AND CORRECTIONS OFFICERS - SHERIFF). Supervisors Thayer and Greco made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #13 (RESOLUTION AMENDING 2009 OPERATING BUDGET - HEAP - SOCIAL SERVICES). Supervisors Dybas and Barone made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #14 (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - COMMUNITY SOLUTIONS FOR TRANSPORTATION PROGRAM - MENTAL HEALTH ASSOCIATION OF FULTON AND MONTGOMERY COUNTIES - SOCIAL SERVICES). Supervisors Barone and Jonker made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Dybas asked what type of vehicles were used for the transportation services. Commissioner Cranker responded that a couple of vans are used to pickup people at the three Stewart Shops in Amsterdam. They also provide gas tickets and insurance for people who work and cannot make insurance payments along with repairs to their vehicles. This program serves about 150 people.

Commissioner Cranker pointed out that when the funding first started in 2000 the County was getting over \$100,000 per year, which has dwindled down to about \$40,000. There has been some discussion to do something similar with the MAX. Commissioner Cranker indicated that he was not adverse to the concept but he is not sure what will happen with the 2009 - 2010 Budget. He suggested that the concept be discussed with the Mobility Coordinator.

Supervisor Greco suggested that the money be given to the MAX to transport working residents to jobs, etc. and utilize the MAX and the Vans that the County currently owns. Commissioner Cranker responded that the Vans are used for Medicaid. Supervisor Greco asked if Taxi Cabs were being utilized. Commissioner Cranker responded no but they do use the Amsterdam buses sometimes.

Chairman Strevy asked Jacki Meola, Mobility Coordinator, if the MAX could be utilized for this purpose in the future. Ms. Meola responded that it depended on whether people need to be picked up at the curb or if Amsterdam Transit cannot meet the needs, then the MAX could supplement the need. Ms. Meola pointed out that use of the MAX would be a benefit to the County by saving taxpayer monies.

Commissioner Cranker stated that if the Department gets the funding the MAX could be utilized up county more.

Supervisor Walters stated that the funding is from January to June, which gives the Board four months to redirect the money and the riders to where they belong. He pointed out that was one of the reasons for appointing a Mobility Coordinator.

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

Item #15 (RESOLUTION APPROPRIATING RESERVE FUNDS - STOP DWI). Supervisors Thayer and Thomas made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #16 (DISCUSSION)

Snowmobiles for Sheriff's Department:

Undersheriff Smith took the floor and explained the need for the machines and the differences in the Ski-Doo versus the Artic Cat. The bid for the Artic Cat was lower than the Ski-Doo. Under Sheriff Smith recommended the Ski-Doo because they have more storage compartments and are fan cooled rather than liquid cooled. He stated that the order would have to be placed by March 1, 2009 to have the sleds by the next winter season. He stated that he contacted snowmobile dealers throughout the state for quotes but only received responses from two dealers, which was Alpin Haus, Herba Motor Co.

Supervisor Dybas asked the County Attorney how the County could get around the lowest bid. It was pointed out that what the Sheriff's Office obtained was quotes and not bids. The County Attorney felt it should go out to bid. Supervisor DiMezza responded that it is a time sensitive issue. The order needs to be placed by March 1st in order to receive the machines in time for the next winter season. That leaves no time to go out with a bid. Because of the amount of request for quotes sent out he felt that the County should be covered under the Procurement Policy rather than going out to bid.

Supervisor Dybas stated that as long as the County Attorney states that the County is not violating any policy or the General Municipal Law he would be in favor of it. County Attorney Landon stated that there was a complete bidding issue involved. He stated that he understands the time issue and it makes practical sense but felt it would be hard to justify as an emergency when spring is coming.

Supervisor Greco advised all Department Heads that when dealing with this kind of issue in the future all they need to do is go out with a RFP (Request for Proposals). He stated that you can do anything with a proposal but not with a quote. When going out with a RFP it can be left up to the Department Head or user to reject any proposal. The lowest bid cannot be rejected when going out for a bid or a quote.

Supervisor Greco suggested buying each sled under a separate Purchase Order and take the clothing off, which would make it under \$10,000 on each Purchase Order and makes it allowable under the Procurement Policy.

Chairman Strevy asked that when the Resolution is prepared for the purchase of the machines that an explanation of the purpose of the machines be included along with the account line numbers that the funds would be transferred from and the accounts they would be transferred to.

Supervisor Dybas stated that until he hears it is legal from the County Attorney he will not support it. Supervisor Jonker agreed.

On roll call Supervisors Barone, DiMezza, Greco and Strevy voted in favor and Supervisors Dybas and Jonker objected.

The Resolution was moved to the Full Board with no recommendation.

Horace J. Inman Senior Center Inc.:

Chairman Thomas stated that the letter received from the Horace J. Inman Senior Center was sent to Supervisor Dybas so he referred it to Supervisor Dybas to address the Board regarding the matter.

Supervisor Dybas stated that he had no idea why the letter was addressed to him but the letter was self explanatory. The Center is asking for financial assistance for major building repair work in the amount of \$25,000.

Supervisor Barone stated that the Board has turned down other groups for the same type of requests. Chairman Thomas suggested that correspondence be sent to the Horace J. Inman Senior Center that the Board could not entertain their request at this time. The Center should resubmit their request for the 2010 Budget process and the Board will consider it at that time. The Board of Supervisor Office will respond to the letter letting them know of the Finance Committee's decision.

ITEM #17 (Other): No other business was discussed.

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

Chairman Strevy adjourned the Finance Committee meeting at 8:46 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS CHAMBERS, 64 BROADWAY, FONDA, NY
PUBLIC HEARING
6:55 PM, February 24, 2009

PUBLIC HEARING -REVIEW OF AGRICULTURAL DISTRICT NO. 2

PUBLIC HEARING DISCUSSION

"REVIEW OF AGRICULTURAL DISTRICT NO. 2"

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

The following notice was read:

REVIEW OF AGRICULTURAL DISTRICT NO. 2

NOTICE IS HEREBY GIVEN, that the Board of Supervisors of the County of Montgomery will meet in the Chambers of the Board of Supervisors, County Office Building, Broadway (Route 30A), Fonda, New York at 6:55 p.m. on Tuesday, February 24, 2009 for the purpose of holding a public hearing on Review of Agricultural District No. 2.

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

By order of the Board of Supervisors of Montgomery County.

Robin Loske, Clerk of the Board

Chairman Thomas asked whether anyone from the public wished to speak. No one came forth.

Chairman Thomas adjourned the public hearing at 6:55 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA
REGULAR MEETING
7:00 PM, February 24, 2009

CALL TO ORDER

Chairman Thomas called the Regular Meeting of the Montgomery County Board of Supervisors for February 24, 2009 to order at 7:00 PM.

SALUTE TO THE FLAG

Supervisor Dybas led the Salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors Quackenbush, McMahon, Strevy, Dybas, Thayer, Barone, Thomas, Johnson, Greco, Bai a, Walters, and DiMezza were present. Supervisors Paton, Jonker, Stagliano were absent.

PRIVILEGE OF THE FLOOR

A. Public Comment

Lauren Bibby, of the United Way, took the floor and spoke about the MOSA GAT Shortfall.

B. Presentation

Patrick Clear, Chairman of the Montgomery County Water Quality Commission, took the floor and presented the Annual Report for the Commission.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (January 27, 2009-February 17, 2009), by Supervisor Quackenbush, seconded by Supervisor Barone., passed with Aye(1510). Supervisors Paton, Jonker, Stagliano was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Dybas, seconded by Supervisor Strevy, passed with Aye(1510). Supervisors Paton, Jonker, Stagliano was absent.

UNFINISHED BUSINESS

There were no tabled resolutions from the previous meeting.

NEW BUSINESS

A. Resolutions

B. Other

RESOLUTION NO. 43 of 2009

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

DATED: February 24, 2009

RESOLUTION MODIFYING MONTGOMERY COUNTY AGRICULTURAL DISTRICT NO. 2 (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Johnson

WHEREAS, the Montgomery County Agricultural and Farmland Protection Board has submitted recommendations concerning the review of Agricultural District No. 2, and

WHEREAS, a public hearing concerning the proposed modifications was conducted on Tuesday, February 24, 2009,

RESOLVED, that the proposed action will not have a significant adverse environmental impact, and therefore an environmental impact statement will not be required, and

FURTHER RESOLVED, that the Board of Supervisors hereby determines that Agricultural District No. 2 be modified, as presented, and that it include only those parcels identified on the attached listing and made part of this resolution, and

FURTHER RESOLVED, that the Director of Economic Development hereby is authorized and directed to submit said plan, and related documentation, to the Commissioner of the Department of Agriculture and Markets for certification, and to file a description of said district with the County Clerk and the Commissioner of Agriculture and Markets.

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 44 of 2009

DATED: February 24, 2009

RESOLUTION AUTHORIZING THE ADOPTION OF THE MONTGOMERY COUNTY MULTI-JURISDICTIONAL ALL HAZARD MITIGATION PLAN (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Johnson

Seconded by Supervisor: Thomas

WHEREAS, all of Montgomery County has exposure to natural hazards that increase the risk to life, property, environment and the County's economy, and

WHEREAS, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property, and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre and post disaster hazard mitigation programs, and

WHEREAS, a coalition of Montgomery County jurisdictions with like planning objectives has been formed to pool resources and create consistent mitigation strategies to be implemented within each partners identified capabilities, within Montgomery County, and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating and revising this strategy,

RESOLVED, that Montgomery County:

- 1.) Adopts the Montgomery County Multi-Jurisdictional All Hazard Mitigation Plan for the County of Montgomery (the "Plan") as this jurisdiction's Natural Hazards Mitigation Plan, and resolves to execute the actions identified in the Plan that pertain to this jurisdiction;
- 2.) Will use the adopted and approved portions of the Plan to guide pre-and post-disaster mitigation of the hazards identified;
- 3.) Will coordinate the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority;
- 4.) Will continue its support of the Mitigation Planning Committee as described within the Plan;
- 5.) Will help to promote and support the mitigation successes of all participants in this Plan;
- 6.) Will incorporate mitigation planning as an integral component of government and partner operations.

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 45 of 2009****See Appendix for Resolution Attachment******DATED:** February 24, 2009**RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN DOCUMENTS-TRANSFER OF PROPERTY-FLORIDA WATER TANK PARCEL (ECONOMIC DEVELOPMENT AND PLANNING)**

Resolution by Supervisor: Strevy

Seconded by Supervisor: Paton

WHEREAS, Montgomery County owns a parcel of land in the Florida Business Park identified as 54.-1-34.2, and

WHEREAS, in order to facilitate the development of the truck access road to the Hero Group, Inc. project in the business park, it is necessary to re-locate existing truck access road, and

WHEREAS, the re-locating of the existing access road will require allocating approximately 1.27 acres of this parcel to Hero Group, Inc. for the development of a truck access to their facility,

RESOLVED, that Parcel 54.-1-34.2 is hereby re-delineated in accordance with the attached subdivision map, and

FURTHER RESOLVED, that following review and approval by the County Attorney, that the Chairman of the Board of Supervisors is hereby authorized to sign any and all documents associated with the property transfer to Hero Group, Inc.

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Resolution Number 46 - Discussion:

Supervisors Quackenbush, McMahon and DiMezza felt that the law would be difficult to enforce.

Supervisor Barone indicated that it would be good to at least have a public hearing regarding the proposed law.

Supervisor DiMezza motioned to amend, seconded by Supervisor McMahon, to direct the Clerk of the Board to forward the proposed legislation to appropriate State Legislators for their consideration. On roll call The motion was defeated.

Supervisor Baia stated that five teenagers had recently been killed in a crash because they were text messaging each other. He felt that a local law prohibiting text messaging could serve as a deterrent.

Other members felt there were many other distractions while driving.

RESOLUTION NO. 46 of 2009**DATED:** February 24, 2009**RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. A OF 2009 - A LOCAL LAW PROHIBITING TEXT MESSAGING WHILE DRIVING**

Resolution by Supervisor: Baia

Seconded by Supervisor: Thomas

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. A of 2009, "A Local Law Prohibiting Text Messaging While Driving",

RESOLVED, that Introductory Local Law No. A of 2009 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing as follows:

A LOCAL LAW PROHIBITING TEXT MESSAGING WHILE DRIVING

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

Section 1. Legislative Intent.

1. This Governing Body finds that distracted drivers are the cause of a significant percentage of motor vehicle accidents.
2. This Governing Body finds that a motor vehicle driver who composes, sends, or reads text messages while driving is adversely affecting his or her

driver reaction time and attention, which inevitably decreases public safety.

3. This Governing Body finds that there is an increased number of distracted drivers who are composing, sending or reading text messages while driving, and that these actions currently are not prohibited by any federal, state or local law.
4. This Governing Body finds that it is in the best interest and safety of the driving public to prohibit drivers from composing, reading or sending text message while driving.

Section II. Definitions.

1. "Text message", also referred to as "short messaging service" (SMS), shall mean the process by which users send, read or receive messages on a wireless handset, including but not limited to, text messages, instant messages, electronic messages or e-mails, in order to communicate with any person or device.
2. "Hands-free" shall mean the manner in which a wireless handset is operated for the purpose of composing, reading or sending text messages, by using an internal feature or function, or through an attachment or addition, including but not limited to an ear piece, head set, remote microphone or short-range wireless connection, thereby allowing the user to operate said device without the use of hands.
3. "Inoperability" shall mean a motor vehicle that is incapable of being operated or being operated in a safe and prudent manner due to mechanical failure, including but not limited to engine overheating or tire failure.
4. "Motor vehicle" shall mean any vehicle that is self-propelled by a motor, including but not limited to automobiles, trucks, vans, construction vehicles, etc.
5. "Person" shall mean any natural person, corporation, unincorporated association, firm, partnership, joint venture, joint stock association, or other entity or business organization of any kind.
6. "Use" shall mean to hold a wireless handset in one's hand, or to activate, deactivate or initiate functions or keys on a wireless handset.
7. "Wireless handset" shall mean a portable electronic or computing device, including cellular telephones and personal digital assistants (PDAs), capable of transmitting data in the form of a text message.

Section III. Prohibitions.

1. No person shall use a wireless handset to compose, read or send text messages while operating a motor vehicle on any public highway within the County of Montgomery.
2. Subdivision one of this section shall not be construed to prohibit the use of any wireless handset by:
 - a. Any law enforcement, public safety or police officers, emergency services officials, and fire safety officials in the performance of duties arising out of and in the course of their employment;
 - b. A person using a wireless handset to contact any law enforcement, public safety, fire safety, or emergency services officials.
 - c. A person using a wireless handset while the motor vehicle is parked, standing or stopped, or while such motor vehicle is stopped due to the inoperability of the motor vehicle.
3. Subdivision one of this section shall not be construed to prohibit a person from operating a motor vehicle while using a "hands free" wireless handset.

Section IV. Penalties.

1. A violation of this law shall constitute an offense, and shall be punishable by a fine not exceeding \$150.00 for each violation. Each such violation shall constitute a separate and distinct offense.
2. This law shall be enforced by any law enforcement agency having jurisdiction.

Section V. Applicability.

1. This law shall apply to all actions occurring on or after the effective date of this law.

Section VI. Reverse Preemption.

This law shall be null and void on the day that statewide legislation goes into effect, incorporating either the same or substantially similar provisions as are contained in this law, or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Montgomery. The County Board of Supervisors may determine by resolution whether or not identical or substantially similar statewide legislation or pertinent preempting state or federal regulations have been enacted for the purposes of triggering the provisions of this section.

Section VII. Severability.

If any clause, sentence, paragraph, subdivision, section or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section VIII. Effective date.

This law shall take effect on _____, 2009, and

FURTHER RESOLVED, that said public hearing shall be held March 24, 2009 at 6:50 PM, in the Chamber of the Board of Supervisors, County Office Building, 64 Broadway, Fonda, NY, and

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

MOTION TO AMEND by Supervisor Di Mezza, seconded by Supervisor McMahon, to direct the Clerk of the Board to forward the proposed legislation to appropriate State Legislators was defeated with Aye(803). Supervisors Greco, Di Mezza, McMahon, Walters, Strevy, Thomas and Thayer voted Aye. Supervisor Dybas abstained. Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

RESOLUTION DEFEATED with Aye(463). Supervisors Barone, Sr., Baia, Strevy and Thomas voted Aye. Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 47 of 2009

DATED: February 24, 2009

RESOLUTION AMENDING THE 2009 OPERATING BUDGET- PROFESSIONAL SERVICES - MULTI - JURISDICTIONAL ALL-HAZARD MITIGATION PLAN (ECONOMIC DEVELOPMENT)

Resolution by Supervisor: Paton

Seconded by Supervisor: Johnson

WHEREAS, by Resolution 173 of 2007 accepted a FEMA grant consisting of \$75,000 and Montgomery County funding of \$25,000 for the purpose of professional services to prepare an Multi-Jurisdictional All-Hazard Mitigation Plan, and

WHEREAS, \$100,000 was appropriated to prepare the plan, of which, all of the appropriated funds have been used except \$1,500.00, and

WHEREAS, said remaining funds will be used to print copies of the multi-jurisdictional All-Hazard Mitigation Plan for the twenty-one (21) participating municipalities and appropriate County Agencies,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget by \$1,500.00 to provide copies of the All-Hazard Mitigation Plan Grant to all twenty-one (21) municipalities and appropriate County agencies as follows:

INCREASE REVENUES:

A-24-3-3789

Economic Assistance and Opport

\$1,500.00

INCREASE APPROPRIATIONS:

A-24-4-6430-4431	Professional Services	\$1,500.00
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RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent.
(2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 49 of 2009

DATED: February 24, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SPARE BUS PROGRAM - CITY OF GLOVERSVILLE/GLOVERSVILLE TRANSIT (BOARD OF SUPERVISORS)

Resolution by Supervisor: Thayer

Seconded by Supervisor: Dybas

WHEREAS, the City of Gloversville, under its transportation department – Gloversville Transit – has taken ownership of spare buses purchased by NYS DOT through the State Dedicated Fund to be utilized by neighboring transportation systems throughout NYS for the delivery of public transportation services in accordance with an approved Section 5311 Project Application and Agreement, and

WHEREAS, upon recommendation by the NYS DOT, Montgomery County wishes to enter into a contractual arrangement with the City of Gloversville to participate in the spare bus program which would require the County's vendor to utilize said vehicle before utilizing its own vehicles, which would be more cost effective in the delivery of services,

RESOLVED, that the Chairman of the Board, upon review and approval of the County Attorney, is hereby authorized to sign a lease agreement with the City of Gloversville/Gloversville Transit for the provision of a spare bus to be utilized by the County's vendor in the delivery of its public transportation services when necessary.

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent.
(2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 50 of 2009

DATED: February 24, 2009

RESOLUTION APPROVING 2009 CAPITAL PROJECTS - PUBLIC SAFETY FACILITY, B-POD, CELL DOOR LOCKS, SWITCHES (PUBLIC WORKS)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Jonker

WHEREAS, the Commissioner of Public Works has recommended upgrading B-Pod's cell door locks, switches and guides,

RESOLVED, that the Board of Supervisors hereby approves upgrading B-Pods cell door locks, switches and guides as a 2009 Capital Project, at a cost not to exceed \$28,000.00, and

FURTHER RESOLVED, that the Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE:

A-599	Appropriated Fund Balance	\$28,000
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INCREASE APPROPRIATIONS:

A-06-4-9900-00-9950	Transfer to Cap. Proj.	\$28,000
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RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent.
(2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Resolution Number 51 - Discussion:

Supervisor Dybas asked that a list of the Roads to be resurfaced be attached to the Resolution.

Commissioner Clayburn responded that he had attached a list of the roads to the draft Resolution that was presented to the General Services Committee but would furnish another list to be attached to the Resolution.

Supervisor Greco asked if the project would qualify for the new stimulus program. Commissioner Clayburn stated that some may qualify. He stated that he has submitted a request for funds. He believes that two bridge projects for the County will be funded through the stimulus program. Commissioner Clayburn pointed out that the problem is that there are more projects than there is money.

Chairman Thomas stated that he and Ken Rose recently attended a meeting in Albany regarding the stimulus program and it is exactly as Commissioner Clayburn stated. There is more projects than money. A means of distributing the money has not been figured out as of yet. Chairman Thomas indicated that if the County can get some of the stimulus money it could change the County's bonding request.

Supervisor Dybas stated that if the County is fortunate enough to get some of the money the bonding request could be revised to reflect the amount received in stimulus funds.

Supervisor Barone suggested that a letter be written to Senators Schumer and Gillibrand because some of the Governors are not accepting the monies being offered, which New York State could use. Commissioner Clayburn stated that he understands through conversations with state representatives that a list has been prepared that is three times bigger than the money they are going to get. If a certain state is not going to utilize the money, New York State certainly has a need for it.

RESOLUTION NO. 51 of 2009

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

DATED: February 24, 2009

RESOLUTION APPROVING 2009 CAPITAL PROJECTS - ROAD RESURFACING (PUBLIC WORKS)

Resolution by Supervisor: Thayer

Seconded by Supervisor: Quackenbush

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 2009 Capital Projects, at a cost not to exceed \$1,757,150.00, 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.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Barone, Sr., to add a "Further Resolved" clause to read as follows: "Further Resolved that a list of the roads to be resurfaced is attached hereto and made a part of this Resolution", passed with Aye(1367). Supervisor McMahon voted Nay. Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 52 of 2009

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

DATED: February 24, 2009

RESOLUTION APPROVING 2009 CAPITAL PROJECTS - EQUIPMENT REPLACEMENT (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thayer

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 2009 Capital Project, at a cost not to exceed \$1,006,000.00, and

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

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Barone, Sr. to add a "Further Resolved" clause to read as follows: "Further Resolved that a list of the equipment to be

replaced is attached hereto and made a part of this Resolution", passed with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 53 of 2009

DATED: February 24, 2009

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW F OF 2008 - A LOCAL LAW WHICH AUTHORIZES THE CONTRIBUTION OF FUNDS TO THE DEMOLITION OF PIONEER STREET MILL IN THE TOWN OF AMSTERDAM

Resolution by Supervisor: Johnson

Seconded by Supervisor: Barone, Sr.

WHEREAS, on January 27, 2009 a proposed Local Law for the County of Montgomery County entitled "A Local Law which Authorizes the Contribution of Funds to the Demolition of Pioneer Street Mill in the Town of Amsterdam", was presented to the Board of Supervisors for consideration, and

WHEREAS, on December 16, 2008, Resolution 429 of 2008 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 27th day of January, 2009 at the time and place appointed, and

WHEREAS, said public hearing has been held,

RESOLVED, that Introductory Local Law F of 2008 entitled hereby is adopted and is incorporated as follows: "A Local Law which Authorizes the Contribution of Funds to the Demolition of Pioneer Street Mill in the Town of Amsterdam", hereby is adopted and is incorporated as follows:

"A LOCAL LAW WHICH AUTHORIZES THE CONTRIBUTION OF FUNDS TO THE DEMOLITION OF PIONEER STREET MILL IN THE TOWN OF AMSTERDAM"

Be it enacted by the Board of Supervisors of the County of Montgomery as follows:

WHEREAS, in 2007 the Town acquired the Pioneer Street Mill from an absentee (tax delinquent) owner with the intent of demolishing the mill and ending a decade long threat to public welfare and the environment. The Town was successful in securing \$211,000 from the Clean Water/Clean Air Bond Act approved by the NYS voters in 1996, and

WHEREAS, the contract with NYSDEC requires the Town to conduct a Remedial Investigation and prepare an Alternatives Analysis (RI/AA) to address any contamination found at the site. As part of the RI/AA process the Town has identified the several Interim Remedial Measures (IRMs), which address sources of contamination that can be effectively addressed before completion of the RI/AA, and

WHEREAS, the total estimated cost to complete the IRMs and the RI/AA has escalated to \$740,000 and this cost does not include clean-up of any subsurface contamination discovered during the remedial investigation nor the cost associated with preparing the site for any future use, and

WHEREAS, the Town does not have the financial resources to complete this project without assistance from other sources, and

WHEREAS, the Montgomery County Board of Supervisors recognizes that public welfare and the environment are important issues and desires to assist local municipalities which have taken the initiative to address such issues, and

WHEREAS, the Montgomery County Board of Supervisors recognizes the benefit to county residents derived from the removal of an unsightly structure which poses potential safety and health risks to county residents as well as the utility of the site as a park open to county residents once the demolition and remediation are concluded,

RESOLVED, that Montgomery County hereby allocates up to \$100,000 to the Town of Amsterdam to assist the town with the cost of the Pioneer Street Mill demolition and remediation project, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval from the county attorney, is authorized and directed to execute necessary documentation in furtherance of said contribution, 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(1510). Supervisors Paton, Jonker and Stagliano were absent.
(2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Resolution Number 54 - Discussion:

Supervisor Dybas asked how the last "Further Resolved" clause would be enforced which reads "FURTHER RESOLVED, municipalities within Montgomery County that deliver or authorize the delivery of waste to any other entity other than MOSA are hereby excluded from the subsidy." Supervisor Thayer responded that the County's Solid Waste Coordinator, Dennis Heaton, can keep track and chase it down.

Supervisor DiMezza agreed with Supervisor Thayer and added that the County and Mr. Heaton are familiar with the waste flow to MOSA. He stated that are only a few haulers who do not bring waste to MOSA and Mr. Heaton knows who they are and will be addressing that issue.

RESOLUTION NO. 54 of 2009

DATED: February 24, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - DEMOLITION TIP FEE EXPENSES (BOARD OF SUPERVISORS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Barone, Sr.

WHEREAS, Pursuant to Resolution No. 253 of 2008 the Board of Supervisors allocated \$500,000 to pay for MOSA tipping fees for debris from demolition projects, and

WHEREAS, the majority of that allocation remained unexpended at year end 2008, and

WHEREAS, Montgomery County continues to experience a shortfall in Guaranteed Annual Tonnage (GAT) with the Montgomery-Otsego-Schoharie Solid Waste Authority (MOSA),

RESOLVED, that the Board of Supervisors hereby allocates the balance remaining in the appropriations account at year end 2008 in the amount of \$458,000 to pay for MOSA tipping fees for debris from demolition projects completed by municipalities located within Montgomery County to help reduce the GAT shortfall, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE:

A-599	Appropriated Fund Balance	\$458,000
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INCREASE APPROPRIATIONS:

A-01-4-8160-00-4439	Other Support Services	\$458,000
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, and

FURTHER RESOLVED, that Montgomery County subsidize all but \$20.00 per ton of tipping fee for any demolition material coming from any municipality within Montgomery County, and

FURTHER RESOLVED, municipalities within Montgomery County that deliver or authorize the delivery of waste to any other entity other than MOSA are hereby excluded from the subsidy.

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent.
(2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 55 of 2009

DATED: February 24, 2009

RESOLUTION AUTHORIZING MONTGOMERY COUNTY SANITARY DISTRICT TO ENTER INTO AGREEMENT - LITIGATION DEFENSE (SANITARY DISTRICT)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Quackenbush

WHEREAS, the Montgomery County Sanitary District and Montgomery County have received a Notice of Claim regarding property located at 20 River Street in the Village of Nelliston, SBL# 46.10-3.12, and

WHEREAS, Resolution # 279 of 2008 authorizes the hiring of an attorney to represent the County and the Sanitary District for pending litigation, and
Whereas, Montgomery County wishes to continue such contract and utilize said contractor in the County's defense as well,

RESOLVED, the Montgomery County Board of Supervisors hereby approves the Chairman of the Board of Directors of Montgomery County Sanitary District #1 and the Chairman of the Board of Supervisors to continue said agreement with Attorney to represent the County and Districts' interest in said property, and

FURTHER RESOLVED, that said agreement shall not exceed a cost of \$20,000.00 through an answer for pending litigation, to be paid equally out of the Sanitary District's 2009 Operating Budget, and the County's contingency account of the general fund.

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent.
(2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 56 of 2009

DATED: February 24, 2009

RESOLUTION ACCEPTING NYS DOT RTAP GRANT FUNDING AND AMENDING 2009 OPERATING BUDGET - MOBILITY COORDINATION (BOARD OF SUPERVISORS)

Resolution by Supervisor: Walters

Seconded by Supervisor: Barone, Sr.

WHEREAS, NYS DOT has approved 100% reimbursement for computer equipment for the Mobility Coordinator, and

WHEREAS, the 2009 Operating Budget will need to be amended to provide for said funds,

RESOLVED, the Board of Supervisors hereby accepts said grant funding and the Chairman of the Board, upon review and approval of the County Attorney, is hereby authorized to sign any documents necessary for reimbursement of said equipment, and

FURTHER RESOLVED, the County Treasurer is hereby authorized to amend the 2009 Operating Budget as follows:

INCREASE REVENUES:

A-01-3-17-3594 Mass Transportation \$1,028.00

INCREASE APPROPRIATIONS:

A-01-4-5630-00-2259 Computer Equipment \$1,028.00

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent.
(2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 57 of 2009

DATED: February 24, 2009

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

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

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Dybas

WHEREAS, the Montgomery County Board of Supervisors adopted their Standing Rules of Procedure by Resolution 4 of 2009, and

WHEREAS, the Finance Committee has reviewed the Rules of Procedure and has made recommendations to change said Rules, and

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

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

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Resolution Number 58 - Discussion:

Gary Nestle took the floor and informed the Board that if the Sheriff's Department does not give a specific name to serve on the EMS Advisory Board that representative would not be able to vote on activities of the EMS Council.

The Resolution was tabled until a name can be obtained from the Sheriff's Office.

RESOLUTION NO. 58 of 2009

DATED: February 24, 2009

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

Resolution by Supervisor: Thayer

Seconded by Supervisor: Barone, Sr.

WHEREAS, Resolution No. 184 of 2007 established a seven-member Montgomery County EMS Advisory Board, and

WHEREAS, there are seven appointments to said Board which consists 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,
1 individual representing Public Health,
1 individual representing the fire services in the County,
1 individual representing the medvac air lift services,
1 individual representing the ambulance agencies in the County, and

WHEREAS, the current Board is as follows:

Appointee	Representing	Term Expires
Carrie Newkirk	EMS Coordinator	12/31/09
Twila Dopp	Sheriff's Department-E911 Coord.	12/31/09
Robert Qui st	St. Mary's Hospital	12/31/09
Jodi Abbott	Public Health Educator	12/31/08
Al Nadler	All Fire Departments	12/31/08
Shannon Martin	Life Net Air Services	12/31/10
Jarod Gilson	All Ambulance Services	12/31/10

, and

WHEREAS, it is necessary to appoint for those positions that have expired,

RESOLVED, that the following are hereby appointed to the Montgomery County EMS Advisory Board:

Appointee	Representing	Term Expires
Sheriff Representative	Sheriff's Office	12/31/09
Deb Voght	Public Health Educator	12/31/11
Mark DeLafayette	All Fire Departments	12/31/11

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Greco, passed with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 59 of 2009

DATED: February 24, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET NYS OFFICE OF HOMELAND SECURITY (SHSP) GRANT (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Greco

Seconded by Supervisor: Dybas

WHEREAS, the Board of Supervisors authorized acceptance of a legislative grant through the NYS Office of Homeland Security in 2006, and

WHEREAS, said funds were appropriated in the 2007 and 2008 Operating Budget and the unexpended balance should be carried forward in the 2009 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUE:

A-02-3-3960-00	State Aid - (Emerg Disaster Assistance)	\$17,277.29
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INCREASE APPROPRIATIONS:

A-02-4-3640-00.2250	Technical Equipment	\$10,000.00
A-02-4-3640-00.4455	Training	\$ 7,277.29

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 60 of 2009

DATED: February 24, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET NYS OFFICE OF HOMELAND SECURITY (SHSP) GRANT (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Thayer

Seconded by Supervisor: Thomas

WHEREAS, Resolution 136 of 2008 accepted a \$108,000 State Homeland Security Grant, and

WHEREAS, the 2009 Operating Budget needs to be amended to appropriate these unspent monies,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUE:

A-02-3-3960-00	State Aid - Emergency Disaster Assistance by	\$53,743.60
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INCREASE APPROPRIATIONS:

A-02-4-3640-00.2230	Motor Vehicles	\$ 6,000.00
.2250	Technical Equipment	\$20,000.00
.4449	Special Supplies	\$17,743.60
.4455	Training	\$10,000.00
		\$53,743.60

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Resolution Number 61 - Discussion:

Gary Nestle took the floor and presented appraisals for 25 properties that were affected by the flood and are scheduled for demolition. The amount of the project is estimated at \$343,000.

Supervisor Greco asked if any of the properties was vacant land. Mr. Nestle responded that there was no vacant land.

Supervisor Greco asked that a list be attached to the Resolution identifying the properties involved. The Resolution was amended to attach the list.

RESOLUTION NO. 61 of 2009

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

DATED: February 24, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - NYS HOUSING TRUST FUND CORPORATION (HTFC) GRANT - GREATER CATSKILL FLOOD REMEDIATION PROGRAM (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Greco

WHEREAS, Resolution No. 268 of 2008 authorized the Chairman to sign agreements with the New York State Housing Trust Corporation to purchase and demolish eligible homes that were damaged during flooding, and

WHEREAS, the 2009 Operating budget needs to be amended to move unspent money from the 2008 Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUE:

A-02-3-3989-02	State Aid -	
	Other Home & Community Services	\$747,250.00

INCREASE APPROPRIATIONS:

A-02-4-3640-02 .4438	Misc. Supporting Services	\$747,250.00
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MOTION TO AMEND by Supervisor Greco, seconded by Supervisor Barone, Sr., to add a "Further Resolved" clause to read as follows: "Further Resolved that a list of the involved properties is attached hereto and made a part of this Resolution", passed with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Resolution Number 62 - Discussion:

Supervisor Walters asked how such a dress code would affect DPW employees who are required to wear uniforms. Commissioner Clayburn stated that he would not allow employees to come to work in jeans or other casual dress.

Supervisor Barone thought that this matter had already been addressed in the past and felt that the current dress code reflected that.

Supervisor Strevy motioned to Table the Resolution until further information could be gathered. On roll call the motioned failed.

Supervisor DiMezza, seconded by Supervisor Barone, motioned to amend the proposed policy to state that it would be up to the Department Head's discretion whether to allow a Casual Dress Friday. The motion passed but Resolution as amended failed.

RESOLUTION NO. 62 of 2009

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

DATED: February 24, 2009

RESOLUTION ADMENDING THE COUNTY DRESS CODE POLICY TO INCLUDE: CONTEMPORARY BUSINESS CASUAL FRIDAYS (PERSONNEL DEPARTMENT)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Thomas

WHEREAS, the Montgomery County Personnel Officer recognizes that the establishment of a Contemporary Business Casual Friday Dress Code is an inexpensive way to improve the morale of county employees, and

WHEREAS, by amending the County Dress Code Policy to include a Contemporary Business Casual

Friday Dress Code, the County Board of Supervisors recognizes the positive effects of this shift to boost employee morale, improve quality, encourage more open communication and increased productivity, therefore, creating a more comfortable work environment, and

WHEREAS, the Contemporary Business Casual Friday Dress Code serves as a symbol of management's attitude toward meeting employee needs, and

WHEREAS, it is management's intent that work attire should complement an environment that reflects an efficient, orderly and professionally operated organization,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the Contemporary Business Casual Friday Dress Code as attached hereto, and

FURTHER RESOLVED, the Board of Supervisors reserves the right to continue, extend, revise or revoke this policy at its discretion.

MOTION TO TABLE by Supervisor Walters, seconded by Supervisor Greco, was defeated with Aye(308). Supervisors Greco, Strevy and Thayer voted Aye. Supervisor Dybas abstained. Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Barone, Sr., to add an Item #4 under "Enforcement", of the proposed Policy, to read: "It is up to the Department Head's discretion to allow or deny casual dress", passed with Aye(1271). Supervisors Dybas and Strevy abstained. Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

RESOLUTION DEFEATED with Aye(874). Supervisors Johnson, Barone, Sr., Baia, DiMezza, Thomas and Quackenbush voted Aye. Supervisors Dybas and McMahon abstained. Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 63 of 2009

DATED: February 24, 2009

RESOLUTION REVISING VARIOUS NON-BARGAINING EMPLOYEES BASE SALARIES FOR FISCAL YEAR 2009 (PERSONNEL)

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Johnson

WHEREAS, four Non-Bargaining employees base salaries need to be adjusted in the 2009 fiscal year budget, and

RESOLVED, the Director of Weights & Measures base salary is increased from \$38,347.00 to \$41,847.00, and

FURTHER RESOLVED, the Clerk of the Board base salary is increased from \$43,000.00 to \$44,290.00, and

FURTHER RESOLVED, that these increases shall be retroactive effective 1/1/09, and

FURTHER RESOLVED, that the County Treasurer transfer funds:

TRANSFER FROM:

A-01-4-1990-00-4400	Contingent Account	\$4,790.00
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TRANSFER TO:

A-20-4-6610-00-1110(81)	Director of Weights & Measures	\$ 3,500.00
A-01-4-1040-00-1110(116)	Clerk of the Board	\$ 1,290.00

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 64 of 2009

DATED: February 24, 2009

RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW B OF 2009 - A LOCAL LAW ESTABLISHING 2009 SALARIES OF VARIOUS COUNTY OFFICIALS

Resolution by Supervisor: Thomas

Seconded by Supervisor: Barone, Sr.

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. B of 2009 - A Local Law Establishing the 2009 Salaries of Various County Officials,

RESOLVED, that Introductory Local Law No. B of 2009 hereby is submitted to the Montgomery County Board of Supervisors for consideration following the holding of a public hearing as follows:

"A Local Law Establishing the 2009 Salaries of Various County Officials"

Be it enacted by the Board of Supervisors of the County of Montgomery as follows:

SECTION 1. The annual salaries, including longevity, sums opposite the office and designation of such County Officials to wit:

Title	Salary
Purchasing Agent	\$46,698.00
County Attorney	\$61,313.00

Section 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of qualified electors of the County of Montgomery, if, within 45 days after the date of which it was so adopted, there is filed with the Clerk of the Montgomery County Board of Supervisors a petition protesting against this Local Law, signed and authenticated as required by Section 24 of Municipal Home Rule Law, by qualified electors of Montgomery County registered to vote therein at the last preceding general election, in number equal to at least ten per centum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

FURTHER RESOLVED, that said public hearing shall be held March 24 at 6:55 PM, in the Chamber of the Board of Supervisors, County Office Building, 64 Broadway, Fonda, New York, and

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

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 65 of 2009

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

DATED: February 24, 2009

RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS TO APPROVE THE NO SMOKING POLICY FOR MONTGOMERY COUNTY OWNED AND LEASED FACILITIES (PUBLIC HEALTH)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Thomas

WHEREAS, the Director of Public Health has requested the approval of a revised specific no smoking policy to be implemented and enforced in all County-owned and leased facilities to protect employees and the general public from the ill effects of second-hand smoke, and

WHEREAS, the Director of Public Health's no smoking policy is based on Federal Environmental Protection Agency findings that second-hand smoke is a human carcinogen responsible for 3,000 lung cancer deaths each year among non-smokers, increases the risk of respiratory and middle ear diseases in infants and children and either worsens asthmatic conditions or contributes to new cases of asthma in children, and

WHEREAS, the Board of Supervisors are concerned that permitting smoking at entrances of the buildings results in potential harm to employees and the public because of potential exposure to second hand smoke,

RESOLVED, that the Montgomery County Board of Supervisors hereby approves and adopts the policy presented by the Public Health Director as filed with the Clerk of the Board to provide a smoke-free environment in County buildings, and,

FURTHER RESOLVED, that the Montgomery County Board of Supervisors approves the implementation of

the no smoking ban in all County-owned and leased facilities as proposed in the policy submitted by the Public Health Director and filed with the Clerk of the Board, and

FURTHER RESOLVED, that the Clerk of the Board is directed to forward certified copies of this resolution to the appropriate County Officials.

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 66 of 2009

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

DATED: February 24, 2009

RESOLUTION AMENDING PROCUREMENT POLICY (PURCHASING)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Greco

WHEREAS, the Montgomery County Board of Supervisors had previously adopted Procurement Policies and Procedures to comply with the provisions of the General Municipal Law, Section 104-b; and

WHEREAS, General Municipal Law, Section 104-b states that the governing board shall annually review its policies and procedures, and

WHEREAS, said review has occurred and the Finance Committee has made recommended changes,

RESOLVED, that the Montgomery County Board of Supervisors hereby adopts the Montgomery County Procurement Policies and Procedures as attached hereto and made part of this resolution, and

FURTHER RESOLVED, that said revised policy shall be implemented immediately and supercedes all prior Resolutions regarding Procurement Policies.

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 67 of 2009

DATED: February 24, 2009

RESOLUTION AWARING BID NO. 02-09 DIGITAL RECORDING CAMERA SYSTEM - MONTGOMERY COUNTY PUBLIC SAFETY FACILITY (SHERIFF)

Resolution by Supervisor: Greco

Seconded by Supervisor: Dybas

WHEREAS, the Purchasing Department was authorized to solicit bids for a Digital Recording Camera System at the Montgomery County Public Safety Facility, and

WHEREAS, said bids were opened on February 5, 2009,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 02-09 to Electric Eye Systems, the lowest conforming bidder, in the amount of \$20,829.70.

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 68 of 2009

DATED: February 24, 2009

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

Resolution by Supervisor: Thayer

Seconded by Supervisor: Greco

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

RESOLVED, that the Board of Supervisors hereby authorizes and directs that compensation for part-time Deputy Sheriffs and Correction Officers be changed as follows:

CORRECTIONS OFFICERS

New hire (Untrained)	from \$8.75 to \$12.15
New - after 3 months	from \$9.50 to \$13.50
New - after 6 months	from \$13.75 to \$15.00

ROAD PATROL

New hire (Untrained)	from \$9.00 to \$12.56
New (with less than 1 year experience)	from \$9.75 to \$13.95
New (with 1 year experience or greater)	from \$14.00 to \$15.50

, 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 March 2009.

RESOLUTION ADOPTED with Aye(1374). Supervisor Dybas voted Nay. Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 69 of 2009

DATED: February 24, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - HEAP (SOCIAL SERVICES)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Barone, Sr.

WHEREAS, the Commissioner of Social Services has received notification of \$23,000 funding allocated for additional funds to administer the 2008-09 HEAP Program,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUE:

A-18-3-4610-00	Federal Aid DSS Admin.	\$23,000
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INCREASE APPROPRIATIONS:

A-18-4-6010-00.1125 (902)	Other Compensation	\$ 2,300
A-18-4-6010-00.1130 (1061)	HEAP Personnel	17,000
A-18-4-6010-00.2259	Computer Equipment	2,000
A-18-4-6010-00.4407	Office Equipment	1,700

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 70 of 2009

DATED: February 24, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - COMMUNITY SOLUTIONS FOR TRANSPORTATION PROGRAM - MENTAL HEALTH ASSOCIATION OF FULTON AND MONTGOMERY COUNTIES (SOCIAL SERVICES)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Jonker

WHEREAS, the New York State of Temporary and Disability Assistance has allocated \$50,346 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 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 \$47,108.45 for the period January 1, 2009 to June 30, 2009, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUE:

A-18-3-4610-00	Federal Aid DSS Admin.	\$47,109
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INCREASE APPROPRIATIONS:

A-18-4-6010-00.4462	DSS Admin. TANF Services	\$47,109
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RESOLUTION ADOPTED with Aye(1371). Supervisor Greco voted Nay. Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 71 of 2009

DATED: February 24, 2009

RESOLUTION APPROPRIATING RESERVE FUNDS (STOP-DWI)

Resolution by Supervisor: Thayer

Seconded by Supervisor: Thomas

WHEREAS, the STOP-DWI Coordinator has recommended an allocation of reserve funding to the Montgomery County Sheriff's Office 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 Montgomery County Sheriff's Office filed 149 charges in 2007 and 139 charges in 2008 against subjects throughout the County 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 throughout the County, 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 Sheriff's Office shall assume all maintenance, operation and repair of said vehicle, and

WHEREAS, upon delivery of the STOP-DWI vehicle to the County, the Sheriff's Office shall promptly notify the Montgomery County STOP-DWI Coordinator and the Coordinator shall review and approve the Sheriff's Office recommendations for the installation of exterior markings (graphics) to ensure the most effective and vivid representation of the STOP-DWI message, and

WHEREAS, the Sheriff's Office agrees to use the STOP-DWI vehicle solely for specified STOP-DWI purposes which may include, but not be limited to, enhanced enforcement on alcohol related offenses, specialized road checks set up throughout the County, education and public information related to alcohol related incidents. In emergency situations, the STOP-DWI vehicle may be utilized for other law enforcement duties, and

WHEREAS, the STOP-DWI Coordinator has also recommended an allocation of reserve funding to the STOP-DWI department for the purchase of a laptop computer to assist in the various work related duties associated within the STOP-DWI Office, and

WHEREAS, the majority of the work associated with the STOP-DWI department is done outside of regular business hours and this laptop computer will allow the staff to maintain consistency in the software programming used on projects being completed and will increase efficiency of the department,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget, as follows:

INCREASE:

A-511	Appropriated Reserve – STOP-DWI	\$25,587.00
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INCREASE APPROPRIATIONS:

A-32-4-3315-00 .4520	Stop-DWI/Law Enforcement Programs	\$24,197.00
A-32-4-3315-00 .2259	Computer Equipment	\$ 1,080.00
A-32-4-3315-00 .4459	Computer Software	\$ 310.00

INCREASE REVENUES:

A-15-3-1270	Shared Services Charges	\$24,197.00
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INCREASE APPROPRIATIONS:

A-15-4-3110-00 .2230	Motor Vehicle Equipment	\$24,197.00
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, and

FURTHER RESOLVED that any portion of said allocation to the Montgomery County Sheriff's Office not used for the purchase expense of said vehicle shall be returned to the Montgomery County STOP-DWI Reserve Fund.

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent.
(2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Resolution Number 72 - Discussion:

Supervisor McMahon stated that it was late in the season to be ordering snowmobiles and felt that the price was too high. Supervisor Thayer responded that the machines would have to be ordered now to have them for the following winter season. He also pointed out that they were specialized machines, which would better suit the Sheriff Department's needs.

Supervisor DiMezza stated that the Sheriff's Department performed due diligence in obtaining quotes for the machines. The Sheriff's Department came to the Board and specifically stated the need and type of machines that would best fit the job.

RESOLUTION NO. 72 of 2009

DATED: February 24, 2009

RESOLUTION AUTHORIZING THE PROCUREMENT OF TWO SNOWMOBILES FOR THE SHERIFF'S DEPARTMENT AND AMENDING THE 2009 OPERATING BUDGET (SHERIFF)

Resolution by Supervisor: Thayer

Seconded by Supervisor: Strevy

WHEREAS, the County Sheriff has recommended acquisition of two Ski Doo Skandic WT 550F Snowmobiles totaling \$15,400.00, and

WHEREAS, the snowmobile covers and other needed spare parts, striping, lights, etc. total \$4,000.00, and

WHEREAS, the snowmobiles trailer total \$2,900.00, and

WHEREAS, the safety gear and appropriate outerwear for the duties for two employees total \$2,700.00, and

WHEREAS, the purpose of the purchase of these snowmobiles and related equipment will be to respond to incidents, accidents and requests for assistance in a timely manner and with sufficient supplies and equipment to conduct a proper investigation, also to patrol the state funded snowmobile trail system within Montgomery County, to act as a deterrent and to provide quality Law Enforcement and education services to the constituents,

RESOLVED, that the County Sheriff is hereby authorized to purchase two Ski Doo Skandic WT 550F Snowmobiles from Alpin Haus of Amsterdam, NY along with the associated equipment and clothing for a cost not to exceed \$25,000.00, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

TRANSFER FROM:

A-01-1990-00-4400	Contingency	\$25,000.00
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INCREASE APPROPRIATIONS:

A-15-4-3110-2244	Auxiliary Vehicles	\$22,300.00
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A-15-4-3110-4447	Clothing and Uniforms	\$ 2,700.00
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RESOLUTION ADOPTED with Aye(1374). Supervisor Dybas voted Nay. Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 73 of 2009**DATED:** February 24, 2009**RESOLUTION AUTHORIZING EXTENSION OF TRAFFIC LINE PAINTING CONTRACT (PUBLIC WORKS)**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Strevy

WHEREAS, the Board of Supervisors awarded Bid No. 01-08 by Resolution No. 108 of 2008, and

WHEREAS, Item A-21, Traffic Line Painting, was thereby awarded to Seneca Pavement Marking, Inc., and

WHEREAS, Seneca Pavement Marking Inc. has proposed to extend said 2008 contract by one (1) year through 2009 at the 2008 rates,

RESOLVED, that the Board of Supervisors hereby agrees to extend said contract one year.

RESOLUTION ADOPTED with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

OTHER**ADJOURNMENT**

MOTION TO ADJOURN by Supervisor Thayer, seconded by Supervisor Barone, passed with Aye(1510). Supervisors Paton, Jonker and Stagliano were absent.

Chairman Thomas adjourned the meeting at 8:05 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PUBLIC SAFETY
7:00 PM, March 3, 2009

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Baia, Jonker, Strevy and Quackenbush. Supervisors Barone and DiMezza were absent.

Additional Supervisors present were Greco and Thomas. Absent were Supervisors McMahon, Paton, Walters, Dybas, Johnson and Stagliano.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONITORING OF SEX OFFENDERS COMPUTER USAGE - INTERNET PROBATION AND PAROLE CONTROL, INC. (PROBATION).
2. DISCUSSION
Commercial Drivers License for Fire Fighters
2. OTHER

Item #1: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONITORING OF SEX OFFENDERS COMPUTER USAGE - INTERNET PROBATION AND PAROLE CONTROL, INC - PROBATION).
The Resolution was sponsored and seconded by Supervisors Baia and Greco, respectively.

Lucille Sitterly, Director of the Probation Department, explained that there is software that can be attached to sex offender's computers, which shows in real time what the offender is looking at. Supervisor Quackenbush asked if someone in the Probation Department would be monitoring this. Ms. Sitterly responded that would be the case and explained that the server is in Pennsylvania and shows every minute of every day what offenders are accessing on the computer. Ms. Sitterly stated that by law the offender has to notify the Probation Department of the computers, laptops, etc. that they have or have access to. If the offender does not reveal this information they will be in violation of their probation terms and can potentially go to jail. She stated that several other Counties are utilizing the same software and are finding it very useful.

The charge will be \$10 per month, which Ms. Sitterly had hoped to pass on to the offender. She found out that she cannot pass the cost on to the offender and is asking that the County pay the monthly fee.

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

Item #2 (Discussion)

Commercial Drivers License for Fire Fighters

Chairman Thayer explained that under the current DMV law fire fighters can drive a fire truck to a fire or emergency situation but cannot drive the same piece of equipment back to fire house unless they have a CDL. Currently there is a bill in the Senate to pass a law that fire fighters need to have a CDL.

It was pointed out that it is difficult enough to get volunteer fire personnel without implementing more constraints.

Supervisors Baia sponsored, seconded by Supervisor Thomas, a resolution to go to the full Board to request that the bill in Senate be rescinded. It was moved to the full Board with a positive recommendation.

Item #3: (Other)

Montgomery County Radio Microwave System:

Chairman Thayer pointed out that he was made aware that the Sheriff's Department has been running on its secondary radio system because the primary radio system has been out of service for a couple years. Now there seems to be a problem with the secondary system.

Sheriff Amato stated that he has waited for two years to see what the State was going to do. The State just recently decided not to move forward with the SWIN program because it would take

millions of dollars. It was discovered that the FCC is selling emergency frequencies to cell companies. Emergency Management approached T-Mobile about setting up a microwave system for the County. After awhile T-Mobile made it known that they were not interested in implementing a new system. Other cell phone companies were contacted. It was then found out that the FCC has given the cell phone companies until 2016 to decide if they want to link into the frequencies. In 2016 the Sheriff's Department could be kicked off its current frequency.

Sheriff Amato felt that a consultant should be hired to review the matter and make a recommendation to County relative to the radio microwave system.

Supervisor Quackenbush asked if an RFP was needed or can the County choose a consultant.

County Attorney Landon responded that a bid process was not needed for professional services. He indicated that a lot depends on the time constraints and accountability.

Supervisor Quackenbush sponsored, seconded by Supervisor Dybas, to prepare a resolution for the March 24th Board meeting to go out with a RFP to hire a consulting firm to review the Montgomery County Radio Microwave System. It was pointed out that part of the RFP should state that the chosen firm will come in front of the Board with a presentation. It was moved to the full Board with a positive recommendation.

Repeater System:

Sheriff Amato informed the Board that the Repeater System is not working. The Department will be purchasing a new system for amount of \$7,000 to \$8,000. To date he has received two quotes. The funds for the system can be funded under the Homeland Security Grant. Under the current Procurement Policy if it is considered an emergency situation the Repeater System can be purchased.

There were no other discussion items.

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

Chairman Thayer adjourned the Public Safety Committee meeting at 7:36 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE
7:00 PM, March 17, 2009

COMMITTEE MEETING DISCUSSION

Chairman Thomas, in the absence of Chairman Strevy, presided over the Finance Committee meeting commencing at 7:07 PM.

Roll call indicated Committee members present were Supervisors DiMezza, Dybas, Johnson and Jonker. Absent were Supervisors Strevy, Barone and Greco.

Additional Supervisors present were Walters, Thayer, McMahon and Quackenbush. Absent was Supervisor Paton, Bai a and Stagliano.

Chairman Strevy has called a meeting of the Finance Committee for 7:00 p.m. on Tuesday, March 17, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - YOUTH OUTREACH PROGRAMS (YOUTH BUREAU/ACSD)
2. RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN DOCUMENTS - TRANSFER OF PROPERTY-FLORIDA WATER TANK PARCEL (ECONOMIC DEVELOPMENT AND PLANNING)
3. RESOLUTION AWARDING BID NO. 01-09 (PUBLIC WORKS)
4. RESOLUTION AWARDING BRIDGE REPLACEMENT CONTRACT - PICKLE HILL ROAD, B.I.N. 3309580 (PUBLIC WORKS)
5. RESOLUTION AWARDING BRIDGE REPLACEMENT CONTRACT - LASSELSVILLE ROAD, B.I.N. 3309660 (PUBLIC WORKS)
6. RESOLUTION AWARDING BRIDGE REPLACEMENT CONTRACT - SPRING STREET, B.I.N. 3309680 (PUBLIC WORKS)
7. RESOLUTION AWARDING BIDS FOR THE FMCC CRITICAL MAINTENANCE PROJECT (FMCC)
8. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - C.T. MALE ASSOCIATES - ASBESTOS ABATEMENT PROJECT MONITORING SERVICES - FMCC CRITICAL MAINTENANCE PROJECTS (FMCC)
9. RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE AGREEMENT WITH JEROME H. O'MARA, PE TO SERVE AS CLERK OF THE WORKS FOR THE FMCC CRITICAL MAINTENANCE PROJECT
10. RESOLUTION AMENDING 2009 OPERATING BUDGET - LITIGATION DEFENSE (SANITARY DISTRICT)
11. BOND RESOLUTION OF THE COUNTY OF MONTGOMERY-3/24/09, AUTHORIZING THE REPLACEMENT OF VARIOUS EQUIPMENT & VEHICLES; ESTIMATED AGGREGATE COST-\$1,006,000.00; APPROPRIATING SAID AMOUNT & AUTHORIZING ISSUANCE OF \$1,006,000.00 BONDS TO FINANCE SAID COST
12. BOND RESOLUTION OF THE COUNTY OF MONTGOMERY-3/24/09, AUTHORIZING THE RESURFACING OF VARIOUS COUNTY ROADS; ESTIMATED AGGREGATE COST TO BE \$1,757,150
13. DISCUSSION:
FMCC - ADVANCE PAYMENTS TO CONTRACTORS UNTIL S.U.N.Y. BONDING IS COMPLETED
14. OTHER

Item #1 RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - YOUTH OUTREACH PROGRAMS (YOUTH BUREAU/ACSD) Supervisors Walter and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #2 (RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN DOCUMENTS - TRANSFER OF PROPERTY - FLORIDA WATER TANK PARCEL) (ECONOMIC DEVELOPMENT AND PLANNING) Supervisors Dybas and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #3 (RESOLUTION AWARDING BID NO. 01-09) (PUBLIC WORKS) Supervisors Jonker and Thayer made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #4 (RESOLUTION AWARDING BRIDGE REPLACEMENT CONTRACT - PICKLE HILL ROAD, B.I.N. 3309580 (PUBLIC WORKS) Supervisors Quackenbush and Thayer made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #5 (RESOLUTION AWARDING BRIDGE REPLACEMENT CONTRACT LASSELSVILLE ROAD, B.I.N. 3309660 (PUBLIC WORKS) Supervisors Jonker and Walters made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #6 (RESOLUTION AWARDING BRIDGE REPLACEMENT CONTRACT - SPRING STREET, B.I.N. 3309680 (PUBLIC WORKS) Supervisors Quackenbush and Walters made a motion and seconded, respectively, to sponsor the Resolution. The Resolution was moved to the Full Board with no recommendation. There were no objections.

Item #7 (RESOLUTION AWARDING BIDS FOR THE FMCC CRITICAL MAINTENANCE PROJECT) (FMCC) Supervisors McMahon and Johnson made a motion and seconded, respectively, to sponsor the Resolution. The Resolution was moved to the Full Board with no recommendation. There were no objections.

Item #8 (RESOLUTION REVISING VARIOUS NON-BARGAINING EMPLOYEES BASE SALARIES FOR FISCAL YEAR 2009 - PERSONNEL). Supervisors McMahon and Johnson made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #9 (RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD TO EXECUTE AGREEMENT WITH JEROME H. O'MARA, PE TO SERVE AS CLERK OF THE WORKS FOR THE FMCC CRITICAL MAINTENANCE PROJECT) Supervisors Dybas and McMahon made a motion and seconded, respectively, to sponsor the resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #10 (RESOLUTION AMENDING 2009 OPERATING BUDGET - LITIGATION DEFENSE) (SANITARY DISTRICT) Supervisors Jonker and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #11 (BOND RESOLUTION OF THE COUNTY OF MONTGOMERY - 3/24/09, AUTHORIZING THE REPLACEMENT OF VARIOUS EQUIPMENT & VEHICLES; ESTIMATED AGGREGATE COST-\$1,006,000.00; APPROPRIATING SAID AMOUNT & AUTHORIZING THE ISSUANCE OF \$1,006,000.00 BONDS TO FINANCE SAID COST) Supervisors Dybas and Walters made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #12 (BOND RESOLUTION OF THE COUNTY OF MONTGOMERY-3/24/09, AUTHORIZING THE RESURFACING OF VARIOUS COUNTY ROADS; ESTIMATED AGGREGATE COST TO BE \$1,757,150) Supervisors Thayer and Walter made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #13 (OTHER) FORMALLY 14

Add-On Resolutions:

(RESOLUTION AUTHORIZING CONTRACT WITH PHILLIPS ASSOCIATES FOR CONSTRUCTION INSPECTION SERVICES FOR THE FMCC CRITICAL MAINTENANCE PROJECT - 2009 CAPITAL PLAN-FMCC) Supervisors McMahon and Thayer made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

(BOND RESOLUTION COUNTY OF MONTGOMERY, N.Y. AUTHORIZE ACQUISITION OF ADD'L LAND & DEVP. OF INFRASTRUCTURE-FLORIDA BUSINESS PARK; ESTIMATE THE AGGREGATE COST TO BE \$3,620,000; APPROP. AMOUNT AND AUTHORIZE ISSUANCE OF \$3,620,000 BONDS TO FINANCE SAID COST) Supervisors Jonker and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

ITEM #14 (DISCUSSION): FORMALLY 13

FMCC - ADVANCE PAYMENTS TO CONTRACTORS UNTIL S.U.N.Y. BONDING IS COMPLETED

Supervisor McMahon explained that the State University of New York has delayed funding for its fifty percent share of FMCC projects, the Fulton County Board of Supervisors has asked Montgomery County to equally share in advancing the SUNY share to pay invoices for the project costs. Supervisor McMahon asked that a resolution be presented to the full Board at its March 24th

meeting to approve the advance funding.

Supervisor McMahon motioned to move a resolution to the full Board to approve half the funding to pay FMCC project costs until the other funding comes forth. Supervisor DiMezza seconded the motion, which was moved with a positive recommendation to the full Board. There were no objections.

SALES TAX DISTRIBUTION:

Supervisor DiMezza asked that a proposed Sales Tax Distribution Agreement be put on the Agenda for the March 24th Board meeting. The agreement would give the City of Amsterdam 18% of the additional 1% of the County sales tax for the next five years. The City currently receives 10% of the 1%. Supervisor DiMezza stated that the City was anxious to finalize the agreement as they prepare for their upcoming budget. Supervisor DiMezza stated that the proposed plan was fair especially since proposals to make the City whole by assuming its delinquent school taxes has failed in the past. Supervisor DiMezza indicated that the City has tied its request for the additional sales tax distribution to extending water and sewer services to the Town of Amsterdam and the Town of Florida.

Supervisor Walters stated that further discussion by the Board needs to be held prior to acting on the matter. He indicated that there was no reason to rush the situation when it is three months from the City's deadline for preparation of its budget. Supervisor Walters also felt that the County and City should meet in open session to have a serious discussion about the proposal.

Supervisors Quackenbush, Jonker, Dybas, McMahon and Thayer agreed with Supervisor Walters in that it needs to be discussed more thoroughly before acting on it. Concerns were expressed relative to giving the towns a share of the sales tax distribution and it was indicated that the towns and villages should be brought into the discussion.

Chairman Thomas stated that the 1% percent is a real number that represents dollars and cents and should be discussed further with regard to possible distribution to the towns to make it more equitable. Chairman Thomas informed the members that he had a discussion with Supervisor Greco, who is Chairman of the Sales Tax Distribution Committee, that he would listen to all that was being brought forth relative to matter. Supervisor Greco informed Chairman Thomas that he has put together a plan which he would like to present prior to any action being taken when he returns from vacation.

Chairman Thomas asked Treasurer Bowerman what the increase would be mean. Treasurer Bowerman responded that it would be a half million dollars in revenue to City each year. He also indicated that Supervisor Greco would like to address the matter with the Board.

Supervisor Dybas suggested that the matter be discussed at a Committee of the Whole meeting and that City Officials be invited to attend.

A Committee of the Whole meeting, to discuss the Sales Tax Distribution, was scheduled for April 14, 2009.

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

Chairman Thomas adjourned the Finance Committee meeting at 7:59 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PERSONNEL
7:05 PM, March 17, 2009

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present were Supervisors Dybas, McMahon, Thayer and Walters. Supervisors absent were Baia and Stagliano.

Additional Supervisors present were Supervisors DiMezza, Johnson, Jonker, and Thomas. Absent was Supervisor Stagliano. Supervisors absent were Greco, Paton, Barone and Strevy.

Chairman Quackenbush has called a meeting of the Personnel Committee for 7:05 p.m. on Tuesday, March 17, 2009 in the Supervisors' Chambers, County Office Bldg, 64 Broadway, Fonda, NY.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - PSYCHIATRIC SERVICES - ST. MARY'S HOSPITAL (MENTAL HEALTH)
2. RESOLUTION RESCINDING RESOLUTION NO. 372 OF 1989 & RESOLUTION NO. 204 OF 2000 AND RESOLUTION NO. 67 OF 2004 TO UPDATE APPROVAL OF CREDIT FOR RETIREMENT DAYS FOR PART-TIME ELECTED AND APPOINTED OFFICIALS
3. OTHER

Item #1: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - PSYCHIATRIC SERVICES - ST. MARY'S HOSPITAL (MENTAL HEALTH) The Resolution, sponsored by Supervisors Dybas and Thayer, respectively, was moved to the Full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION RESCINDING RESOLUTION NO. 372 OF 1989 & RESOLUTION NO. 204 OF 2000 AND RESOLUTION NO. 67 OF 2004 TO UPDATE APPROVAL OF CREDIT FOR RETIREMENT DAYS FOR PART-TIME ELECTED AND APPOINTED OFFICIALS) This resolution was removed from the agenda.

Item #3: (Other):

Add-on Resolution

(RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW B OF 2009 - A LOCAL ESTABLISHING 2009 SALARIES OF VARIOUS COUNTY OFFICIALS) The Resolution, sponsored by Supervisors DiMezza and Thomas, respectively, was moved to the Full Board with a positive recommendation. There were no objections.

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

Chairman Quackenbush adjourned the Personnel Committee meeting at 7:06 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
PUBLIC HEARING
6:55 PM, March 24, 2009

PUBLIC HEARING - INTRODUCTORY LOCAL LAW B OF 2009 - A LOCAL LAW ESTABLISHING 2009 SALARIES OF VARIOUS COUNTY OFFICIALS

PUBLIC HEARING DISCUSSION

"INTRODUCTORY LOCAL LAW B OF 2009 - A LOCAL LAW ESTABLISHING 2009 SALARIES OF VARIOUS COUNTY OFFICIALS"

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

The following notice was read:

INTRODUCTORY LOCAL LAW B OF 2009 - A LOCAL LAW ESTABLISHING 2009 SALARIES OF VARIOUS COUNTY OFFICIALS

WHEREAS, on February 24, 2009 a proposed Local Law for the County of Montgomery County entitled "Local Law B of 2009 Establishing Salaries of Various County Officials", was presented to the Board of Supervisors for consideration, and

WHEREAS, on February 24, 2009, Resolution 64 of 2009 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 24th day of March, 2009 at the time and place appointed, and

WHEREAS, said public hearing has been held,

RESOLVED, that Introductory Local Law B of 2009 entitled hereby is adopted and is incorporated as follows: "A Local Law Establishing 2009 Salaries of Various County Officials", hereby is adopted and is incorporated as follows:

"A LOCAL LAW ESTABLISHING 2009 SALARIES OF VARIOUS COUNTY OFFICIALS"

Be it enacted by the Board of Supervisors of the County of Montgomery as follows:

SECTION 1. The annual salaries, including longevity, sums opposite the office and designation of such County Officials to wit:

Title	Salary
Purchasing Agent	\$46,698.00
County Attorney	\$61,313.00

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of qualified electors of the County of Montgomery, if, within 45 days after the date of which it was so adopted, there is filed with the Clerk of the Montgomery County Board of Supervisors a petition protesting against this Local Law, signed and authenticated as required by Section 24 of Municipal Home Rule Law, by qualified electors of Montgomery County registered to vote therein at the last preceding general election, in number equal to at least ten per centum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

, and

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

By order of the Board of Supervisors of Montgomery County.

Robin Loske, Clerk of the Board

Chairman Thomas asked whether anyone from the public wished to speak. No one came forth.

Chairman Thomas adjourned the public hearing at 6:55 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, March 24, 2009

CALL TO ORDER

Chairman Thomas called the Regular Meeting of the Montgomery County Board of Supervisors for February 24, 2009 to order at 7:00 PM.

SALUTE TO THE FLAG

Supervisor Jonker led the Salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors McMahon, Strevy, Dybas, Thayer, Barone, Thomas, Johnson, Greco, Baia, Paton, Jonker, Walters, and DiMezza were present. Supervisors Quackenbush and Stagliano were absent.

PRIVILEGE OF THE FLOOR

A. Public Comment

Lauren Bibby, of the United Way, took the floor and spoke about compliance of code enforcement within the County.

B. Presentation

Patrick Clear, Chairman of the Montgomery County Water Quality Commission, took the floor and presented the Annual Report for the Commission.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (February 24, 2009 - March 17, 2009), by Supervisor Barone, seconded by Supervisor Greco, passed with Aye(1614). Supervisors Quackenbush and Stagliano were absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Dybas, seconded by Supervisor Strevy, passed with Aye(1614). Supervisors Quackenbush and Stagliano were absent.

UNFINISHED BUSINESS

Tabled Resolution Number 58

RESOLUTION NO. 58 of 2009

DATED: February 24, 2009

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

Resolution by Supervisor: Thayer

Seconded by Supervisor: Barone, Sr.

WHEREAS, Resolution No. 184 of 2007 established a seven-member Montgomery County EMS Advisory Board, and

WHEREAS, there are seven appointments to said Board which consists 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,
- 1 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

WHEREAS, the current Board is as follows:

Appointee	Representing	Term Expires
Carrie Newkirk	EMS Coordinator	12/31/09
Twila Dopp	Sheriff's Department-E911 Coord.	12/31/09
Robert Qui st	St. Mary's Hospital	12/31/09
Jodi Abbott	Public Health Educator	12/31/08
Al Nadler	All Fire Departments	12/31/08
Shannon Martin	Life Net Air Services	12/31/10
Jarod Gilson	All Ambulance Services	12/31/10

, and

WHEREAS, it is necessary to appoint for those positions that have expired,

RESOLVED, that the following are hereby appointed to the Montgomery County EMS Advisory Board:

Appointee	Representing	Term Expires
Sheriff Representative	Sheriff's Office	12/31/09
Deb Voght	Public Health Educator	12/31/11
Mark DeLafayette	All Fire Departments	12/31/11

MOTION TO TABLE by Supervisor Dybas, seconded by Supervisor Greco, passed with Aye(1510).
Supervisors Paton, Jonker and Stagliano were absent. (2/24/2009)

MOTION TO REMOVE FROM TABLE by Supervisor Dybas, seconded by Supervisor Thayer, passed with Aye(1614).
Supervisors Quackenbush and Stagliano were absent. (3/24/2009)

MOTION TO AMEND by Supervisor Barone, Sr., seconded by Supervisor Thayer, to delete the words "Sheriff Representative" and insert the name "Sheriff Amato or his Designee" for the Appointee under the "RESOLVED" clause, passed with Aye(1614).
Supervisors Quackenbush and Stagliano were absent. (3/24/2009)

RESOLUTION ADOPTED with Aye(1614).
Supervisors Quackenbush and Stagliano were absent. (3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

NEW BUSINESS

A. Resolutions

B. Other

RESOLUTION NO. 74 of 2009

DATED: March 24, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - LITIGATION DEFENSE (SANITARY DISTRICT)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Quackenbush

WHEREAS, Pursuant to Resolution Number 55 of 2009 Montgomery County wishes to continue an agreement with the Attorney to represent the County and the Sewer Districts' interest in the property located at 20 River Street in the Village of Nelliston, SBL No. 46.10-3-12,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1990-00-4400	Contingency Account	\$10,000
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TRANSFER TO:

A-01-4-1930-00-4431	Professional Services	\$10,000
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RESOLUTION ADOPTED with Aye(1614). Supervisors Quackenbush and Stagliano were absent.
(3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 75 of 2009

DATED: March 24, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONITORING OF SEX OFFENDERS
COMPUTER USAGE - INTERNET PROBATION AND PAROLE CONTROL, INC. (PROBATION)

Resolution by Supervisor: Bai a

Seconded by Supervisor: Greco

WHEREAS, the Montgomery County Probation Dept, is responsible for the supervision of convicted sex offenders in the community, and

WHEREAS, monitoring the actions of these sex offenders is an important part of that supervision, and

WHEREAS, sex offenders frequently use computers to access pornography as well as make contact with potential victims of future abuses. and

WHEREAS, Internet Probation and Parole, Inc. provides a software product designed to monitor offender computer usage on a constant basis to ensure that access to various sites on the internet is appropriate, and

WHEREAS, this product is available to the Montgomery County Probation Dept. via the signing of an agreement with Internet Probation and Parole Control, Inc., and

WHEREAS, this measure was previously approved by a vote of the Board of Supervisors per Resolution 172 of 2008 with the understanding that the per month fee for the use of this program would be borne by the offenders who were required to be monitored and there would be no cost to the County, and

WHEREAS, it has now been determined that this monthly fee cannot be passed on to the offenders and must be paid by Montgomery County funds, and

WHEREAS, the fee charged to the County is a flat \$10.00 per month regardless of the number of offenders using this program,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign a lease agreement with Internet Probation and Parole, Inc. at a cost not to exceed \$10.00 per month, and

FURTHER RESOLVED, that said agreement shall be for a period commencing on April 1, 2009 and ending on December 31, 2009.

RESOLUTION ADOPTED with Aye(1614). Supervisors Quackenbush and Stagliano were absent.
(3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 76 of 2009

DATED: March 24, 2009

RESOLUTION AUTHORIZING DISTRIBUTION OF REQUEST FOR PROPOSALS (RFP) FOR PROFESSIONAL
SERVICES - DESIGN NEW MICROWAVE SYSTEM FOR MONTGOMERY COUNTY (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Dybas

WHEREAS, it is necessary to distribute a Request for Proposals for consulting services to implement a new Microwave System for Montgomery County,

RESOLVED, the Montgomery County Board of Supervisors hereby authorizes and approves solicitation of proposals for consulting services to implement a new Microwave System for Montgomery County administered through the Emergency Management Department and the Montgomery County Sheriff's Department, and

FURTHER RESOLVED, that such solicitation shall be accomplished through the Purchasing Department,

and

FURTHER RESOLVED, that the Board of Supervisors reserves the right to reject any or all proposals.

RESOLUTION ADOPTED with Aye(1475). Supervisor Greco abstained. Supervisors Quackenbush and Stagliano were absent. (3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Resolution Number 77 - Discussion:

Supervisor Walters expressed his opposition to rescinding the current legislation requiring volunteer fire and emergency personnel to have a CDL. Supervisor Walters stated that he holds a CDL with endorsements and knows what it takes to get and maintain a CDL. He felt that all fire and emergency personnel should hold a CDL to operate the appropriate equipment for emergency situations.

Supervisor Jonker agreed with Supervisor Walters and stated he could not support resolution because it would allow fire trucks to be driven in parades and other public functions and believed it could be a safety hazard.

Supervisor Thayer indicated that he understood Supervisor Walters position but felt it was not practical because a fire truck cannot be used to take a test for a CDL.

Supervisor DiMezza stated that the legislation is antiquated and ridiculous in the fact that a firefighter can drive a fire truck to a fire but could not drive it back.

RESOLUTION NO. 77 of 2009

DATED: March 24, 2009

RESOLUTION IN SUPPORT OF RESCINDING THE VEHICLE TRAFFIC LAW (VTL) REQUIRING CDL LICENSE OF VOLUNTEER FIREMEN (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Bai a

Seconded by Supervisor: Thomas

WHEREAS, the Vehicle Traffic Law (VTL) as written requires a Commercial Drivers License for Firemen during non-emergency situations, and

WHEREAS, it is difficult to get Volunteer Firemen,

RESOLVED, the Montgomery County Board of Supervisors supports the efforts of Senator Farley to rescind VTL 501-a(4)(A) and other legislation requiring Volunteer Fire Department personnel, Fire Police, and other emergency personnel from operating emergency vehicles, during non-emergency situations, without a Commercial Drivers License.

RESOLUTION ADOPTED with Aye(1450). Supervisors Walters and Jonker voted Nay. Supervisors Quackenbush and Stagliano were absent. (3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 78 of 2009

DATED: March 24, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - PSYCHIATRIC SERVICES - ST. MARY'S HOSPITAL (MENTAL HEALTH)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Thayer

WHEREAS, the County has an agreement with St. Mary's Hospital in Amsterdam, NY to have the hospital reimburse the County for all costs associated with the employment of the psychiatrist in the Mental Health Department, and

WHEREAS, St. Mary's Hospital wishes to amend the previous agreement to increase reimbursement to Montgomery County for increasing the salary of the psychiatrist in the Mental Health Department, and

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized and directed to sign an amended agreement with St. Mary's Hospital to provide reimbursement for all salary and benefits relative to increasing the psychiatrist's salary in the Mental Health department, and

FURTHER RESOLVED, that the base salary of the psychiatrist shall now be \$201,285 retroactive to January 1, 2009, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUE:

A-17-1620	Mental Health Fees	\$46,554
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INCREASE APPROPRIATION:

A-4-17-4310-00-1110(296)	Psychiatrist	\$38,016
A-4-10-9001-00-8810	FICA	\$ 2,908
A-4-10-9001-00-8820	Retirement	\$ 4,561
A-4-10-9001-00-8830	Workers Comp	\$ 944
A-4-10-9001-00-8854	Short Term Disability	\$ 125
		\$46,554

RESOLUTION ADOPTED with Aye(1614). Supervisors Quackenbush and Stagliano were absent.
(3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 79 of 2009

DATED: March 24, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS YOUTH OUTREACH PROGRAMS (YOUTH BUREAU/ACSD)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Johnson

WHEREAS, the Montgomery County Youth Bureau/ACSD has made available funds through its Outreach Programs, 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 2009 Outreach Programs as stated below:

PROGRAM	RECOMMENDED FUNDING
Association of American University Women (Sister-to-Sister Summit)	\$ 700.00
Ames Fire Department Explorer Post 206 (Explorer Post 206)	\$ 625.00
Amsterdam High School (After Ball Party)	\$ 500.00
Amsterdam High School (Jazz Band)	\$ 400.00
Amsterdam Little League (Cal Ripkin Baseball)	\$ 400.00
Amsterdam Sea Rams (Swim Club)	\$ 400.00
Amsterdam YMCA (Summer Day Camp)	\$ 500.00
American Youth Soccer Organization (Canajoharie AYSO)	\$ 400.00
Canajoharie High School (Post Prom Party)	\$ 500.00

Canajoharie Youth Football (Canajoharie Youth Football)	\$ 400.00
Fonda-Fultonville Central School (After Prom Party)	\$ 500.00
Fonda-Fultonville Little League (Little League)	\$ 400.00
Fonda-Fultonville Youth Football (Youth Football)	\$ 525.00
Fort Hunter Free Library (Youth Summer Reading Program)	\$ 750.00
Fort Plain Central School (Post Prom Party)	\$ 500.00
Fort Plain Free Library (Summer Reading Program)	\$ 600.00
Friends of Visual /Performing Arts (Summer Art & Music Program)	\$ 800.00
Frothingham Free Library (Summer Reading Program)	\$ 400.00
St. Johnsville Central School (After Prom Party)	\$ 500.00
Walter Elwood Museum (Free Youth Enrichment Class in April)	\$ 300.00
	<u>\$10,100.00</u>

RESOLUTION ADOPTED with Aye(1614). Supervisors Quackenbush and Stagliano were absent.
(3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 80 of 2009

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

DATED: March 24, 2009

RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN DOCUMENTS-TRANSFER OF PROPERTY-FLORIDA WATER TANK PARCEL (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Thayer

WHEREAS, Montgomery County owns a parcel of land in the Florida Business Park identified as SBL 54-1-34.2, and

WHEREAS, in order to facilitate the development of a truck access road to the Hero Group, Inc. project in the business park, it is necessary to re-locate the existing truck access road, and

WHEREAS, the re-locating of the existing access road will require allocating approximately 1.27 acres of this parcel to the Montgomery County Industrial Development Agency for the development of a truck access,

RESOLVED, that Resolution No. 45 of 2009 is hereby rescinded, and

FURTHER RESOLVED, that Parcel 54-1-34.2 is hereby re-delineated in accordance with the attached subdivision map, and

FURTHER RESOLVED, that following review and approval by the County Attorney, that the Chairman of the Board of Supervisors is hereby authorized to sign any and all documents associated with the property transfer to the Montgomery County Industrial Development Agency.

RESOLUTION ADOPTED with Aye(1614). Supervisors Quackenbush and Stagliano were absent.
(3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 81 of 2009

DATED: March 24, 2009

RESOLUTION AWARDDING BID NO. 01-09 (PUBLIC WORKS)

Resolution by Supervisor: Walters

Seconded by Supervisor: Quackenbush

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 24, 2009, 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.01-09, as follows:

A-3 CIRCULAR PIPE & PIPE ARCH & HDPE

Lane Enterprises, Inc.
825 Route 67
Ballston Spa, NY 12020

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

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

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

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

Callanan Industries, Inc.
P.O. Box 15087
Albany, NY 12212

A-21 TRAFFIC LINE PAINTING

REJECT ALL BIDS

**A-31 FINE GRAVEL and A-32 FOUNDATION COURSE GRAVEL
(All Bidders – Price/Ton + Haul to Determine Vendor)**

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

Santos Construction
39 Gilliland Ave.
Amsterdam, NY 12010

Maple Ave. Sand & Gravel
P.O. Box 43
Johnstown, NY 12095

Carver Sand & Gravel, LLC

494 Western Turnpike
Altamont, NY 1200965

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

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

A-37 GUIDE RAIL HARDWARE

Fastenal Company
164 Harrison St.
Johnstown, NY 12095

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

Town and County Bridge and Rail, Inc.
P.O. Box 16395
Albany, NY 12212

A-70 COLD IN-PLACE RECYCLING TYPE I

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

A-71 LATEX MODIFIED ASPHALT PAVEMENT COURSE

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

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

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

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

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

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

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

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

Callanan Industries, Inc.
P.O. Box 15097
Albany, NY 12212

A-81 COLD PLANING

Villager Construction

425 Old Macadam Center Rd.
Fairport, NY 14450

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

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

CFI Construction
286 Sacandaga Rd.
Johnstown, NY 12095

RESOLUTION ADOPTED with Aye(1614). Supervisors Quackenbush and Stagliano were absent.
(3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 82 of 2009

DATED: March 24, 2009

**RESOLUTION AWARDING BRIDGE REPLACEMENT CONTRACT - PICKLE HILL ROAD, B.I.N. 3309580
(PUBLIC WORKS)**

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thomas

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 Supervisors hereby awards a contract to Tioga Construction Co., of Herkimer, NY for the bridge replacement project as follows: Pickle Hill Road, B.I.N. 3309580

, 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 Co., of Herkimer, NY, and

FURTHER RESOLVED, that said contract will provide for payment in an amount not to exceed \$915,391.00.

RESOLUTION ADOPTED with Aye(1614). Supervisors Quackenbush and Stagliano were absent.
(3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 83 of 2009

DATED: March 24, 2009

**RESOLUTION AWARDING BRIDGE REPLACEMENT CONTRACT - LASSELSVILLE ROAD, B.I.N. 3309660
(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 Supervisors hereby awards a contract to Stephen Miller Construction Co., of Mayfield, NY for the bridge replacement project as follows: Lasselsville Road, B.I.N. 3309660

, 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 Construction Co., of Mayfield, NY, and

FURTHER RESOLVED, that said contract will provide for payment in an amount not to exceed \$361,998.14.

RESOLUTION ADOPTED with Aye(1614). Supervisors Quackenbush and Stagliano were absent. (3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 84 of 2009

DATED: March 24, 2009

RESOLUTION AWARDDING BRIDGE REPLACEMENT CONTRACT - SPRING STREET, B.I.N. 3309680 (PUBLIC WORKS)

Resolution by Supervisor: Di Mezza

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 Supervisors hereby awards a contract to Tioga Construction Co., of Herkimer, NY for the bridge replacement project as follows: Spring Street, BIN 3309680

, 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 Co., of Herkimer, NY, and

FURTHER RESOLVED, that said contract will provide for payment in an amount not to exceed \$1,018,035.96.

RESOLUTION ADOPTED with Aye(1614). Supervisors Quackenbush and Stagliano were absent. (3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 85 of 2009

DATED: March 24, 2009

RESOLUTION AWARDDING BIDS FOR THE FMCC CRITICAL MAINTENANCE PROJECT (FMCC)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Johnson

WHEREAS, Resolution Number 162 of 2008 endorsed and supported certain Critical Maintenance Projects at Fulton Montgomery Community College for 2009, and

WHEREAS, Resolution 12 of 2009 authorized advertisement for bids for said project, and said bids were opened on February 24, 2009, and

WHEREAS, Resolution 227 of 2008 authorized a contract with Phillips Associates, of Saratoga Springs, NY, to prepare design plans and bid specifications for said FMCC Critical Maintenance Project, and

RESOLVED, that the net bids, as submitted by the following contractors, are hereby awarded and which provided the lowest responsible bids in accordance with specifications dated February 5, 2009:

General Construction Contract – Dutch Valley General Construction	
Base Bid	\$ 112,500.00
Alt #1 (add DX cooling in College Union Dining Rm)	1,800.00
Alt #2 (add A/C to Nursery Labs C004 & C008)	1,200.00
Alt #3 (add painting of Office wing corridors in Classrm. bldg)	6,475.00
	<hr/>
	\$ 121,975.00
Plumbing Contract – FPI Mechanical	
Base Bid	\$ 135,700.00
Mechanical Contract – FPI Mechanical	
Base Bid	\$ 507,880.00
Alt #1 (add DX cooling in College Union Dining Rm)	38,000.00
Alt #2 (add A/C to Nursery Labs C004 & C008)	46,400.00
	<hr/>
	\$ 592,280.00
Electrical Contract: Fulton County Electrical Contractors	
Base Bid	\$ 127,500.00
Alt #1 (add DX cooling in College Union Dining Rm)	3,200.00
Alt #2 (add A/C to Nursery Labs C004 & C008)	5,700.00
	<hr/>
	\$ 136,400.00

and,

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

RESOLUTION ADOPTED with Aye(1478). Supervisor Dybas voted Nay. Supervisors Quackenbush and Stagliano were absent. (3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 86 of 2009

DATED: March 24, 2009

RESOLUTION AUTHORIZING CONTRACT WITH PHILLIPS ASSOCIATES FOR CONSTRUCTION INSPECTION SERVICES FOR THE FMCC CRITICAL MAINTENANCE PROJECT - 2009 CAPITAL PLAN (FMCC)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Thayer

WHEREAS, Resolution 162 of 2008 endorsed and supported certain Critical Maintenance Projects at Fulton Montgomery community College for 2009, and

WHEREAS, Resolution 227 of 2008 authorized a contract with Phillips Associates for said Project design services, and

WHEREAS, bids have been awarded to commence said Project,

RESOLVED, that the Chairman of the Board is hereby authorized to sign a contract with Phillips Associates of Saratoga Springs, NY, for construction inspection services for the FMCC Critical Maintenance Project, at a cost not to exceed \$38,000 (\$9,500 Montgomery County's share), said contract subject to the approval of the County Attorney, and

FURTHER RESOLVED, that because the State University of New York has delayed funding for its 50 percent share of FMCC projects, this Resolution is contingent upon written commitment by the Fulton County Board of Supervisors to equally share in advancing the SUNY share to pay invoices for project costs, 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(1478). Supervisor Dybas voted Nay. Supervisors Quackenbush and Stagliano were absent. (3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 87 of 2009**DATED:** March 24, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - C.T. MALE ASSOCIATES - ASBESTOS ABATEMENT PROJECT MONITORING SERVICES - FMCC CRITICAL MAINTENANCE PROJECTS (FMCC)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Johnson

WHEREAS, Resolution 162 of 2008 endorsed and supported certain Critical Maintenance Projects at Fulton Montgomery community College for 2009, and

WHEREAS, New York State requires owners to provide and perform project monitoring services as part of asbestos abatement projects, and

WHEREAS, said projects includes significant asbestos abatement work, and

WHEREAS, Phillips Associates, hired by Resolution Number 227 of 2008 to prepare design plans and bid specifications for said project, subcontracted with C.T. Male to prepare the plans and specifications related to the asbestos abatement work,

WHEREAS, C.T. Male Associates has provided a proposal for said monitoring services,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized to sign an agreement with C.T. Male Associates for Asbestos Abatement Project Monitoring Services for the Critical Maintenance Project at Fulton-Montgomery Community College at a cost not to exceed \$16,000 (\$4,000 Montgomery County share), 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(1478). Supervisor Dybas voted Nay. Supervisors Quackenbush and Stagliano were absent. (3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 88 of 2009**DATED:** March 24, 2009

RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD TO EXECUTE AGREEMENT WITH JEROME H. O'MARA, P.E. TO SERVE AS CLERK OF THE WORKS FOR THE FMCC CRITICAL MAINTENANCE PROJECT

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: McMahon

WHEREAS, Resolution 162 of 2008 endorsed and supported certain Critical Maintenance Projects at Fulton Montgomery Community College for 2009, and

WHEREAS, Resolution Number 11 of 2009 authorized the advertisement for a Clerk of the Works on said project, and

WHEREAS, advertisements were placed, resumes were received, a committee of representatives from Fulton and Montgomery Counties, FMCC and Phillips Associates have conducted interviews and a 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 sign an agreement with Jerome H. O'Mara, P.E., of Gloversville, NY, for Clerk of the Works Services for the Critical Maintenance Project, at a cost not to exceed \$35 per hour, 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(1478). Supervisor Dybas voted Nay. Supervisors Quackenbush and Stagliano were absent. (3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 89 of 2009**DATED:** March 24, 2009

RESOLUTION AUTHORIZING ADVANCE TO FULTON COUNTY FOR STATE SHARE OF FMCC CRITICAL MAINTENANCE PROJECTS (FMCC)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Di Mezza

WHEREAS, Resolution Number 162 of 2008 endorsed and supported certain Critical Maintenance Projects at Fulton Montgomery Community College for 2009, and

WHEREAS, Resolution Number 85 of 2009 approved the bids for the Critical Maintenance Projects at Fulton Montgomery Community College, and

WHEREAS, that because the State University of New York has delayed funding for its 50 percent share of FMCC projects, the Fulton County Board of Supervisors has asked Montgomery County to equally share in advancing the SUNY share to pay invoices for project costs,

RESOLVED, that the Board of Supervisors hereby authorizes and directs the County Treasurer to advance funds to the FMCC Capital Project account to pay for half of the SUNY share, and

FURTHER RESOLVED, that the 2009 Budget is hereby amended as follows:

Revenue Accounts:

State Aid- FMCC Project	\$ 293,936.75
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Appropriation Account:

FMCC Critical Maintenance- Design	\$ 15,000.00
FMCC Critical Maintenance- Const (new)	30,493.75
FMCC Critical Maintenance- HVAC (new)	148,070.00
FMCC Critical Maintenance- Plumbing (new)	33,925.00
FMCC Critical Maintenance- Electric (new)	34,100.00
FMCC Critical Maintenance- Inspection (new)	19,875.00
FMCC Critical Maintenance- Contingency new)	12,500.00
	\$293,963.00

, and

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

RESOLUTION ADOPTED with Aye(1478). Supervisor Dybas voted Nay. Supervisors Quackenbush and Stagliano were absent. (3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 90 of 2009

DATED: March 24, 2009

BOND RESOLUTION OF THE COUNTY OF MONTGOMERY - 3/24/09, AUTHORIZING THE REPLACEMENT OF VARIOUS EQUIPMENT & VEHICLES; ESTIMATED AGGREGATE COST-\$1,006,000.00; APPROPRIATING SAID AMOUNT & AUTHORIZING THE ISSUANCE OF \$1,006,000.00 BONDS TO FINANCE SAID COST

Resolution by Supervisor: Dybas

Seconded by Supervisor: Walters

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. 52 of 2009 dated February 24, 2009 (the "Prior Resolution"), and

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

RESOLVED, by the Board of Supervisors of the County of Montgomery, New York, 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 acquisitions (the "Projects") listed below:

- (a) The cost of acquisition of two (2) International dump trucks (4x2) (the

"Dump Trucks"), the maximum aggregate cost thereof being hereby estimated to be \$168,000.00, appropriating said amount therefor and authorizing the issuance of \$168,000.00 bonds to finance such cost;

- (b) The cost of acquisition of one (1) Chevrolet van with a cutaway utility box (the "Van"), the maximum cost thereof being hereby estimated to be \$40,000.00, appropriating said amount therefor and authorizing the issuance of \$40,000.00 bonds to finance such cost;
- (c) The cost of acquisition of one (1) loader mounted snowblower (the "Snowblower"), the maximum cost thereof being hereby estimated to be \$140,000.00, appropriating said amount therefor and authorizing the issuance of \$140,000.00 bonds to finance such cost;
- (d) The cost of acquisition of one (1) ten-wheel International Dump Truck (the "10 Wheel Dump"), the maximum cost thereof being hereby estimated to be \$142,000.00, appropriating said amount therefor and authorizing the issuance of \$142,000.00 bonds to finance such cost;
- (e) The cost of acquisition of one (1) Gradall excavator G3WD (the "Excavator"), the maximum cost thereof being hereby estimated to be \$330,000.00, appropriating said amount therefor and authorizing the issuance of \$330,000.00 bonds to finance such cost;
- (f) The cost of acquisition of one (1) Samsung rubber tire loader (the "Tire Loader"), the maximum cost thereof being hereby estimated to be \$186,000.00, appropriating said amount therefor and authorizing the issuance of \$186,000.00 bonds to finance such cost;

SECTION 2

It is determined that the period of probable usefulness of the aforesaid specific objects or purposes are as follows:

- (a) Dump Trucks - 15 years pursuant to Section 11.00(a)(28) of the Law.
- (b) Van - 5 years pursuant to Section 11.00(a)(28) of the Law.
- (c) Snowblower - 15 years pursuant to Section 11.00(a)(28) of the Law.
- (d) 10-Wheel Dump - 15 years pursuant to Section 11.00(a)(28) of the Law.
- (e) Excavator - 15 years pursuant to Section 11.00(a)(28) of the Law.
- (f) Tire Loader - 15 years pursuant to Section 11.00(a)(28) of the Law.

SECTION 3

The plan of financing includes the issuance of \$1,006,000.00 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(1614). Supervisors Quackenbush and Stagliano were absent.
(3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 91 of 2009

DATED: March 24, 2009

BOND RESOLUTION OF THE COUNTY OF MONTGOMERY - 3/24/09, AUTHORIZING THE RESURFACING OF VARIOUS COUNTY ROADS; ESTIMATED AGGREGATE COST TO BE \$1,757,150; APPROPRIATING SAID AMOUNT AND AUTHORIZING THE ISSUANCE OF \$1,757,150 BONDS TO FINANCE SAID COST

Resolution by Supervisor: Thomas

Seconded by Supervisor: Walters

WHEREAS, the Board of Supervisors has heretofore approved funding the resurfacing of various County roads, all as more particularly described in Resolution No. 51 of 2009, dated February 24, 2009(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;

RESOLVED, by the Board of Supervisors of the County of Montgomery, New York, 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 \$1,757,150, appropriating said amount therefor and authorizing the issuance of \$1,757,150 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 \$1,757,150 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(1614). Supervisors Quackenbush and Stagliano were absent. (3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 92 of 2009

DATED: March 24, 2009

BOND RESOLUTION: COUNTY OF MONTGOMERY, N.Y. AUTHORIZE ACQUISITION OF ADD'L LAND & DVLP. OF INFRASTRUCTURE-FLORIDA BUSINESS PARK; ESTIMATE THE AGGREGATE COST TO BE \$3,620,000; APPROP. AMOUNT AND AUTHORIZE ISSUANCE OF \$3,620,000 BONDS TO FINANCE SAID COST

Resolution by Supervisor: Jonker

Seconded by Supervisor: Quackenbush

WHEREAS, the Board of Supervisors has heretofore approved the acquisition of additional land and the development of infrastructure to benefit the Florida Business Park, located within the County, all as more particularly described in Resolution No. 241 of 2008, dated July 22, 2008 (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 acquisition of additional land ("Land Acquisition") the maximum aggregate cost thereof being hereby estimated to be \$1,135,000, appropriating said amount therefor and authorizing the issuance of \$1,135,000 bonds to finance such costs
- (b) The development and installation of water and sewer line and related improvements to benefit the Florida Business Park (the "Infrastructure"), the maximum aggregate cost thereof being hereby estimated to be \$2,485,000, appropriating said amount therefor and authorizing the issuance of \$2,485,000 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) Land Acquisition - 30 years pursuant to Section 11.00(a)(21) of the Law.
- (b) Infrastructure - 40 years pursuant to Section 11.00(a)(1) and (4) of the Law.

SECTION 3

The plan of financing includes the issuance of \$3,620,000 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(1478). Supervisor Dybas abstained. Supervisors Quackenbush and Stagliano were absent. (3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 93 of 2009

DATED: March 24, 2009

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW B OF 2009 - A LOCAL LAW ESTABLISHING 2009 SALARIES OF VARIOUS COUNTY OFFICIALS

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Thomas

WHEREAS, on February 24, 2009 a proposed Local Law for the County of Montgomery County entitled "Local Law B of 2009 Establishing Salaries of Various County Officials", was presented to the Board of Supervisors for consideration, and

WHEREAS, on February 24, 2009, Resolution 64 of 2009 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 24th day of March, 2009 at the time and place appointed, and

WHEREAS, said public hearing has been held,

RESOLVED, that Introductory Local Law B of 2009 entitled hereby is adopted and is incorporated as follows: "A Local Law Establishing 2009 Salaries of Various County Officials", hereby is adopted and is incorporated as follows:

"A LOCAL LAW ESTABLISHING 2009 SALARIES OF VARIOUS COUNTY OFFICIALS"

Be it enacted by the Board of Supervisors of the County of Montgomery as follows:

SECTION 1. The annual salaries, including longevity, sums opposite the office and designation of such County Officials to wit:

Title	Salary
Purchasing Agent	\$46,698.00
County Attorney	\$61,313.00

SECTION 2. This Local Law is subject to a permissive referendum, and will be submitted to a vote of qualified electors of the County of Montgomery, if, within 45 days after the date of which it was so adopted, there is filed with the Clerk of the Montgomery County Board of Supervisors a petition protesting against this Local Law, signed and authenticated as required by Section 24 of Municipal Home Rule Law, by qualified electors of Montgomery County registered to vote therein at the last preceding general election, in number equal to at least ten per centum of the total number of votes cast for Governor at the last gubernatorial election held in said County.

, and

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

RESOLUTION ADOPTED with Aye(1614). Supervisors Quackenbush and Stagliano were absent.
(3/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

OTHER

Supervisor Walters reported that there will be a meeting of the Animal Abuse Task Force on April 1, 2009 at 2:00 p.m.

A representative from Rensselaer County will be present to describe how that County's Animal Abuse Task Force operates.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Barone, seconded by Supervisor Greco, passed with Aye(1614). Supervisors Paton, Jonker and Stagliano were absent.

Chairman Thomas adjourned the meeting at 7:28 P.M.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - ECONOMIC DEVELOPMENT/PLANNING
7:00 PM, April 7, 2009

COMMITTEE MEETING DISCUSSION

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

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

Additional Supervisors present were Supervisors Greco, Thomas, and Thayer. Supervisors Quackenbush, Barone, Dybas, Walters and Stagliano were absent.

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

1. RESOLUTION APPOINTING MEMBERS-MONTGOMERY COUNTY COMPLETE COUNT COMMITTEE-2010 CENSUS
2. RESOLUTION APPOINTING MEMBER - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE - AGRICULTURE
3. OTHER

Item #1: (RESOLUTION APPOINTING MEMBERS-MONTGOMERY COUNTY COMPLETE COUNTY COMMITTEE-2010 CENSUS - ECONOMIC DEVELOPMENT/PLANNING) Supervisors Jonker and Johnson made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Thomas requested that the name of John Thomas, of the Montgomery County Planning Board, be deleted and the name of Roxanne Douglas, Clerk for the Town of Glen, be inserted in his stead. No one had any objections to this change.

Supervisor Strevy asked what his responsibility would be as a member of the Committee. Randy Siver, from the Economic Development/Planning Department, explained what would be expected of Supervisor Strevy.

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

Item #2: (RESOLUTION APPOINTING MEMBER - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE-AGRICULTURE - ECONOMIC DEVELOPMENT/PLANNING) Supervisors Thomas 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 #3: (OTHER) There were no other items discussed.

Supervisors Strevy and Johnson made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Baia adjourned the Economic Development/Planning Committee meeting at 7:08 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PERSONNEL
7:00 PM, April 14, 2009

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present were Supervisors Baia, Dybas, McMahon, Thayer and Walters. Supervisors absent was Stagliano.

Additional Supervisors present were Supervisors Greco, DiMezza, Johnson, Paton, Jonker, Strevy and Thomas.

Chairman Quackenbush has called a meeting of the Personnel Committee for 7:00 p.m. on Tuesday, April 14, 2009 in the Supervisors' Chambers, County Office Bldg, 64 Broadway, Fonda, NY.

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

1. RESOLUTION AMENDING RESOLUTION NUMBER 409 OF 2008 PERTAINING TO THE NON-BARGAINING AGREEMENT (PERSONNEL)
2. RESOLUTION TERMINATING CAREMARK PRESCRIPTION DRUG CARD AGREEMENT AND AUTHORIZING CHAIRMAN TO SIGN AGREEMENT WITH MATRIX FOR COUNTY WIDE DISCOUNT PRESCRIPTION DRUG CARD PROGRAM (PERSONNEL)
3. RESOLUTION RESCINDING RESOLUTION NUMBER 67 OF 2004 TO UPDATE APPROVAL OF CREDIT FOR RETIREMENT DAYS FOR PART-TIME ELECTED AND APPOINTED OFFICIALS (PERSONNEL)
4. EXECUTIVE SESSION - PERSONNEL MATTER
5. OTHER

Item #1: (RESOLUTION AMENDING RESOLUTION NUMBER 409 OF 2008 PERTAINING TO THE NON-BARGAINING AGREEMENT - PERSONNEL) The Resolution, sponsored by Supervisors Quackenbush and Baia, respectively, was moved to the Full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION TERMINATING CAREMARK PRESCRIPTION DRUG CARD AGREEMENT AND AUTHORIZING CHAIRMAN TO SIGN AGREEMENT WITH MATRIX FOR COUNTY WIDE DISCOUNT PRESCRIPTION DRUG CARD PROGRAM - PERSONNEL) The Resolution, sponsored by Supervisors DiMezza and Quackenbush, respectively.

Supervisor DiMezza explained that Caremark was not efficient in supplying the required quarterly reports and was more difficult to deal with. Matrix will supply the same benefits at no cost with a better support system with its reporting and it also has a web site that residents can utilize. Supervisor DiMezza suggested putting the new cards in drug stores throughout the County to make residents aware that there is a new company and card for prescription drugs.

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

Item #3: (RESOLUTION RESCINDING RESOLUTION NUMBER 67 OF 2004 TO ADJUST AND UPDATE APPROVAL OF CREDIT FOR RETIREMENT DAYS FOR PART-TIME ELECTED AND APPOINTED OFFICIALS - PERSONNEL) The Resolution, sponsored by Supervisors Quackenbush and Baia, respectively, was moved to the Full Board with a positive recommendation. There were no objections.

Item #4: (EXECUTIVE SESSION - PERSONNEL MATTER) Chairman Quackenbush stated that the executive session for the personnel matter will be handled after "Other".

Item #5: (OTHER)

2009 Operating Budget Amendment:

Personnel Director, Richard Baia, took the floor and explained that Commissioner Cranker requested an upgrade for a position entitled "Medical Audit Clerk" to "Senior Medical Audit Clerk". The individual involved took and passed the appropriate test and was placed on the preferred list. The amount for the upgrade was allocated in the 2009 Budget but the Budget Officer took it out. The CSEA Agreement reflected upgrades for 15 positions with this position being one of them. It will be necessary to have a Resolution to amend the 2009 Budget to reflect the upgrade for this position from a "C" to an "E".

A Resolution, sponsored by Supervisors Quackenbush and Baia, respectively, was moved to the Full Board with a positive recommendation to amend the 2009 Operating Budget for the upgrade. There were no objections.

FMCC Trustee Appointment:

Supervisor McMahon informed the Board that there is a Trustee position open at FMCC as of June 1, 2009. He pointed out that in the past the County has advertised for the position or the Board can select an interested individual. Either way it is a Board appointment.

Supervisor DiMezza indicated that Chairman Thomas might be interested in the position and he would support him if he is interested. Chairman Thomas confirmed that he would be interested in the Trustee position. Supervisor McMahon stated that he would need to check to see if an elected individual who acts on the budget can also spend the budget. County Attorney Landon stated that on certain issues the individual might have to abstain but there is not outright prohibition to it.

Supervisor McMahon stated that he would let the FMCC Board know of Chairman Thomas's interest in the position.

Democratic Election Commissioner:

Supervisor McMahon stated that the Democratic Election Commissioner, Joan Grainer, is retiring and an appointee needs to be named as her replacement. Supervisor Johnson stated that Democratic Committee would be meeting on Thursday evening and will choose an individual for the appointment at that time. The name will be provided to the Clerk of the Board on Friday, April 17, 2009 for preparation of the Resolution.

A Resolution, sponsored by Supervisors Dybas and Johnson, respectively, was moved to the Full Board with a positive recommendation to appoint a replacement for Ms. Grainer. There were no objections.

Recess:

Supervisor Dybas motioned to move the executive session dealing with a personnel issue to the end of the meeting and recess Personnel Committee until then. Supervisor Thayer seconded the motion. There were no objections. The Personnel Committee recessed at 7:15 p.m.

The Committee reconvened at 8:30 p.m.

Executive Session:

Pursuant to Section 105 (e) of the NYS Open Meeting Law, the motion was made and seconded by Supervisors Dybas and Thayer, respectively, to enter into Executive Session to discuss a personnel matter. Executive Session commenced at 8:30 p.m.

Motion was made and seconded by Supervisors Dybas and Quackenbush, respectively, to adjourn Executive Session. Executive Session adjourned at 9:20 p.m.

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

Chairman Quackenbush adjourned the Personnel Committee meeting at 9:20 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - GENERAL SERVICES
7:05 PM, April 14, 2009

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:05 p.m.

Roll call indicated Committee members present included Supervisors Di Mezza, Johnson, Jonker, Patton, Strevy and Thayer.

Additional Supervisors present were Supervisors Greco, Quackenbush, McMahon, Barone, Dybas, Bai a and Thomas. Supervisor Stagliano was absent.

Chairman Walters has called a meeting of the General Services Committee for 7:57 p.m. on Tuesday, April 14, 2009 in the Supervisors' Chambers, County Office Bldg, 64 Broadway, Fonda, NY.

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

1. RESOLUTION ADOPTING THE MONTGOMERY COUNTY COORDINATED TRANSPORTATION PLAN (TRANSPORTATION)
2. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN DOCUMENTS – TRANSPORTATION CAPITAL PROJECT (NYS DOT) - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (BOARD OF SUPERVISORS)
3. DISCUSSION
 - FJG TRAIL
 - MOSA
4. OTHER

Item #1: (RESOLUTION ADOPTING THE MONTGOMERY COUNTY COORDINATED TRANSPORTATION PLAN - TRANSPORTATION) Supervisors Walters and Thayer made a motion and seconded, respectively. The Resolution was moved to the full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN DOCUMENTS - TRANSPORTATION CAPITAL PROJECT (NYS DOT) - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 - BOARD OF SUPERVISORS) Supervisors Walters and Johnson made a motion and seconded, respectively. The Resolution was moved to the full Board with a positive recommendation.

Add-On Resolutions:

(RESOLUTION AUTHORIZING PAYMENT OF INVOICE – BROWN COACH INC. – MONTGOMERY AREA EXPRESS OPERATION SERVICES (TRANSPORTATION) Supervisors Walters and Johnson 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.

(RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION – JOB ACCESS AND REVERSE COMMUTE (JARC) AND NEW FREEDOM GRANT FUNDING – NYS DOT) Supervisors Walters 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 #3: (DISCUSSION)

FJG Trail

Commissioner Clayburn, of Montgomery County DPW, took the floor and informed the Board that he applied for a grant for the FJG Bike Trail and just received notice that the Grant had been awarded. The County will enter into a contract with NYS DOT to accomplish the necessary work.

MOSA

Dennis Heaton, Solid Waste Coordinator, took the floor and briefed the committee on the plan to defease MOSA's outstanding debt by putting some of the agency's estimated \$12 million in reserves aside in a special account, overseen by a trustee, to pay off the Bonds. By eliminating the estimated \$9.5 million in debt the agency could reduce their tipping fee to become competitive with other local disposal sites and decrease the need for the counties to be bound by a high annual tonnage.

Mr. Heaton stated that at this point it is not clear how much each county will need to contribute for the defeasement of the bonds. He indicated that there is sure to be a difference of opinion as to how much money everyone will kick in.

Supervisor Greco stated that the number should be determined by an Auditor and felt that a resolution should go the Board of Supervisors as soon possible to get the show on the road.

Supervisors Greco and Thomas made a motion and seconded, respectively, to sponsor the Resolution for the defeasement of the MOSA Bonds. The Resolution was moved to the full Board with a positive recommendation. There were no objections.

Mr. Heaton explained that in accordance with the Service Agreement, MOSA should have furnished the County with detailed information within 60 days regarding the 2008 Shortfall rather than just sending a bill saying that the County owes over a million dollars for the 2008 GAT shortfall. Chairman Thomas will prepare a formal letter requesting the information from Mr. Chichester.

Item #4: (OTHER) There were not other items discussed.

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

Chairman Walters adjourned the General Services Committee meeting at 8:20 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - HEALTH & HUMAN SERVICES
7:10 PM, April 14, 2009

COMMITTEE MEETING DISCUSSION

Chairman Barone presided over the meeting commencing at 8:20 P.M.

Roll call indicated Committee members present included Supervisors Baia, Dybas, Jonker, Paton, and Strevy. Absent was Stagliano.

Additional Supervisors present were Greco, DiMezza, Quackenbush, Johnson, McMahon, Walters, Thayer and Thomas.

Chairman Barone has called a meeting of the Health and Human Services Committee for 2:20 p.m. on Tuesday, April 14, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - LONG TERM CARE POINT OF ENTRY PROGRAM (SOCIAL SERVICES)
2. OTHER

Item #1: (Resolution AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - LONG TERM CARE POINT OF ENTRY PROGRAM (SOCIAL SERVICES): The Resolution, sponsored by Supervisors Baia and Dybas, respectively, was moved to the Full Board with a positive recommendation. There were no objections.

Chairman Barone asked Al Kercado, Investigator for the Montgomery County Social Services Fraud Unit, to give a quarterly report on the total savings to the County for fraudulent claims. Mr. Kercado took the floor and presented the attached "Quarterly Savings Report".

Item #2: (Other) There was no other items for discussion.

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

Chairman Barone adjourned the Health & Human Services Committee meeting at 8:29 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
COMMITTEE OF THE WHOLE
7:15 PM, April 14, 2009

COMMITTEE MEETING DISCUSSION

Chairman Thomas presided over the meeting commencing at 7:15 P.M.

Roll call indicated Committee members present included Supervisors Greco, Johnson, Barone, Baia, Dybas, DiMezza, McMahon, Walters, Quackenbush, Jonker, Paton, Strevy and Thayer. Absent was Supervisor Stagliano.

Chairman Thomas has called a meeting of the Committee of the Whole for 7:15 p.m. on Tuesday, April 14, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION APPROVING SALES TAX DISTRIBUTION AGREEMENT AND AUTHORIZING THE CHAIRMAN TO EXECUTE THE AGREEMENT
2. OTHER

Item #1: (RESOLUTION APPROVING SALES TAX DISTRIBUTION AGREEMENT AND AUTHORIZING THE CHAIRMAN TO EXECUTE THE AGREEMENT) The Resolution was sponsored by Supervisors Greco and Thomas, respectively.

The original Sales Tax Distribution Agreement, under item Number 6, stipulated that the term of the Agreement will be from July 1, 2009 through June 30, 2014 with an option to renew for up to an additional three (3) five year terms. The Resolution authorized giving the City of Amsterdam 18% of the extra 1% and the Towns and Villages would receive 2% of the 1%.

Supervisors Greco and Baia respectively made a motion to amend item Number 6 of the Agreement to change the term of the Agreement to July 1, 2009 through June 30, 2029. Supervisor Greco stated that he does not want to keep going back and forth negotiating every five years and felt it would be a benefit to everyone involved.

Supervisor McMahon stated that he has a problem agreeing to anything for twenty-years especially with the new census coming up which could change the distribution of population in the County away from the City. He stated that rural areas have been picking up enormously in population and felt that the Board should wait until next year before making long-term commitments.

Supervisor Walters stated that the money comes out of the County's share and with economic times being what they are he felt the Agreement should stay with the five-year term. There could be a change in the economy and the 1% could be dropped. Supervisor Walters indicated that it would be better for the money to go to the County. He stated that it is not economically sound to give the Villages and Towns pennies when it could wind up costing dollars in the long run.

Supervisors DiMezza and Strevy supported the 20-year term and suggested that such an Agreement would take the issue of expanding water and sewer from the City to certain Towns out of the equation. Supervisor DiMezza indicated that a long-term deal would help everyone with the budget process.

Supervisors Jonker and Thayer felt that the original five-year term should remain in the Agreement.

City representatives attending the meeting were asked how they felt about the twenty-year term. Mayor Ann Thane and Common Council members Kim Brumley and Richard Leggiere all felt they could support the twenty-year agreement. Alderman Joseph Isabel indicated that it was hard and unrealistic to project anything for twenty-years.

On roll call the motion to amend was approved.

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

Item #2: (Other) There were no other items for discussion.

RESOLUTION NO. 94 of 2009

DATED: April 28, 2009

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

RESOLUTION APPROVING SALES TAX DISTRIBUTION AGREEMENT AND AUTHORIZING THE CHAIRMAN TO EXECUTE THE AGREEMENT (BOARD OF SUPERVISORS)

Resolution by Supervisor: Greco

Seconded by Supervisor: Thomas

WHEREAS, the distribution of sales tax revenue is a vital component of the financial structure of the County of Montgomery, the City of Amsterdam and the Towns and Villages in the County of Montgomery, and

WHEREAS, the County of Montgomery desires to incorporate the Towns and Villages in the distribution of the additional 1% sales tax revenue so that the County of Montgomery would receive 80%, the City of Amsterdam would receive 18% and the Towns and Villages in Montgomery County would receive 2%, and

WHEREAS, the proposed Sales Tax Distribution Agreement provides for an equitable distribution of sales tax among the various municipalities, and

WHEREAS, the Agreement will foster economic growth, inter-municipal cooperation and long-term stability,

RESOLVED, that the Chairman of the Board, upon approval of the County Attorney, is authorized to execute the Sales Tax Distribution Agreement.

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

ADJOURNMENT

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

Chairman Thomas adjourned the Committee of the Whole meeting at 7:56 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE
7:00 PM, April 21, 2009

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the Finance Committee meeting commencing at 7:00 PM.

Roll call indicated Committee members present were Supervisors Barone, DiMezza, Dybas, and Greco. Absent were Supervisors Johnson and Jonker.

Additional Supervisors present were McMahon, Paton, Walters and Thayer. Absent were Supervisors Quackenbush, Bai a and Stagliano.

Chairman Strevy has called a meeting of the Finance Committee for 7:00 p.m. on Tuesday, April 21, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AMENDING 2009 OPERATING BUDGET FOR EQUIPMENT REPAIRS (PURCHASING)
2. RESOLUTION AWARDING BID FOR OFFICE SUPPLIES (PURCHASING)
3. RESOLUTION RECOMMENDING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT FOR CRYSTAL BAR, INC. (ECONOMIC DEVELOPMENT/PLANNING)
4. RESOLUTION AWARDING BID NUMBER 07-09 MULTI -PURPOSE EXCAVATOR (PUBLIC WORKS)
5. DISCUSSION:
MOSA
6. OTHER

Item #1: (RESOLUTION AMENDING 2009 OPERATING BUDGET FOR EQUIPMENT REPAIRS - PURCHASING) Supervisors Dybas and Greco made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION AWARDING BID FOR OFFICE SUPPLIES - PURCHASING) Supervisors Barone and Thayer made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #3: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT FOR CRYSTAL BAR, INC. - ECONOMIC DEVELOPMENT/PLANNING) Supervisors Greco and Barone made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #4: (RESOLUTION AWARDING BID NUMBER 07-09 MULTI -PURPOSE EXCAVATOR - PUBLIC WORKS) Supervisors Barone and Greco made a motion and seconded, respectively, to sponsor the Resolution.

Commissioner Clayburn distributed a summary of the bids. Only one vendor presented a bid, which is Vantage Equipment of Syracuse, NY in the amount of \$330,641. Commissioner Clayburn recommended awarding the bid to Vantage Equipment.

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

Add-On Resolution:

(RESOLUTION AUTHORIZING TREASURER TO AMEND 2009 OPERATING BUDGET FOR STATE LAW ENFORCEMENT PREVENTION PROGRAM (SLETPP) GRANT FUNDS - SHERIFF) Supervisors Dybas and Thayer made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

(RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - JOB ACCESS AND REVERSE COMMUTE (JARC) AND NEW FREEDOM GRANT FUNDING NYSDOT - TRANSPORTATION) Supervisors Walters and Greco made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Walters explained that the Mobility Coordinator had just received a call at the end of the day regarding the Grant and that is why it is being presented as an add-on.

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

Item #5: (DISCUSSION)

MOSA:

County Solid Waste Coordinator, Dennis Heaton, took the floor and informed the Committee that he requested that MOSA furnish the County with documentation to justify the shortfall bill that MOSA sent the County but has not received anything from MOSA. The County did receive a letter from MOSA's attorney stating that the County has all the documentation necessary to justify the million-dollar bill.

Supervisor Dybas stated that in accordance with the Service Agreement, MOSA should supply the County with historic information to verify their numbers, which they have not done.

Supervisor Barone asked if MOSA uses a formula to calculate the GAT. Mr. Heaton responded that it is his understanding that the GAT is determined by adding the previous two years of tonnage to come up with an average and 95% of that number is used for the GAT calculation.

Supervisor DiMezza asked if MOSA might consider lowering the County's GAT due to economic reasons. Mr. Heaton responded that is being worked on. Also, the County's 2008 GAT number should be lowered and addressed by the MOSA Board because there are some waste streams that should be backed out of that number.

Supervisor Walters indicated that there could be a positive change on the MOSA Board, which he is very pleased with.

Supervisor Thayer, who also sits on the MOSA Board, stated that one of the Schoharie County members resigned and a new member has been appointed. It is his understanding that the new member is reasonable. Supervisor Walters stated that it would be good to have an open-minded person sitting on the MOSA Board.

Mr. Heaton stated that the MOSA Board will meet again on May 21, 2009, at which time he plans to make a presentation to the Board for the possibility of adjusting the GAT numbers.

Item #6: (OTHER)

DPW - 2009 Federal Transportation Bill Funding

Commissioner Clayburn took the floor and requested that a Resolution be presented at the next Board meeting to allocate money to hire an engineering firm to perform a feasibility study, in conjunction with Fulton County, for the purpose of constructing a corridor from Exit 28 in Fultonville to Route 30A. The purpose of the study would allow for the Counties to request funding for the project under the 2009 Federal Transportation Bill. The corridor would lead to the Fulton County Industrial Park and would allow for economic growth and development for both Counties. Montgomery County's share for the study would be approximately \$10,000.

Supervisors Dybas and Barone made a motion and seconded, respectively, to sponsor the Resolution for the study. It was moved to the Full Board with a positive recommendation. There were no objections.

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

Chairman Strevy adjourned the Finance Committee meeting at 7:30 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, April 28, 2009

CALL TO ORDER

Chairman Thomas called the Regular Meeting of the Montgomery County Board of Supervisors for April 28, 2009 to order at 7:00 PM.

SALUTE TO THE FLAG

Clerk of the Board, Robin Loske, led the Salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors McMahon, Strevy, Dybas, Thayer, Barone, Thomas, Johnson, Greco, Baia, Paton, Jonker, Walters, Quackenbush, and DiMezza were present. Supervisor Stagliano was absent.

PRIVILEGE OF THE FLOOR

A. Public Comment

Evelyn Lindley, of the Town of Root, took the floor and requested that the Board table the Resolution dealing with the sales tax distribution. She indicated that by giving the City of Amsterdam part of the 1% of the sales tax would be a conflict. Ms. Lindley suggested that the Towns of Amsterdam and Florida pay the City out of their tax proceeds.

Tom Dwyer, of the Town of Charleston, took the floor and requested that the Board consider banning burning barrels in the County. He stated that by residents burning their garbage it is not going to MOSA and also burning barrels stink.

Lauren Bibby, of the United Way, took the floor and spoke about compliance of code enforcement within the County. She stated that the Code Enforcement Officer for the Town of Charleston is not certified and that the State law needs to be enforced because it is very important to property values.

B. Proclamation - George King

Chairman Thomas presented George King with a Proclamation for his fifty years of service with the Fort Hunter Volunteer Fire Department.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (March 24, 2009, - April 21, 2009) by Supervisor Quackenbush, seconded by Supervisor Greco, passed with Aye(1772). Supervisor Stagliano was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Dybas, seconded by Supervisor Thayer, passed with Aye(1772). Supervisor Stagliano was absent.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

A. Resolutions

B. Other

Resolution No. 94 Discussion:

Supervisor Thayer stated that the proposition is not a win-win situation for the Towns and the

County. The City of Amsterdam and two of the Towns will benefit from it. He stated that he would not support the Resolution.

Supervisor Quackenbush stated that he would vote in favor of the Resolution because the Towns would have \$130,000 to split.

RESOLUTION NO. 94 of 2009

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

DATED: April 28, 2009

RESOLUTION APPROVING SALES TAX DISTRIBUTION AGREEMENT AND AUTHORIZING THE CHAIRMAN TO EXECUTE THE AGREEMENT (BOARD OF SUPERVISORS)

Resolution by Supervisor: Greco

Seconded by Supervisor: Thomas

WHEREAS, the distribution of sales tax revenue is a vital component of the financial structure of the County of Montgomery, the City of Amsterdam and the Towns and Villages in the County of Montgomery, and

WHEREAS, the County of Montgomery desires to incorporate the Towns and Villages in the distribution of the additional 1% sales tax revenue so that the County of Montgomery would receive 80%, the City of Amsterdam would receive 18% and the Towns and Villages in Montgomery County would receive 2%, and

WHEREAS, the proposed Sales Tax Distribution Agreement provides for an equitable distribution of sales tax among the various municipalities, and

WHEREAS, the Agreement will foster economic growth, inter-municipal cooperation and long-term stability,

RESOLVED, that the Chairman of the Board, upon approval of the County Attorney, is authorized to execute the Sales Tax Distribution Agreement.

RESOLUTION ADOPTED with Aye(1252). Supervisors McMahon, Walters, Paton, Jonker and Thayer voted Nay. Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 95 of 2009

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

DATED: April 28, 2009

RESOLUTION ADOPTING THE MONTGOMERY COUNTY COORDINATED TRANSPORTATION PLAN (TRANSPORTATION)

Resolution by Supervisor: Walters

Seconded by Supervisor: Thayer

WHEREAS, Resolution 218 of 2007 established the Montgomery County Bus Transportation System and the Montgomery County Transportation Committee, and

WHEREAS, as a recipient of Federal funding for its Transportation System, Montgomery County is required to adopt a Coordinated Transportation Plan, and

WHEREAS, said plan has been drafted and the Montgomery County Transportation Committee has met and reviewed said draft and made recommendation for adoption,

RESOLVED, the Montgomery County Coordinated Transportation Plan, as attached hereto, is hereby adopted.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 96 of 2009

DATED: April 28, 2009

RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN DOCUMENTS - TRANSPORTATION CAPITAL PROJECT (NYS DOT) - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (TRANSPORTATION)

Resolution by Supervisor: Wal ters

Seconded by Supervisor: Thayer

WHEREAS, Montgomery County is submitting a request for a grant of funds to the New York State Department of Transportation, pursuant to the American Recovery and Reinvestment Act of 2009 (ARRA) for the purchase of up to _____, and

WHEREAS, Montgomery County and the State of New York will enter into an Agreement which authorizes the undertaking of the Project, and reimbursement to the municipality of 100% of the project cost through the American Recovery and Reinvestment Act of 2009 at a cost of up to _____,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, to sign the following:

- 1) The application for funding;
- 2) Any and all Agreements between the County of Montgomery and the State of New York for the above named Project;
- 3) Any and all Agreements between the County of Montgomery and any third party subcontractors necessary to complete the Project;
- 4) Any and all Municipality/Vendor Contracts for the purchase and/or installation of vehicles and/or equipment pursuant to the application and agreement.

MOTION TO AMEND to add in the first "WHEREAS" clause after the "purchase of" the following:

One MCI Bus for the Commuter run to Albany at cost of \$475,000 and various transit related equipment for the MAX at a cost of \$52,000 for a total \$527,000, and to add in the second "WHEREAS" clause after "at a cost of up to 527,000 for equipment", by Supervisor Dybas, seconded by Supervisor Thayer, passed with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 97 of 2009

DATED: April 28, 2009

RESOLUTION AUTHORIZING PAYMENT OF INVOICE - BROWN COACH, INC. - MONTGOMERY AREA XPRESS OPERATION SERVICES (TRANSPORTATION)

Resolution by Supervisor: Wal ters

Seconded by Supervisor: Johnson

WHEREAS, Resolution 219 of 2007 authorized the signing of an Agreement with Brown Coach, Inc. for the provision of bus operation services for the Montgomery Area Xpress (MAX) for a one-year period in an amount not to exceed \$243,097, and

WHEREAS, the contract period ended on February 18, 2009 and services were provided for a one-year period at a total cost of \$251,812.16, and

WHEREAS, the total cost of services exceeds the amount authorized by resolution, and approval from the Board is required for final payment of the Agreement,

RESOLVED, that the Board of Supervisors hereby authorizes the increase in the face value of the contract with Brown Coach, Inc. authorized by Resolution 219 of 2007 to \$251,812.16, and

FURTHER RESOLVED, that payment for such increase shall be paid from the amount already appropriated in the 2009 Operating Budget.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 98 of 2009

DATED: April 28, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION -JOB ACCESS AND REVERSE COMMUTE (JARC) AND NEW FREEDOM GRANT FUNDING - NYSDOT (TRANSPORTATION)

Resolution by Supervisor: Wal ters

Seconded by Supervisor: Quackenbush

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

WHEREAS, both programs assist in improving mobility and economic opportunity for residents, 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 in a maximum amount of \$150,000 for the JARC grant and \$100,000 for the New Freedom Grant, and

WHEREAS, each program has a 50% local match, and

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

WHEREAS, Montgomery County is currently funding over \$250,000 per year in providing transportation services for work programs, low-income, elderly and Medicaid populations to the Department of Social Services, and

WHEREAS, awarding the Grant would allow the Montgomery Area Express, "The MAX" to continue serving its residents and focus on offsetting Department of Social Services transportation costs,

RESOLVED, that the Montgomery County Board of Supervisors hereby attests to the availability of local funds for the total project, as well as the local match, and

FURTHER RESOLVED, that upon review and approval by the County Attorney, the Chairman of the Board of Supervisors is hereby authorized to sign an application completed by the County's Mobility Coordinator for a Job Access and Reverse Commute (JARC) and New Freedom Grant on behalf of the County.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 99 of 2009

DATED: April 28, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - JOB ACCESS AND REVERSE COMMUTE (JARC) GRANT - 2009 & 2010 MAX OPERATING EXPENSES (TRANSPORTATION)

Resolution by Supervisor: Wal ters

Seconded by Supervisor: Greco

WHEREAS, the New York State Department of Transportation (NYSDOT) has available funding for a Job 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 in the amount of \$150,000 for Montgomery Area Xpress Public Transportation Service (MAX) operating expenses for 2009 and 2010, and

WHEREAS, the local match for said JARC grant is \$75,000 for each year, and

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

WHEREAS, in addition, it is anticipated that continuation of MAX services can significantly offset 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 to sign an application for a Job Access and Reverse Commute (JARC) Grant on behalf of the County for 2009 and 2010 operating costs of the Montgomery Area

Xpress Public Transportation Service.

RESOLUTION WITHDRAWN BY SPONSOR (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Resolution No. 100 Discussion:

Supervisor Dybas noted that there was not a appointee for the Amsterdam School district. Randy Silver stated that the County reached out to all school districts. Only two districts responded and the others declined.

Supervisor Barone suggested that Chairman Thomas send a letter to the School Boards.

Ms. De Lavallade, a representative of the United States Census, stated that the Resolution is time sensitive and other people can be appointed later if need be.

Supervisor DiMezza stated that he was not in agreement with some of the appointees on the list and would not vote in favor of the Resolution.

RESOLUTION NO. 100 of 2009

DATED: April 28, 2009

RESOLUTION APPOINTING MEMBERS-MONTGOMERY COUNTY COMPLETE COUNT COMMITTEE-2010 CENSUS (ECONOMIC DEVELOPMENT/PLANNING)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Johnson

WHEREAS, the United States Census Bureau is conducting the decennial census count in 2010 and the Montgomery County Department of Economic Development and Planning is acting as local affiliates for the 2010 Census, and

WHEREAS, the United States Census Bureau is requesting that Counties establish Complete Count Committees whose purpose will be to plan and implement local outreach efforts to publicize the importance of the 2010 Census, increase awareness about the 2010 Census and motivate residents in Montgomery County to respond to the Census, and

WHEREAS, said Committee's membership should represent a cross-section of community representatives to serve voluntarily and to include, but not be limited to the following groups:

Government Agencies
Education
Business
Religious Organizations
Community Organizations
Minority Organizations
Media
Not-for-profit Organizations

RESOLVED, the Chairman of the Montgomery County Board of Supervisors hereby nominates the following persons for appointment as members of the Montgomery County Complete Count Committee-2010 Census:

Matt Agresta	City of Amsterdam
William E. Strevey	Town of Florida
Betty Sanders	Town of Palatine
Evelyn Lindley	Town of Root
JoAnn Downing	Village of Fonda
Luis Aguero	Montgomery County Planning Board
Crystal Ricciuti	Montgomery County Planning Board
Roxanne Douglas	Clerk, Town of Glen
Rebecca Smith	Fort Plain Central School
James Hoffman	Fonda-Fultonville Central School
Dustin Swanger	Fulton-Montgomery Community College
Ladan Alomar	Centro Civico of Amsterdam, Inc.
Lauren Bibby	United Way
Peter Lenz	Resource Center for Independent Living
Juan Ramos	Salvation Army
Caroline Ramos	Salvation Army
Stephen Prohaska	Montgomery County Office for the Aging, Inc.
Jerri Cortese	St. Mary's Hospital
Lesley Lanzi	Amsterdam Memorial Hospital
Deborah Auspemyer	Montgomery County Chamber of Commerce
Marilyn Smith	Cornell Cooperative Extension

Dennis Wilson
Randy Silver

Fulmont Community Action Agency, Inc.
Montgomery County Economic Development & Planning

, and

FURTHER RESOLVED, the Chairman of the Montgomery County Board of Supervisors is authorized to appoint the Committee's Chairperson, and

FURTHER RESOLVED, upon adoption of this Resolution, the Montgomery County Department of Economic Development/Planning shall proceed to notify Committee members of their appointment, establish a meeting schedule and report to the Montgomery County Board of Supervisors as needed.

RESOLUTION ADOPTED with Aye(1553). Supervisor DiMezza voted Nay. Supervisor Stagliano was absent. (4/28/2009)

MOTION TO RECONSIDER by Supervisor DiMezza, seconded by Supervisor Dybas, passed with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

MOTION TO AMEND the first "RESOLVED" clause to strike "Lauren Bibby of the United Way", by Supervisor DiMezza, seconded by Supervisor Dybas, passed with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 101 of 2009

DATED: April 28, 2009

RESOLUTION APPOINTING MEMBER - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE - AGRICULTURE (ECONOMIC DEVELOPMENT/PLANNING)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Strevy

WHEREAS, by Resolution 54 of 2004 the Board of Supervisors re-established a Special Advisory Committee to develop and oversee implementation of programs to promote and market Montgomery County agricultural opportunities, and

WHEREAS, said Committee provides general direction to any groups responsible for County sponsored programs related to agricultural economic development, and

WHEREAS, the Farm Bureau representative position is vacant,

RESOLVED, the following is hereby appointed as a member of the Economic Development Advisory Committee-Agriculture:

Farm Bureau Representative- Marianne Friers
3449 St Hwy 5S
Fultonville, NY 12072

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 102 of 2009

DATED: April 28, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT FOR CRYSTAL BAR, INC. (ECONOMIC DEVELOPMENT/PLANNING)

Resolution by Supervisor: Greco

Seconded by Supervisor: Barone, Sr.

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 and recommended approval of a business loan application from Crystal Bar, Inc., for a loan of \$150,000 at an

interest rate of 2% for five (5) years, and

WHEREAS, said applicant has requested a loan from the Economic Development Program for the purpose of refinancing and working capital needs, and

WHEREAS, said applicant has agreed to retain twenty (20) full time 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, is hereby authorized to sign an agreement, and any other legal documents necessary to process an economic development loan, in a principal amount not to exceed \$150,000 to Crystal Bar, 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 equal monthly installments with an interest rate of two (2) percent, 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(1455). Supervisor Thayer voted Nay. Supervisors Dybas and Jonker abstained. Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 103 of 2009

DATED: April 28, 2009

RESOLUTION AUTHORIZING TREASURER TO AMEND 2009 OPERATING BUDGET FOR STATE LAW ENFORCEMENT PREVENTION PROGRAM (SLETPP) GRANT FUNDS (SHERIFF)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Thayer

WHEREAS, Resolution Number 322 of 2008, authorized the Chairman to sign a Grant Agreement for the acceptance of \$35,750 through the State Law Enforcement Prevention Program (SLETPP), and

WHEREAS, an RFP was prepared and a bid was awarded through Resolution Number 67 of 2009, for a Digital Recording Camera System for the Sheriff's Department in the amount of \$20,829.70, which said amount is to be paid from the grant funds,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUES:

A-15-3-3389	Public Safety Aid	\$35,750.00
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INCREASE APPROPRIATIONS:

A-15-4-3110-00-2250	Technical Equipment	\$26,813.00
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A-15-4-3110-00-1212	Overtime	\$ 8,937.00
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RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 104 of 2009

DATED: April 28, 2009

RESOLUTION RECOMMENDING ACTION TO DEFEASE THE REMAINING BONDS OF MOSA THROUGH THE USE OF MOSA RESERVES, AND TO THEREBY ELIMINATE THE ANNUAL DEBT SERVICE EXPENSE AND LOWER MOSA TIP FEES (BOARD OF SUPERVISORS)

Resolution by Supervisor: Greco

Seconded by Supervisor: Thomas

WHEREAS, the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA) was created in

1987 by enactment by the New York State Legislature of Title 13-AA Section 2041 of the Public Authorities Law at the request of Montgomery, Otsego and Schoharie Counties, and

WHEREAS, MOSA was created for the benefit of the three-member Counties, and

WHEREAS, bonds were issued by MOSA to build solid waste management facilities to serve the three-member Counties, and

WHEREAS, the annual debt service obligation associated with the MOSA bonds is \$2,118,092 for 2009 which MOSA estimates constitutes \$20.71 per ton of the overall MOSA tip fee of \$106.00 per ton, and

WHEREAS, the MOSA tip fee is a burden to the residents, businesses, institutions, and industries of Montgomery, Otsego and Schoharie Counties, and a reduction in the tip fee could be accomplished by defeasing the remaining MOSA bonds, and

WHEREAS, each of the three member Counties is evaluating how they can best provide solid waste services in the future and defeasing the bonds and eliminating the annual debt service component of the MOSA tip fee would bring immediate financial relief, and

WHEREAS, defeasing the remaining MOSA bonds will provide a basis for developing a new service agreement that can eliminate the Guaranteed Annual Tonnage (GAT) and the GAT shortfall penalty payment which have been the source of significant financial problems for the three-member Counties, and

WHEREAS, MOSA has built substantial reserves to help insure repayment of the bonds and assist operations and according to MOSA these reserves total \$12,268,979 as of December 2008, and

WHEREAS, the three-member Counties have met to discuss the potential for defeasing the bonds, including discussions with MOSA Board Members and Counsel, and there was a consensus to bring this issue forward for the consideration of the legislative body of each of the three-member Counties,

RESOLVED, that the Montgomery County Board of Supervisors hereby recommends and requests that the MOSA Board of Directors adopt a resolution at the earliest possible date making a commitment to defease the remaining MOSA bonds on or about December 31, 2009, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors hereby requests and recommends that the MOSA Board of Directors adopt a resolution to utilize existing MOSA reserves to defease the remaining MOSA bonds, and

FURTHER RESOLVED, that the Clerk of the Montgomery County Board Supervisors is hereby directed to send a copy of this Resolution to the MOSA Board of Directors and to the Legislature of the other two-member Counties.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 105 of 2009

DATED: April 28, 2009

RESOLUTION AWARDING BID NUMBER 09-09 MULTI-PURPOSE EXCAVATOR (PUBLIC WORKS)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Greco

WHEREAS, the Purchasing Department was authorized to solicit bids for a Multi-Purpose Hydraulic Excavator for the Department of Public Works, and

WHEREAS, said bids were opened on April 21, 2009,

RESOLVED, that the Board of Supervisors hereby awards Bid Number 07-09 to Advantage Equipment of 5985 Court Street, Syracuse, NY 13206 in the amount of \$330,641.00.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 106 of 2009

DATED: April 28, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - BARTON & LOGUIDICE, INC. - ENGINEERING SERVICES - 2009 FEDERAL TRANSPORTATION BILL FUNDING AND AUTHORIZING TREASURER TO AMEND 2009 OPERATING BUDGET (PUBLIC WORKS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Barone, Sr.

WHEREAS, the Board of Supervisors is interested in proposing a project for possible inclusion in the 2009 Federal Transportation Bill,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign an agreement with Barton & Loguidice, Inc. for the provision of engineering services for the 2009 Federal Transportation Bill, and

FURTHER RESOLVED, that said services shall be provided at a cost not to exceed \$10,000.00, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE:

A-599	Appropriated Fund Balance	\$10,000.00
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INCREASE:

A-60-4-9900-00-9950	Transfer to Capital Projects	\$10,000.00
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RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 107 of 2009

DATED: April 28, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET FOR EQUIPMENT REPAIRS - DPW (PURCHASING)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Greco

WHEREAS, Montgomery County has received a large claim check from its insurance company, Travelers, 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 2009 Operating Budget as follows:

INCREASE REVENUES:

A-31-3-2680	Insurance Recoveries	\$10,000.00
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INCREASE APPROPRIATIONS:

A-31-4-1345-00-.4422	Equipment Repairs	\$10,000.00
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RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 108 of 2009

DATED: April 28, 2009

RESOLUTION AWARDING BID FOR OFFICE SUPPLIES (PURCHASING)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Thayer

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 30, 2009,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 06-09 to Seely Conover's Office Center, Inc. of Amsterdam, NY for a term of one-year beginning May 1, 2009 and ending April 30, 2010, with the option to renew annually up to two additional years by mutual consent of Montgomery County and the awarded vendor at current or lesser prices.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 109 of 2009

DATED: April 28, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - LONG TERM CARE POINT OF ENTRY PROGRAM (SOCIAL SERVICES)

Resolution by Supervisor: Bai a

Seconded by Supervisor: Dybas

WHEREAS, the Commissioner of Social Services has received notification of \$63,000 funding allocated for Year Three Long Term Care Point of Entry Program for the period October 1, 2008 - September 30, 2009, and

WHEREAS, the Montgomery County Department of Social Services and the Montgomery County Office for the 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 to sign the appropriate documents related to the contracting of services with Montgomery County Office for the Aging for their part of the program in the amount not to exceed \$27,729.79, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUES:

A-18-3-3610-00	State Aid DSS Admin.	\$56,005
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INCREASE APPROPRIATIONS:

A-18-4-6010-00.2259	Computer Equipment	6,000
A-18-4-6010-00.4407	Office Equipment	2,000
A-18-4-6010-00.4408	Office Supplies	2,000
A-18-4-6010-00.4409	Office Furniture	2,375
A-18-4-6010-00.4438	Misc. Supporting Services	31,230
A-18-4-6010-00.4452	Printing/Copying	3,000
A-18-4-6010-00.4459	Computer Software	900
A-18-4-6010-00.4471	Mileage Allocation	500
A-18-4-6010-00.4491	Legal Notice & Advertising	8,000

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 110 of 2009

DATED: April 28, 2009

RESOLUTION AMENDING RESOLUTION NUMBER 409 OF 2008 PERTAINING TO THE NON-BARGAINING AGREEMENT (PERSONNEL)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Bai a

WHEREAS, Resolution Number 409 of 2008 pertaining to the Non-Bargaining Agreement Section 10, paragraphs A-C (Sick Leave Credit Upon Retirement) states remove and replace with same as CSEA, and

WHEREAS, this same language was inserted in the Non-Bargaining Agreement and should not have been,

RESOLVED, that Section 10, paragraphs A-C should remain the same as accepted in the 2007 Non-

Bargaining Agreement.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 111 of 2009

DATED: April 28, 2009

RESOLUTION RESCINDING RESOLUTION NUMBER 67 OF 2004 TO ADOPT AND UPDATE APPROVAL OF CREDIT FOR RETIREMENT DAYS FOR PART-TIME ELECTED AND APPOINTED OFFICIALS (PERSONNEL)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Bai a

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

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

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

WHEREAS, Resolution Number 67 of 2004 approved standards for crediting retirement days for part-time elected and appointed officials, and

WHEREAS, it is necessary to rescind said Resolution Number 67 of 2004 and provide for new standards of credit for retirement days for part-time elected/appointed officials as recommended by the Personnel Officer,

RESOLVED, that Resolution Number 67 of 2004 hereby is rescinded, and

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

RETIREMENT DAYS CREDIT FOR ELECTED/APPOINTED (PT) OFFICIALS

County Attorney	5.00 Days
1st Assistant District Attorney/DWI Prosecutor	7.00 Days
Assistant District Attorney	6.00 Days
Head Coroner	1.78 Days
Coroner	1.50 Days
Public Defender	6.00 Days
1st Assistant Public Defender	3.85 Days
Assistant Public Defender	4.00 Days
Social Services Attorney (3)	5.00 Days
Public Health Physician	1.00 Day
Chairman of the Board of Supervisors	5.00 Days
All Supervisors	3.50 Days
Assistant County Attorney	4.00 Days
Budget Officer (PT)	5.00 Days

, and

FURTHER RESOLVED, that the standard work week for a part-time elected/appointed officials is at minimum one-half of a standard 35-hour work week, and

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

FURTHER RESOLVED, that the standard workday for the above part-time positions hereby is established at 6 hours per day.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 112 of 2009

DATED: April 28, 2009

RESOLUTION TERMINATING CAREMARK PRESCRIPTION DRUG CARD AGREEMENT AND AUTHORIZING CHAIRMAN TO SIGN AGREEMENT WITH MATRIX FOR COUNTY-WIDE DISCOUNT PRESCRIPTION DRUG CARD PROGRAM (PERSONNEL)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Quackenbush

WHEREAS, Resolution 340 of 2007 authorized an Agreement with Caremark for a County wide discount prescription drug card for County residents and County Government, and

WHEREAS, Caremark's Main Office is located in Scottsdale, Arizona, and

WHEREAS, Section 7.2a of the Agreement with Caremark states there is a ninety day termination clause by either party, and

WHEREAS, Matrix, which is a local Capital District Company, has a "discount drug card" available to all County residents and a "no cost discount card" for County Government, and

WHEREAS, since Matrix is a local company there will be enhanced lines of communication with County residents and County Government,

RESOLVED, that Matrix shall have a three-year Agreement commencing on August 1, 2009 through July 31, 2012, with a ninety-day without cause written termination section, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, with the approval of the County Attorney, is hereby authorized to sign an Agreement with Matrix.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 113 of 2009

DATED: April 28, 2009

RESOLUTION APPOINTING DEMOCRATIC ELECTION COMMISSIONER TO FILL UNEXPIRED TERM - BOARD OF ELECTIONS (PERSONNEL)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Johnson

WHEREAS, the Election Law of the State of New York requires that County Election Commissioners be appointed for terms of four years, such appointments to be in each odd-numbered year, and

WHEREAS, the current Democratic Election Commissioner will be retiring before the end of her term of December 31, 2010,

RESOLVED, that the Montgomery County Board of Supervisors hereby appoints Jamie M. Duchessi, of 280 Guy Park Avenue, Amsterdam, New York, as Democratic Election Commissioner of the Montgomery County Board of Elections to fill the unexpired term ending December 31, 2010, and

FURTHER RESOLVED, that said appointee shall be paid an annual salary of \$36,050, an amount which has been appropriated in the 2009 Operating Budget.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 114 of 2009

DATED: April 28, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET SENIOR MEDICAL AUDIT CLERK - SOCIAL SERVICES (PERSONNEL)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Quackenbush

WHEREAS, the Commissioner of Social Services has recommended a change in title for a position that exists in the 2009 Operating Budget,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating

Budget as follows:

TRANSFER FROM:

A-18-6010-00.1110(471)	Medical Audit Clerk	\$27,103.00
A-18-6010-00.1110(468)	Senior Clerk Typist	\$ 2,853.00

TRANSFER TO:

A-18-6010-00.1110(1196)	Senior Medical Audit Clerk	\$29,956.00
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RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

OTHER

Resolution Number 115 - Discussion:

Supervisors Barone and Baia made a motion and seconded, respectively to appoint John Thomas to the Fulton-Montgomery Community College Board of Trustees to fill the said position for a seven-year term commencing on July 1, 2009 and ending on June 30, 2016.

Supervisor McMahon expressed his concern that it would be a conflict of interest for Chairman Thomas to serve in both positions. He indicated that serving as Chairman of the Board of Supervisors and as a Trustee is crossing the line. Supervisor McMahon stated that the selection of the appointee was made without a formal process. He felt that the Board of Supervisors should have solicited candidates and performed interviews before choosing a candidate.

County Attorney, Doug Landon, stated that there might be individual situations where the two roles may conflict but there is no inherent conflict that would prohibit Chairman Thomas's appointment.

Supervisor Thayer was confident that Chairman Thomas could be able to balance the responsibilities of the two roles.

Supervisor Barone stated that he has complete confidence with Chairman Thomas serving on the FMCC Board of Trustees.

RESOLUTION NO. 115 of 2009

DATED: April 28, 2009

RESOLUTION APPOINTING TRUSTEE - FULTON MONTGOMERY COMMUNITY COLLEGE BOARD OF TRUSTEES (BOARD OF SUPERVISORS)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Baia

WHEREAS, there is currently a vacancy on the Fulton-Montgomery Community College Board of Trustees,

RESOLVED, that John B. Thomas is hereby appointed to the Fulton-Montgomery Community College Board of Trustees to fill the said position for a seven-year term commencing on July 1, 2009 and ending on June 30, 2016.

RESOLUTION ADOPTED with Aye(1231). Supervisors Dybas, McMahon, Paton and Jonker abstained. Supervisor Stagliano was absent. (4/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

EXECUTIVE SESSION

Pursuant to Section 105 (f) of the NYS Open Meeting Law, MOTION TO ENTER EXECUTIVE SESSION by Supervisor DiMezza, seconded by Supervisor Dybas, passed with Aye(1772), Supervisor Stagliano was absent, to discuss matters leading to a certain appointment.

Executive Session commenced at 7:43 p.m.

MOTION TO EXIT EXECUTIVE SESSION by Supervisor DiMezza, seconded by Supervisor Jonker, passed with Aye(1772). Supervisor Stagliano was absent.

Executive Session adjourned at 7:59 p.m.

Supervisors DiMezza and Dybas made a motion and seconded, respectively to reconsider Resolution Number 100. There was no objection.

Supervisors DiMezza and Dybas made a motion and seconded, respectively to amend the first "Resolved" clause of Resolution Number 100 to strike "Lauren Bibby" of the Untied Way. There was no objection.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Barone, Sr., seconded by Supervisor Jonker, passed with Aye(1772). Supervisor Stagliano was absent.

Chairman Thomas adjourned the meeting at 8:00 P.M.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISOR'S CHAMBERS
COMMITTEE MEETING - FINANCE
7:00 PM, May 19, 2009

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the Finance Committee meeting commencing at 7:00 PM.

Roll call indicated Committee members present were Supervisors Barone, Dybas, Greco, Johnson and Jonker. Absent was Supervisor DiMezza.

Additional Supervisors present were McMahon, Paton, Walters, Thayer and Baia. Absent were Supervisors Quackenbush and Stagliano.

Chairman Strevy has called a meeting of the Finance Committee for 7:00 p.m. on Tuesday, May 19, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AMENDING 2009 OPERATING BUDGET - BYRNE GRANT EXTENSION (DISTRICT ATTORNEY)
2. RESOLUTION AMENDING IMMUNIZATION ACTION PLAN GRANT FUNDING (PUBLIC HEALTH)
3. RESOLUTION REQUESTING THE NYS LEGISLATURE TO REAUTHORIZE LEGISLATION WHICH INCREASES SALES TAX IN THE COUNTY OF MONTGOMERY (BOARD OF SUPERVISORS)
4. DISCUSSION
Summary of RFP - Consultant to Design a Microwave Tower System
2008 GAT Shortfall Payment
5. OTHER

Item #1: (RESOLUTION AMENDING 2009 OPERATING BUDGET - BYRNE GRANT EXTENSION) - (DISTRICT ATTORNEY) Supervisors Barone and Greco made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION AMENDING IMMUNIZATION ACTION PLAN GRANT FUNDING) - (PUBLIC HEALTH) Supervisors Barone and Dybas made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #3: (RESOLUTION REQUESTING THE NYS LEGISLATURE TO REAUTHORIZE LEGISLATION WHICH INCREASES SALES TAX IN THE COUNTY OF MONTGOMERY - (BOARD OF SUPERVISORS) Supervisors Greco and Thomas made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

ADD-ON RESOLUTIONS:

(RESOLUTION AMENDING 2009 OPERATING BUDGET - RETAINED COUNSEL FOR DEFENSE LITIGATION-HERO/BEECH NUT PROJECT - (BOARD OF SUPERVISORS) Supervisors Strevy and McMahon made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor McMahon suggested that the parties involved should share the cost of the legal fees.

Supervisor Greco quired the County Treasurer as to the amount of funds in the Contingency Account. Treasurer Bowerman responded that there was about \$31,000.00 in the account. Supervisor Greco recommended that the funds come from Account Number A599 "Appropriations Fund Balance". The members agreed to the change.

Supervisor Greco asked the County Attorney to check and see if the County could get reimbursed for some of the legal fees. The County Attorney responded that he would check on it.

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

(RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY) Supervisors Thomas and Jonker 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.

(RESOLUTION ACCEPTING BIDS - 2009 AUCTION - (TREASURER) Supervisors Dybas and McMahon made a motion and seconded, respectively, to sponsor the Resolution.

The County Treasurer explained that the Auction would take place on May 20th and he would have a list of the properties and the amount of the bids to the Clerk of the Board on May 21st.

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

(RESOLUTION AMENDING 2009 OPERATING BUDGET (SHERIFF) Supervisors Thomas and Greco made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Dybas asked Sheriff Amato to explain how the equipment operated and the purpose for it. The Sheriff gave a brief description and explanation.

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

Item #4: DISCUSSION

Summary of Consultant to Design a Microwave Tower System:

Sheriff Amato explained that he, Gary Nestle and the County Purchasing Agent, reviewed the RFP's submitted and were in agreement that the RFP should be awarded to L. Robert Kimball & Associates of Pennsylvania in the amount of \$42,434.00. Sheriff Amato indicated that L. Robert Kimball met the specifications of the RFP. Mr. Nestle pointed out that the consultant would be responsible for making sure the chosen system works right.

Supervisor Dybas suggested interviewing L. Robert Kimball Associates. Supervisor Greco suggested that the Board interview both L. Robert Kimball Associates and Changetac, LLC.

Supervisors McMahon, Johnson, Thayer, Jonker and Walters stated that the Committee should take the recommendation of the Sheriff, the Emergency Management Director and the Purchasing Agent to award to the RFP to L. Robert Kimball Associates in the amount of \$42,434.00 and a resolution should be prepared for Board consideration.

(RESOLUTION AWARDING RFP #01-09 - MICROWAVE SYSTEM - MONTGOMERY COUNTY (SHERIFF) Supervisors Thomas 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.

2008 GAT Shortfall Payment:

The County Solid Waste Coordinator, Dennis Heaton, took the floor and stated that MOSA is considering backing out the BFI and Keymark waste from Montgomery County's GAT for 2010. He suggested that the County formally ask MOSA to back out the BFI and Keymark waste numbers from the 2007, 2008 and 2009 GAT calculation because the waste is non-existent.

It was pointed out that the County was served earlier in the day with a lawsuit for collecting \$1,047,000 that MOSA claims that the County owes for being short on its GAT for 2008.

The Committee authorized Mr. Heaton to approach the MOSA Board to ask for a reduction in the 2008 GAT shortfall payment in the amount of \$375,000 to reflect the waste that was incorrectly calculated by MOSA for the BFI and Keymark waste. If the MOSA Board does not want to entertain the request, then Mr. Heaton was directed to leave without further discussion.

County Attorney, Doug Landon, suggested that because of the pending litigation no further discussion should take place.

Item #5: OTHER

Supervisor Walters stated that he would like to sponsor a Resolution urging the Senate to oppose certain gun control laws. Karl Baia stated that he would second the Resolution.

Supervisor Greco went on record to say he does like any kind of guns.

(RESOLUTION URGING NYS SENATE OPPOSITION TO ANTI-GUN LEGISLATION (BOARD OF SUPERVISORS) Supervisors Walters and Baia made a motion and seconded, respectively, to sponsor the Resolution. The Resolution was moved to the Full Board with no recommendation. There were no objections.

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

Chairman Strevy adjourned the Finance Committee meeting at 7:46 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, May 26, 2009

CALL TO ORDER

Chairman Thomas called the Regular Meeting of the Montgomery County Board of Supervisors for May 26, 2009 to order at 7:00 PM.

SALUTE TO THE FLAG

Supervisor Barone led the Salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors McMahon, Strevy, Dybas, Thayer, Barone, Thomas, Johnson, Greco, Paton, Jonker, Walters, Quackenbush, and DiMezza were present. Supervisor Bai a and Stagliano was absent.

PRIVILEGE OF THE FLOOR

A. Public Comment

There was no public comment offered.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (April 28, 2009 - May 19, 2009) by Supervisor DiMezza, seconded by Supervisor Dybas, passed with Aye(1635). Supervisors Bai a and Stagliano were absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Strevy, seconded by Supervisor Quackenbush, passed with Aye(1635). Supervisors Bai a and Stagliano were absent.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

A. Resolutions

B. Other

RESOLUTION NO. 116 of 2009

DATED: May 26, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - BYRNE GRANT EXTENSION (DISTRICT ATTORNEY)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Greco

WHEREAS, the District Attorney has been advised that Montgomery County has been awarded an extension of grant monies to be utilized for an Illegal Drug Trafficking Prevention Program, and

WHEREAS, said monies are comprised of a grant extension from Byrne JAG (Grant #BJ08-1002-D01) in the amount of \$9,000.00,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUES:

A-25-3-3089 State Aid – Other \$9,000.00

INCREASE APPROPRIATIONS:

A-25-4-1165-00-.4522 DA/Law Enforcement \$9,000.00

RESOLUTION ADOPTED with Aye(1498). Supervisors Johnson, Bai a and Stagl iano were absent.
(5/26/2009)

Dougl as Landon
County Attorney

Robi n Loske
Clerk, Board of Supervisors

RESOLUTION NO. 117 of 2009

DATED: May 26, 2009

RESOLUTION AMENDING IMMUNIZATION ACTION PLAN GRANT FUNDING (PUBLIC HEALTH)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Dybas

WHEREAS, Montgomery County has been awarded the Immunization Action Plan Grant Funds not to exceed \$35,000.00, for the period commencing April 1, 2009 and ending March 31, 2010, and

WHEREAS, the Immunization Action Plan Grant Funds are currently appropriated in the 2009 Operating Budget,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes acceptance of the 2009-2010 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 to sign the 2009-2010 Grant Contract, and

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(1498). Supervisors Johnson, Bai a and Stagl iano were absent.
(5/26/2009)

Dougl as Landon
County Attorney

Robi n Loske
Clerk, Board of Supervisors

RESOLUTION NO. 118 of 2009

DATED: May 26, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET (SHERIFF)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Greco

WHEREAS, the Sheriff has requested a budget amendment to provide funds for acquisition of a Repeater System and a County-Wide Voter System for the Sheriff's Office,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget, as follows:

INCREASE REVENUES:

A-511 Appropriation Reserves \$36,564.00

INCREASE APPROPRIATIONS:

A-15-4-3020-14-2250 E911 \$36,564.00

RESOLUTION ADOPTED with Aye(1635). Supervisors Bai a and Stagl iano were absent. (5/26/2009)

Dougl as Landon
County Attorney

Robi n Loske
Clerk, Board of Supervisors

Resolution No. 119 Discussion:

Sheriff Amato stated that he spoke with representatives from Oneida County who indicated that they have dealt with Robert Kimball & Associates and they were very happy with their services.

RESOLUTION NO. 119 of 2009

DATED: May 26, 2009

RESOLUTION AWARDING RFP #01-09 -MICROWAVE SYSTEM - MONTGOMERY COUNTY

Resolution by Supervisor: Thomas

Seconded by Supervisor: Strevy

WHEREAS, the Purchasing Agent was authorized per Resolution 76 of 2009 to conduct a Request for Proposals, and

WHEREAS, proposals have been received and were opened on April 30, 2009, and

WHEREAS, after reviewing the proposals the Sheriff, Emergency Management Director and Purchasing Agent recommend awarding the RFP to L. Robert Kimball & Associates, Inc. of State College, PA., for the amount of \$42,434.000

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, is authorized to sign an agreement with L. Robert Kimball & Associates, Inc.

RESOLUTION ADOPTED with Aye(1635). Supervisors Bai a and Stag liano were absent. (5/26/2009)

Dougl as Landon
County Attorney

Robi n Loske
Clerk, Board of Supervisors

Resol uti on No. 120 Di scussi on:

Supervisor Dybas indicated that Haralambos Caroutsos, Parcel 71, has bid in the past and defaulted on the property afterward. Supvisor Dybas motioned to accept the second bidder for that parcel, Karen Sauerbrey, for the sum of \$18,000.

Supervisor DiMezza motioned to reject the bid for parcel 9 so that the County can retain a right away using the lot.

Both motions were approved, which changed the total amount for the auction proceeds from \$239,825.00 to \$238,875.00.

RESOLUTION NO. 120 of 2009

DATED: May 26, 2009

RESOLUTION ACCEPTING BIDS - 2009 AUCTION (TREASURER)

Resolution by Supervisor: Dybas

Seconded by Supervisor: McMahon

WHEREAS, an open-bid auction of certain County-owned real property was held on Wednesday, May 20, 2009, and

WHEREAS, the respective successful bidders were as follows:

PARCEL#	DESCRIPTION	BID
---------	-------------	-----

WHEREAS, Successful bids meet the terms and conditions of said auction and have been reviewed by the County Treasurer and by the County Attorney,

RESOLVED, that the County Treasurer hereby is authorized and directed to execute Quit Claim Deeds, for each of the aforementioned parcels, in the names of the successful bidders, and

FURTHER RESOLVED, that the County Treasurer is authorized and directed to notify each of the successful bidders that all additional monies for the accepted bid, and any outstanding monies that may be owed, shall be paid to the County Treasurer prior to conveying auction property, 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 Barone, Sr. to strike the second WHEREAS clause and insert the following list in it's place:

BIDDER	PARCEL#	BID
Joseph M. & James C. Vit us	2	\$ 11,000.00

Randall A. Crosby	3	\$ 2,250.00
Arlene F. Schmidt	5	\$ 175.00
Bernard Hassfurter	7	\$ 500.00
Matthew Constantine	8	\$ 2,300.00
Randall A. Crosby	9	\$ 100.00
Constantine Iliev	16	\$ 1,500.00
Heidi L. & Drew T. Meka	18	\$ 1,000.00
A & R Group, LLC	20	\$ 5,000.00
Bonij S. Ronjan	21	\$ 1,500.00
Carol Ann Luckner	22	\$ 1,750.00
Carol Ann Luckner	23	\$ 125.00
Randall A. Crosby	26	\$ 800.00
Stephen H. Oare	28	\$ 1,000.00
A & R Group, LLC	34	\$ 400.00
Edward E. Houser	45	\$ 2,100.00
Scorpio Group, LLC	51	\$ 8,500.00
Randall A. Crosby	56	\$ 500.00
Robin M. & James S. Pettit	58	\$ 1,500.00
Noel P. Egelston	67	\$ 3,000.00
Brooke M. D'Arcangelis & Christoher J. Cuddy	68	\$ 77,000.00
Dean E. Blair	69	\$ 17,500.00
Kenneth C. Miller	70	\$ 1,000.00
Haralambos Garoutsos *	71	\$ 19,000.00
Myriam M. Di sessa	72	\$ 5,000.00
John P. Grimm	74	\$ 3,000.00
Jennie J. & Lance W. Conley	75	\$ 100.00
Vasilios Garoutsos	76	\$ 600.00
Daniel P. White	77	\$ 25.00
James C. Monk	78	\$ 27,000.00
Gail M. Smith	81	\$ 11,000.00
Vijay Singh	82	\$ 1,000.00
Michael W. Montanye	83	\$ 7,000.00
Vijay Singh	84	\$ 1,600.00
Elaine Dobson	87	\$ 10,000.00
Scott C. Orr	88	\$ 7,000.00
John P. Manikas	89	\$ 7,000.00

TOTAL \$239,825.000

* 2nd Bidder Karen E. Sauerbrey 71 \$ 18,000.00

and reject Bid Number 9 and strike out Bid Number 71, Haralambos Caroutsos in the amount of \$19,000 and replace it with the second bidder Karen Sauerbrey in the amount of \$18,000, passed with Aye(1635). Supervisors Bai a and Stagliano were absent.

MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Barone, Sr. to strike the second WHEREAS clause and insert the following list in it's place:

BIDDER	PARCEL#	BID
Joseph M. & James C. Vitus	2	\$11,000.00
Randall A. Crosby	3	2,250.00
Arlene F. Schmidt	5	175.00
Bernard Hassfurter	7	500.00
Matthew Constantine	8	2,300.00
Randall A. Crosby	9	100.00
Constantine Iliev	16	1,500.00
Heidi L. & Drew T. Meka	18	1,000.00
A & R Group, LLC	20	5,000.00
Bonij S. Ronjan	21	1,500.00
Carol Ann Luckner	22	1,750.00
Carol Ann Luckner	23	125.00
Randall A. Crosby	26	800.00
Stephen H. Oare	28	1,000.00
A & R Group, LLC	34	400.00
Edward E. Houser	45	2,100.00
Scorpio Group, LLC	51	8,500.00
Randall A. Crosby	56	500.00
Robin M. & James S. Pettit	58	1,500.00
Noel P. Egelston	67	3,000.00
Brooke M. D. Arcangelis & Christopher J. Cuddy #68		77,000.00
Dean E. Blair	69	17,500.00
Kenneth C. Miller	70	1,000.00
Haralambos Garoutsos *	71	19,000.00
Myriam M. Di sessa	72	5,000.00
John P. Grimm	74	3,000.00

Jennie J. & Lance W. Conley	75	100.00
Vasilios Garoutsos	76	600.00
Daniel P. White	77	25.00
James C. Monk	78	27,000.00
Gail M. Smith	81	11,000.00
Vijay Singh	82	1,000.00
Michael W. Montanye	83	7,000.00
Vijay Singh	84	1,600.00
Elaine Dobson	87	10,000.00
Scott C. Orr	88	7,000.00
John P. Manikas	89	7,000.00

Total 239,825.00

* 2nd Bidder Karen E. Sauerbrey #71 18,000.00

and reject Bid Number 9 and strike out Bid Number 71, Haralambos Caroutsos in the amount of \$19,000 and replace it with the second bidder Karen Sauerbrey in the amount of \$18,000, passed with Aye(1635). Supervisors Baia and Stagliano were absent. (5/26/2009)

RESOLUTION ADOPTED with Aye(1635). Supervisors Baia and Stagliano were absent. (5/26/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 121 of 2009

DATED: May 26, 2009

RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY

Resolution by Supervisor: Thomas

Seconded by Supervisor: Jonker

RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to disburse Mortgage Tax money for the period from October 1, 2008 through March 31, 2009, 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(1635). Supervisors Baia and Stagliano were absent. (5/26/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Resolution No. 122 Discussion:

Supervisor Barone questioned how long the litigation was going to continue and indicated that it was a frivolous lawsuit.

RESOLUTION NO. 122 of 2009

DATED: May 26, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET- RETAINED COUNSEL FOR DEFENSE LITIGATION- HERO/BEECH NUT PROJECT (BOARD OF SUPERVISORS)

Resolution by Supervisor: Strevy

Seconded by Supervisor: McMahon

WHEREAS, pursuant to Resolution No. 261 of 2008 the Board of Supervisors agreed to retain the law firm of Hodgson Russ, LLP to serve as lead counsel to represent Montgomery County, the Planning Board of the Town of Florida and the Montgomery County Industrial Development Agency, in defense against litigation commenced by the Village of Canajoharie regarding the Hero/Beech Nut project, and

WHEREAS, the cost of services was set at \$300 per hour, plus normal expenses, not to exceed a maximum sum of \$250,000, and

WHEREAS, additional funding is needed in the Board of Supervisors budget to cover current and future bills for this defense,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget as follows:

TRANSFER FROM:

A- 599 Appropriated Fund Balance \$50, 000

TRANSFER TO:

A-01-4-1930-00-4431 Judgments and Claims \$50, 000

RESOLUTION ADOPTED with Aye(1635). Supervisors Bai a and Stagliano were absent. (5/26/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Resol uti on No. 123 Di scussi on:

Supervisor Walters stated that the anti-gun legislation has come from New York City and the Senate should not approve such a bill because of the sportsmen and other people who actually hunt for their food.

Supervisor McMahon stated it would be against the Constitution of the United States to pass such a law.

RESOLUTION NO. 123 of 2009

DATED: May 26, 2009

RESOLUTION URGING NYS SENATE OPPOSITION TO ANTI-GUN LEGISLATION (BOARD OF SUPERVISORS)

Resolution by Supervisor: Wal ters

Seconded by Supervisor: Bai a

WHEREAS, sportsman and legal gun owners in Montgomery County are directly affected by certain assembly bills and other pending gun legislation, and

WHEREAS, certain bills passed through the assembly will have a detrimental effect on hunters, sportsman and legal gun owners as well as the health of wildlife, revenue to local municipalities and the Department of Environmental Conservation,

RESOLVED, the Montgomery County Board of Supervisors urges the NYS Senate to oppose the following bills:

Assembly Bill A.801-A, five-year renewal on pistol permits, companion bill S.1598 oppose sixth out upgrade on current licenses;

Assembly Bill A.1093, restrictions on dealers and require almost unattainable liability insurance companion bill S.1715;

Assembly Bill A.1326, outlaw handguns capable of firing by a 5-year old or younger, making all current handguns illegal;

Assembly Bill A.2881, banning frangible ammunition, companion bill S.2379;

Assembly Bill A.2882-A expanding ballistic imaging;

Assembly Bill A.3076-A instituting new training requirements for issuance of permits;

Assembly Bill A.3211-A to outlaw 50 caliber and over firearms;

Assembly Bill A.5844 requiring mandatory storage of firearms companion bill S.3098;

Assembly Bill A.6157 to expand weapons ban;

Assembly Bill A.6468 to ban sale of semi-automatic weapons without micro stamping companion bill S.4397;

Assembly Bills A.5078, A.7574, and A.7575-A limiting sale and use of firearms.

MOTION TO AMEND by Supervisor Walters, seconded by Supervisor Thayer to replace the Resolution with a new Resolution stating the Assembly Bills being opposed, passed with Aye(1635). Supervisors Bai a and Stagliano were absent. (5/26/2009)

RESOLUTION ADOPTED with Aye(1635). Supervisors Bai a and Stagliano were absent. (5/26/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 124 of 2009**DATED:** May 26, 2009**RESOLUTION REQUESTING THE NYS LEGISLATURE TO REAUTHORIZE LEGISLATION WHICH INCREASES SALES TAX IN THE COUNTY OF MONTGOMERY**

Resolution by Supervisor: Greco

Seconded by Supervisor: Thomas

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, 2009, 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 sales tax in Montgomery County from seven percent to eight percent, with the additional one percent to be distributed as follows: 80% to be retained by the County of Montgomery, and 18% to be distributed to the City of Amsterdam, and 2% to be distributed to the towns and villages in Montgomery County based upon assessed valuation, as passed per Resolution 94 of 2009.

RESOLUTION ADOPTED with Aye(1635). Supervisors Bai a and Stagliano were absent. (5/26/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

OTHER

There were no other items for discussion.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor DiMezza, seconded by Supervisor Thayer, passed with Aye(1635). Supervisors Bai a and Stagliano were absent.

Chairman Thomas adjourned the meeting at 7:20 P.M.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - EDUCATION/GOVERNMENT
7:00 PM, June 2, 2009

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Bai a, Paton, Strevy and Thayer. Supervisors Barone and Stagliano were absent.

Additional Supervisors present were Supervisors Greco, DiMezza, Johnson, Thomas, Jonker and Dybas. Supervisors Quackenbush and Walters were absent.

Chairman McMahon has called a meeting of the Education/Government Committee for 7:00 p.m. on Tuesday, June 2, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. Presentation - David Morrow, FMCC regarding FMCC Budget
2. RESOLUTION RE-APPOINTING MEMBER - FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD
3. RESOLUTION TO JOIN THE NEW YORK STATE ASSOCIATION OF TOWNS AND OTHER COUNTIES IN SEEKING COUNTY LEADERSHIP AND SUPPORT FOR FISCAL RESPONSIBILITY BY STAYING WITH LEVER VOTING MACHINES (BOARD OF SUPERVISORS)
4. Other

Item #1: Presentation - Dr. Dustin Swanger, FMCC - Regarding FMCC Budget

Dr. Swanger, President of the FMCC, took the floor and presented the members with the 2009-2010 Budget for the Fulton Montgomery Community College. He stated that the College would not be asking for any sponsor increase in the new budget. The tuition fee will increase \$50 per student.

Dr. Swanger reported that the College will need to upgrade its MRIS System because it is twenty years old and is not compatible with the current technology and there is no tech support for it. He estimated that the College would be asking Montgomery and Fulton Counties for \$100,000 each to aid in the upgrade of the system.

Supervisor McMahon asked about the increase/decrease in enrollment. Dr. Swanger reported that the enrollment was up about 12%.

A Public Hearing will be scheduled through resolution at the June 23rd Board meeting to address the FMCC Budget. The Public Hearing will be held on July 28th.

Dr. Swanger requested that if any of the County municipalities were looking to get rid of snow removal equipment that they notify the College because they are in need of such equipment.

Item #2: (RESOLUTION RE-APPOINTING MEMBER - FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD) Supervisors Strevy and Thayer made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #3: (RESOLUTION TO JOIN THE NEW YORK STATE ASSOCIATION OF TOWNS AND OTHER COUNTIES IN SEEKING COUNTY LEADERSHIP AND SUPPORT FOR FISCAL RESPONSIBILITY BY STAYING WITH LEVER VOTING MACHINES (BOARD OF SUPERVISORS) Supervisors Strevy and Greco made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor McMahon stated that new voting machines are too overwhelming and the appearance of them are scary to some voters. He stated that the object is to get people to vote and if people will not use the new machines then the process has failed.

Chairman Thomas indicated that even the election inspectors are afraid of the new machines.

Supervisor Dybas stated that the County needs to move into the 21st century.

Supervisor DiMezza stated that the timing was not good with elections being less than six months away. He stated that the County spent a lot of money (\$345,000) for the 30 new electronic voting machines and by not using them would be a step backwards.

Supervisor Thayer suggested using both the lever and electronic voting machines. He felt there was a use for both kinds of machines.

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

Item #5: (Other) There was no other business.

Motion was made and seconded by Supervisors Thayer and Strevy, respectively, to adjourn the Committee meeting.

Chairman McMahon adjourned the Education/Government Committee meeting at 7:25 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - ECONOMIC DEVELOPMENT/PLANNING
7:05 PM, June 2, 2009

COMMITTEE MEETING DISCUSSION

Chairman Baia presided over the meeting commencing at 7:26 p.m.

Roll call indicated Committee members present included Supervisors Di Mezza, Johnson, Jonker, Paton, McMahon and Strevy.

Additional Supervisors present were Supervisors Greco, Thomas, Dybas and Thayer. Supervisors Quackenbush, Barone, Walters and Stagliano were absent.

Chairman Baia has called a meeting of the Economic Development/Planning Committee for 7:05 p.m. on Tuesday, June 2, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION ADOPTING THE MONTGOMERY AREA XPRESS ADVERTISING POLICY (TRANSPORTATION)
2. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN VARIOUS AGREEMENT - ADVERTISING CONTRACTS - MONTGOMERY AREA XPRESS (TRANSPORTATION)
3. OTHER

Item #1: (RESOLUTION ADOPTING THE MONTGOMERY AREA XPRESS ADVERTISING POLICY (TRANSPORTATION)) Supervisors Baia and Johnson 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: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN VARIOUS AGREEMENT - ADVERTISING CONTRACTS - MONTGOMERY AREA XPRESS (TRANSPORTATION)) Supervisors Baia and Jonker 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: (RESOLUTION SUPPORTING FEDERAL SENATE BILL S.889, THE FEDERAL MILK MARKETING IMPROVEMENT ACT (BOARD OF SUPERVISORS)) Supervisors Jonker 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 #4: (OTHER) There were no other items discussed.

Supervisors Jonker and Strevy made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Baia adjourned the Economic Development/Planning Committee meeting at 7:27 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PUBLIC SAFETY
7:10 PM, June 2, 2009

COMMITTEE MEETING DISCUSSION

Chairman Thayer presided over the meeting commencing at 7:27 PM.

Roll call indicated Committee members present included Supervisors Baia, DiMezza, Jonker and Strevy. Supervisors Barone and Quackenbush were absent.

Additional Supervisors present were Greco, Johnson, McMahon, Paton, Dybas and Thomas. Absent were Supervisors Walters and Stagliano.

Chairman Thayer has called a meeting of the Public Safety Committee for 7:10 p.m. on Tuesday, June 2, 2009 in the Supervisors' Chambers, County Office Bldg, 64 Broadway, Fonda, NY.

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

1. RESOLUTION ENDORSING THE IMPLEMENTATION OF THE ALIVE AT 25 YOUNGER DRIVER EDUCATION AND THE VALUES IMPROVEMENT PROGRAM (STOP DWI)

2. Discussion

Montgomery County Sheriff's Office and Fulton County Sheriff's Office to go into partnership to go to bid for a new IP Based E911 Phone System

Transfer Provision for Antennae Space from Amsterdam Memorial to St. Mary's

3. Other

Item #1: (RESOLUTION ENDORSING THE IMPLEMENTATION OF THE ALIVE AT 25 YOUNGER DRIVER EDUCATION AND THE VALUES IMPROVEMENT PROGRAM (STOP DWI)). The Resolution was sponsored and seconded by Supervisors Baia and McMahon, respectively.

Item #2 (Discussion)

Montgomery County Sheriff's Office and Fulton County Sheriff's Office to go into partnership to go to bid for a new IP Based E911 Phone System:

Sheriff Amato stated that Fulton and Montgomery County Sheriff's Offices would like to work together on a new electronic 911 system.

Sheriff Amato explained that both Sheriff's Offices lease telephone equipment and software from Frontier since the early 90's. Fulton County's lease agreement will expire this year and Montgomery County's will expire in April of 2010. By working together both Counties should get a better price. Sheriff Amato estimated the cost to be \$250,000 per County.

Sheriff Amato indicated that a new system would correct certain inefficiencies that are inherent with the current system. The way things are currently setup, if Montgomery County's system goes down he has to send a dispatcher to the Fulton County Sheriff's Office and the phone company has to manually route the 911 calls to the Fulton County call center. The dispatchers are not familiar with each County's system and therefore can only answer calls but cannot log them.

With a new internet-based system, there would be one connection between the two Sheriff's Offices and one County would not have to send a dispatcher to the other County. If Montgomery County's system went down, it would automatically feed off of Fulton County and the dispatchers could stay in their respective County's and use the software for logging calls and creating records. Also, an internet-based system will open the bidding to six other companies.

Sheriff Amato stated that the Counties are trying to prepare for the next generation. By working together it will save money by having the power of two counties bidding together. The plan is to put a bid package together by the end of the year. Once the bid is awarded it would take about three months to implement the new system.

Supervisor Dybas motioned to prepare a Resolution to go to bid jointly with Fulton County for a new E911 System for the Finance Committee's review on June 16, 2009. Supervisor Baia seconded the motion and it was moved with a positive recommendation with no objections.

Transfer Provision for Antennae Space from Amsterdam Memorial to St. Mary's:

The Committee reviewed a letter from Amsterdam Memorial Hospital explaining the need to transfer the Antennae Space to St. Mary's Hospital from the Amsterdam Memorial Hospital because the two hospitals were merging.

Supervisor Jonker motioned to prepare a Resolution to transfer the Antennae Space for the Finance Committee's review on June 16, 2009. Supervisor Dybas seconded the motion and it was moved with a positive recommendation with no objections.

Item #3 (OTHER) There were no other business.

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

Chairman Thayer adjourned the Public Safety Committee meeting at 7:43 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - HEALTH & HUMAN SERVICES
7:00 PM, June 9, 2009

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Baia, Paton, and Strevy. Supervisors Dybas, Jonker, Stagliano were absent.

Additional Supervisors present were Quackenbush, McMahon, Walters, Thayer and Thomas. Supervisors Greco, DiMezza and Johnson were absent.

Chairman Barone has called a meeting of the Health and Human Services Committee for 7:00 p.m. on Tuesday, June 9, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS – MONTGOMERY COUNTY YOUTH DAY-2009 (YOUTH BUREAU/ACSD)
2. Other

Item #1: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS – MONTGOMERY COUNTY YOUTH DAY-2009) (YOUTH BUREAU/ACSD) Supervisors Barone and Thomas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

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

Chairman Barone adjourned the Health & Human Services Committee meeting at 7:01 PM.

Respectfully submitted,

Robin Loske
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, June 9, 2009

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:05 p.m.

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

Additional Supervisors present were Supervisors Quackenbush, McMahon, Barone, and Thomas. Supervisors Greco, Dybas, Baia and Stagliano were absent.

Chairman Walters has called a meeting of the General Services Committee for 7:05 p.m. on Tuesday, June 9, 2009 in the Supervisors' Chambers, County Office Bldg, 64 Broadway, Fonda, NY.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES - CITY OF JOHNSTOWN (DATA PROCESSING)
2. RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES - CITY OF AMSTERDAM (DATA PROCESSING)
3. RESOLUTION AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENTS - MOWING(PUBLIC WORKS)
4. RESOLUTION AUTHORIZING IMPLEMENTATION AND FUNDING OF FJ&G RAIL TO TRAIL TRANSPORTATION ENHANCEMENT PROJECT (DPW)
5. DISCUSSION:
 Defeasement of MOSA Bonds - Hans Arnold
6. OTHER

Item #1: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES - CITY OF JOHNSTOWN (DATA PROCESSING) - Supervisor Walters withdrew his sponsor of the Resolution because the City of Johnstown already hired another firm to perform their data processing needs. There were no objections.

Item #2: (RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES - CITY OF AMSTERDAM (DATA PROCESSING) - Supervisors Walters and Barone made a motion and seconded, respectively. The Resolution was moved to the full Board with a positive recommendation.

Item #3: (RESOLUTION AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENTS - MOWING DPW) Supervisors Walters and Barone made a motion and seconded, respectively, to sponsor the Resolution.

The County Auditor expressed a need to have a Resolution and a contract in place prior to paying any of the towns for mowing. He suggested that a mowing contract be prepared similar to the snow plowing contract.

There was discussion regarding the amount that should be charged per centerline mile. Commissioner clayburn suggested \$266.08 per center line mile.

Other Supervisors suggested getting input from the Highway Superintents prior to establishing a price.

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

Item #4: (RESOLUTION AUTHORIZING IMPLEMENTATION AND FUNDING OF FJ&G RAIL TO TRAIL TRANSPORTATION ENHANCEMENT PROJECT (DPW) - Supervisors Walters and Paton made a motion and seconded, respectively, to sponsor the Resolution.

Chairman Thomas stated that he would like to meet with Ken Rose, Economic Development Director, Paul Clayburn, DPW Commissioner, and Supervisor Paton before making a recommendation.

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

Item #5: (DISCUSSION) - Defeasement of MOSA Bonds - Hans Arnold:

Dennis Heaton introduced Hans Arnold of Gerhardt, LLC, and gave a brief about Mr. Arnold's credentials and qualifications.

Mr. Arnold took the floor and stated that the three Counties (Montgomery, Otsego and Schoharie) have adopted Resolutions calling for the defeasement of the MOSA Bonds. Mr. Arnold explained that by defeasing the bonds it would keep MOSA's operating expenses down. As much as \$20.00 per ton could be trimmed off the tipping fees and significantly reduce the need for any annual tonnage agreement (GAT).

Mr. Arnold stated that the Guarantee Annual Tonnage was included in the Service Agreement to assure the Bond Insurance Companies that there would always be enough money to pay the debt service.

Mr. Arnold made it clear that the Bonds should be defeased using MOSA funds and not County funds. Once the defeasement is completed, the Counties need to renegotiate the Service Agreement to the eliminate the GAT and other stipulations added to appease the bondholders. The Service Agreement also needs to define each County's future role in the Authority. He indicated that it is essential for all three Counties to sit at the table because a decision by one County is going to affect the others.

Chairman Thomas stated that he would like to see a stipulation added in the New Service Agreement prohibiting MOSA from taking on any future debt without approval of all three Counties.

Mr. Arnold indicated that hopefully the Authority can be reshaped to better serve its member Counties.

Both Otsego and Schoharie Counties have hired Hans Arnold to aid in the rewriting of the Service Agreement after the defeasement process.

Mr. Arnold distributed a draft agreement, to retain his firm to represent Montgomery County for the Service Agreement process, for the amount of \$13,833.

The General Service Committee recommended sending a draft resolution to retain Mr. Arnold's services to the Finance Committee meeting.

Item #6: (OTHER) Supervisor McMahon stated that he had a conversation with Dennis Wilson, from Fulton Community Action, who indicated that he is looking for office space in Fonda for about 8 employees.

Chairman Thomas suggested that the County might look into purchasing the old White Mop Building. He suggested that it be sent to the Needs Assessment Committee for their review.

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

Chairman Walters adjourned the General Services Committee meeting at 7:59 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
 SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
 COMMITTEE MEETING - FINANCE
 7:00 PM, June 16, 2009

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the Finance Committee meeting commencing at 7:00 PM.

Roll call indicated Committee members present were Supervisors Barone, DiMezza, Dybas, Greco, Johnson and Jonker. Absent was Supervisor DiMezza.

Additional Supervisors present were Quackenbush, McMahon, Paton, Walters and Thayer. Absent were Supervisors Baia and Stagliano.

Chairman Strevy has called a meeting of the Finance Committee for 7:00 p.m. on Tuesday, June 16, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. DISCUSSION
 Corey Nellis - Montgomery County Soil & Water Conservation District
2. RESOLUTION ESTABLISHING PUBLIC HEARING - FMCC 2009-2010 OPERATING BUDGET (FMCC)
3. RESOLUTION ESTABLISHING PUBLIC HEARING - LOCAL LAW #3 OF 2009 A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED PROPERTY NOT NEEDED FOR A COUNTY PURPOSE - TOWN OF FLORIDA (TREASURER)
4. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVISED CHANGE ORDER #1 and #2 AND TO CLOSE OUT CONTRACT - TRANE U.S. INC. - CLASSROOM BUILDING RENOVATION - PHASE I - MECHANICAL SYSTEM UPGRADE PROJECT (FMCC)
5. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER #2 AND #3 AND TO CLOSE OUT CONTRACT - WJV MECHANICAL SYSTEM UPGRADE PROJECT (FMCC)
6. RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD TO EXECUTE CHANGE ORDERS TO ALLOW TRANSFERRING FUNDS REMAINING FROM 2008 FMCC CLASSROOM BUILDING MECHANICAL SYSTEMS UPGRADE PROJECT INTO 2009 FMCC CRITICAL MAINTENANCE PROJECT (FMCC)
7. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CITY OF AMSTERDAM - PURCHASING SERVICES (PURCHASING)
8. RESOLUTION AWARDING FOOD SERVICE & CLEANING SUPPLY BID 09-09 (PURCHASING)
9. RESOLUTION REAPPOINTING THREE TRUSTEES REPRESENTING MONTGOMERY COUNTY TO THE HEALTH INSURANCE TRUST PLAN BOARD OF TRUSTEE (PERSONNEL)
10. RESOLUTION ESTABLISHING STANDARDIZATION FOR E-911 PSAP CONTROLLER EQUIPMENT (SHERIFF)
11. RESOLUTION ENDORSING A GEODIVERSE DEPLOYMENT MODEL FOR THE E-911 DISPATCH SYSTEM (SHERIFF)
12. RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN ASSIGNMENT CONSENT TO TRANSFER ANTENNAE SPACE CONTRACT FROM AMSTERDAM MEMORIAL HOSPITAL TO ST. MARY'S HOSPITAL (BOARD OF SUPERVISORS)
13. RESOLUTION RETAINING LEGAL COUNSEL TO REPRESENT MONTGOMERY COUNTY IN THE DEFEASEMENT PROCESS OF THE MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA) BONDS (BOARD OF SUPERVISORS)
14. OTHER

Item #1: (DISCUSSION):

Corey Nellis - Montgomery County Soil & Water Conservation District;

Mr. Nellis took the floor and requested a loan from the County in the amount of \$42,781.76 to cover funds that are due to the District through New York State but have not been received yet. Mr. Nellis indicated that the District would suffer a financial crisis without the loan. Originally the request was for \$59,549.76 but the District received \$16,768 for the AEM Base Program prior to the Finance Committee meeting. The District will reimburse the County once they

receive the funds.

Supervisors Thomas and Barone made a motion and seconded, respectively, to sponsor a Resolution for the loan. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION ESTABLISHING PUBLIC HEARING - FMCC 2009-2010 OPERATING BUDGET (FMCC) Supervisors Thomas and DiMezza made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #3: (RESOLUTION ESTABLISHING PUBLIC HEARING - LOCAL LAW #3 OF 2009 A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED PROPERTY NOT NEEDED FOR A COUNTY PURPOSE - TOWN OF FLORIDA (TREASURER)) Supervisors Strevy and Jonker made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #4: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVISED CHANGE ORDER #1 and #2 AND TO CLOSE OUT CONTRACT - TRANE U.S. INC. - CLASSROOM BUILDING RENOVATION - PHASE I - MECHANICAL SYSTEM UPGRADE PROJECT (FMCC) Supervisors Barone and Quackenbush made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #5: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER #2 AND #3 AND TO CLOSE OUT CONTRACT - WJV MECHANICAL SYSTEM UPGRADE PROJECT (FMCC) Supervisors Greco and Barone made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #6: (RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD TO EXECUTE CHANGE ORDERS TO ALLOW TRANSFERRING FUNDS REMAINING FROM 2008 FMCC CLASSROOM BUILDING MECHANICAL SYSTEMS UPGRADE PROJECT INTO 2009 FMCC CRITICAL MAINTENANCE PROJECT (FMCC) Supervisors McMahon and Jonker made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #7: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CITY OF AMSTERDAM - PURCHASING SERVICES (PURCHASING) Supervisors Dybas and Greco made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #8: (RESOLUTION AWARDDING FOOD SERVICE & CLEANING SUPPLY BID 09-09 (PURCHASING) Supervisors Greco and Jonker made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #9: (RESOLUTION REAPPOINTING THREE TRUSTEES REPRESENTING MONTGOMERY COUNTY TO THE HEALTH INSURANCE TRUST PLAN BOARD OF TRUSTEE) (PERSONNEL) Supervisors Barone and Johnson made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #10: (RESOLUTION ESTABLISHING STANDARDIZATION FOR E-911 PSAP CONTROLLER EQUIPMENT) (SHERIFF) Supervisors Dybas and Baia made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #11: (RESOLUTION ENDORSING A GEODIVERSE DEPLOYMENT MODEL FOR THE E-911 DISPATCH SYSTEM) (SHERIFF) Supervisors Dybas and Baia made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #12: (RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN ASSIGNMENT CONSENT TO TRANSFER ANTENNAE SPACE CONTRACT FROM AMSTERDAM MEMORIAL HOSPITAL TO ST. MARY'S HOSPITAL) (BOARD OF SUPERVISORS) Supervisors Jonker and Dybas made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #13: (RESOLUTION RETAINING LEGAL COUNSEL TO REPRESENT MONTGOMERY COUNTY IN THE DEFEASEMENT PROCESS OF THE MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA) BONDS) (BOARD OF SUPERVISORS) This Resolution was withdrawn because Mr. Scott of Hudson Russ was not able to attend the meeting. The Resolution will be addressed at next month's meeting. There were no objections.

ADD-ON RESOLUTIONS:

(RESOLUTION AMENDING 2009 OPERATING BUDGET - DEMOLITION TIP FEE EXPENSES (BOARD OF SUPERVISORS) Supervisors Greco and DiMezza made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Barone motioned to amend the \$100,000 to \$500,000 for the demolition tip fee expenses. The motion was seconded by Supervisor DiMezza. It was moved to the Full Board with a positive

recommendation. There were no objections.

(RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE AN AGREEMENT WITH GERHARDT, LLC FOR PREPARATION OF A SOLID WASTE SERVICE AGREEMENT) Supervisors Thomas and Greco made a motion and seconded, respectively, to sponsor the Resolution.

Discussion took place relative to hiring Hans Arnold who is employed by Gerhardt, LCC to represent the County in the rewriting of a Service Agreement with MOSA. Mr. Arnold has already been retained by Otsego and Schoharie Counties for the same purpose.

Supervisor Walters indicated that the County's Solid Waste Coordinator, Dennis Heaton, is capable of representing the County in this matter. Mr. Heaton responded that it is critical for the three counties to work together to successfully reshape MOSA. When rewriting the Service Agreement it is imperative that all three counties be on the same page. Mr. Arnold has experience and is independent of the three counties.

Supervisor Strevy asked if rewriting the Service Agreement could wait until after the defeasement of the MOSA Bonds. Supervisor Thayer explained that the intent is to have the defeasement process completed by the end of the year. Chairman Thomas stated that a revised Service Agreement needs to be in place at that time to protect the counties once the defeasement process is concluded.

Chairman Thomas explained that when the bonds are defeased there has to be something in writing regarding the GAT and to keep MOSA from taking on any new debt.

Supervisor Walters agreed that safeguards were needed but felt that the rewriting of the Service Agreement could not be done in a unified effort with the other counties.

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

(RESOLUTION AUTHORIZING THE TREASURER TO AMEND THE 2009 OPERATING BUDGET) (VETERANS SERVICES) Supervisors Barone and Thomas made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #5: OTHER - Collateral Source Legislation

Supervisors Jonker and Dybas made a motion and seconded, respectively, to sponsor a Resolution to show support for the Collateral Source Legislation. It was moved to the Full Board with a positive recommendation. There were no objections.

Mowing Contract:

Supervisor Walters stated that he would be making a motion at the Board meeting to Table the Resolution regarding mowing contracts for the Towns. He felt more research needed to be done and suggested that charging by the "center line mile" was not the way to go.

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

Chairman Strevy adjourned the Finance Committee meeting at 7:47 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, June 23, 2009

CALL TO ORDER

Chairman Thomas called the Regular Meeting of the Montgomery County Board of Supervisors for June 23, 2009 to order at 7:00 PM.

SALUTE TO THE FLAG

Supervisor Johnson led the Salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors McMahon, Strevy, Dybas, Thayer, Barone, Thomas, Baia, Johnson, Greco, Paton, Jonker, Walters, Quackenbush, and DiMezza were present. Supervisor Stagliano was absent.

PRIVILEGE OF THE FLOOR

A. Public Comment

Lauren Bibby took the floor and expressed her dislike of the way the Vice Chairman of Board kept his property. Ms. Bibby stated that Vice Chairman Walters had been cited and fined by DEC for the junk on his property. She indicated that if he took all the junk to MOSA it would help the County's GAT.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (May 26, 2009 - June 16, 2009) by Supervisor Quackenbush, seconded by Supervisor Barone, Sr., passed with Aye(1772). Supervisor Stagliano was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Dybas, seconded by Supervisor Paton, passed with Aye(1772). Supervisor Stagliano was absent.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

A. Resolutions

B. Other

RESOLUTION NO. 125 of 2009

DATED: June 23, 2009

RESOLUTION ESTABLISHING PUBLIC HEARING - FMCC 2009-2010 OPERATING BUDGET (FMCC)

Resolution by Supervisor: Thomas

Seconded by Supervisor: DiMezza

RESOLVED, that the Montgomery County Board of Supervisors hereby schedules a Public Hearing on the proposed 2009-2010 Operating Budget of Fulton-Montgomery Community College for July 28, 2009 at 6:50 pm in the Supervisors' Chambers, County Office Building, Route 30A(Broadway), Fonda, New York, and

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

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 126 of 2009

DATED: June 23, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVISED CHANGE ORDER #1 AND #2 AND TO CLOSE OUT CONTRACT – TRANE U.S. INC. - CLASSROOM BUILDING RENOVATION - PHASE I - MECHANICAL SYSTEM UPGRADE PROJECT (FMCC)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Quackenbush

WHEREAS, Resolution 35 of 2008 authorized 2008 Capital Projects at Fulton-Montgomery Community College which included the Classroom Building Renovation Phase I – Mechanical Systems Upgrade Project, and

WHEREAS, by Resolution 63 of 2008, various contracts were authorized for the Classroom Building Renovation - Phase I - Mechanical System upgrade Project at FMCC, and

WHEREAS, by Resolution 160 of 2008, various change orders with contractors were authorized for necessary items that were not in the original scope of work, and

WHEREAS, work on the project is substantially complete and it is recommended that a Change Order # 1 be approved to credit back to the Counties the unused balance in the Contingency Allowance in the amount of \$1,532.10, and

WHEREAS, it is recommended that Change Order #2 be approved to credit back to the Counties the sum of \$31,000 for deleting installing temperature control wiring in conduit and deleting installation of four valves, included in the contract,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized to sign Change Order #1 for the sum of \$1,532.10 and Change Order #2 for the sum of \$31,000 with Trane U.S. Inc., a credit in the amount of \$32,532.10, of which Montgomery County's portion of the reimbursement will be \$16,266.05, in order to closeout said contract as follows:

Original Contract amount:	\$336,025.00
Change Order #1	(\$ 1,532.10)
Change Order #2	(\$ 31,000.00)
Contract Amount	\$303,492.90
Less Amount Paid to Date	(\$279,588.60)
Balance Due	\$ 23,904.30

, 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. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 127 of 2009

DATED: June 23, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER #2 AND #3 AND TO CLOSE OUT CONTRACT - WJV MECHANICAL, INC. - CLASSROOM BUILDING RENOVATION - PHASE I - MECHANICAL SYSTEM UPGRADE PROJECT (FMCC)

Resolution by Supervisor: Greco

Seconded by Supervisor: Barone, Sr.

WHEREAS, Resolution 35 of 2008 authorized 2008 Capital Projects at Fulton-Montgomery Community College which included the Classroom Building Renovation Phase I – Mechanical Systems Upgrade Project, and

WHEREAS, Resolution 63 of 2008 authorized an agreement with WJV Mechanical, Inc. for HVAC

services in the amount of \$860,479, and

WHEREAS, Resolution 160 of 2008 authorized Change Order #1 in the amount of \$10,321 for additional services to the contract and was revised from \$10,321 to \$8,567, and

WHEREAS, work on the project is substantially complete and it is recommended that a change order be approved to credit back to the Counties the unused balance in the Contingency Allowance in the amount of \$8,421, and \$5,000 in the unused portion of the Dedicated Allowance, included in the contract 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 to sign Change Order #2 for the sum of \$8,421.00 and Change Order #3 for the sum of \$5,000 with WJV Mechanical, Inc., a credit in the sum of \$13,421.00, of which Montgomery County's portion of the reimbursement will be \$6,710.50, in order to closeout said contract as follows:

Original Contract amount:	\$860,479.00
Change Order #1	\$ 8,567.00
Change Order #2	(\$ 8,421.00)
Change Order #3	(\$ 5,000.00)
<hr/>	
Contract Amount	\$855,625.00
Less Amount Paid to Date	(\$841,901.33)
<hr/>	
Balance Due	\$ 40,723.67

, and

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

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 128 of 2009

DATED: June 23, 2009

RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD TO EXECUTE CHANGE ORDERS TO ALLOW TRANSFERRING FUNDS REMAINING FROM 2008 FMCC CLASSROOM BUILDING MECHANICAL SYSTEMS UPGRADE PROJECT INTO 2009 FMCC CRITICAL MAINTENANCE PROJECT (FMCC)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Jonker

WHEREAS, the 2008 Capital Plan included \$2,330,000 for the FMCC Classroom Building Mechanical System Upgrades Project, and

WHEREAS, only \$2,083,722.50 was appropriated to the ten (10) construction contracts and Contingency Account and as a result there remains \$246,227.50 from the \$2,330,000 original budgeted amount for this project, and

WHEREAS, of the \$2,083,722.50 appropriated, \$89,760 was put into a project Contingency Account and at present there is approximately \$88,016 remaining in this Contingency Account, and there remains approximately \$334,243 from the original \$2,330,000 appropriation identified in the 2009 Capital Budget for this project, and

WHEREAS, the maximum amount that could be transferred is \$125,000 because the 2009 Critical Maintenance Project was budgeted at \$1,250,000 and SUNY's 50% share was based upon the \$1,250,000 budgeted figure, and

WHEREAS, at present the total authorized expenditures on this project is approximately \$1,125,000, which is approximately \$125,000 under the \$1,250,000 budgeted,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized to execute the following Change Orders to allow the transfer of \$125,000 into the Contingency Allowances for the leftover funds from the 2008 Classroom Building Mechanical Systems Upgrade Project to the 2009 Critical Maintenance Project:

CONTRACTOR	CONTRACT	ACCOUNT#	CHANGE ORDER AMOUNT
Dutch Valley	General Construction	H-085-2514.200	\$77,000

FPI Mechanical	HVAC	H-085-2514. 210	\$20,000
Fulton County Electrical	Electrical	H-085-2514. 230	\$28,000

, 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(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 129 of 2009

DATED: June 23, 2009

RESOLUTION REAPPOINTING MEMBERS - FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD

Resolution by Supervisor: Strevy

Seconded by Supervisor: Thayer

WHEREAS, Resolution 237 of 2008 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, - Montgomery County's public sector appointments include the Department of Labor, Organized Labor, Vocational Rehabilitation, and two Community-Based Organizations, and

WHEREAS, the Board which currently consists of the following:

Appointment	Representing	Term
Pat Baia	Private Sector Appointment	10/27/08 - 12/31/10
Tom Pasquarelli	Private Sector Appointment	10/27/08 - 12/31/10
Kristin Pasquarelli	Private Sector Appointment	10/27/08 - 12/31/10
Amy McGrath	Private Sector Appointment	10/27/08 - 12/31/11
Bob Hoefs	Public Sector Appointment	10/27/08 - 12/31/10
Dustin Swanger	Public Sector Appointment	10/27/08 - 12/31/10
Jeffrey Stark	Public Sector Appointment	10/27/08 - 12/31/11
Ramon Rodriguez	Public Sector Appointment	10/27/08 - 12/31/10
Julia Caro	Public Sector Appointment	10/27/08 - 12/31/11
_____	Private Sector Appointment	_____
_____	Private Sector Appointment	_____

, and

WHEREAS, Robert Hoefs who currently sits on the FMS Workforce Development Board is resigning position due to his retirement effective May 28, 2009, and

WHEREAS, two vacant private sector appointments still remain unfilled,

RESOLVED, that the Montgomery County Board of Supervisors hereby appoints the following individuals to the Fulton-Montgomery-Schoharie Workforce Development Board as follows:

Appointment	Representing	Term
Delores Z. Caruso	Public Sector Appointment	05/29/08 - 12/31/10
_____	Private Sector Appointment	_____
_____	Private Sector Appointment	_____

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 130 of 2009

DATED: June 23, 2009

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

RESOLUTION ADOPTING THE MONTGOMERY AREA XPRESS ADVERTISING POLICY (TRANSPORTATION)

Resolution by Supervisor: Bai a

Seconded by Supervisor: Johnson

WHEREAS, the Montgomery Area Xpress has identified a potential source of income for the County Public Transportation System through advertising, and

WHEREAS, it is necessary to establish a policy regarding advertising so that the parameters of the advertising content are defined by the Board of Supervisors,

RESOLVED, that the Montgomery County Board of Supervisors hereby adopts the Montgomery Area Xpress Advertising Policy, attached hereto.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 131 of 2009

DATED: June 23, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN VARIOUS AGREEMENTS-ADVERTISING CONTRACTS-MONTGOMERY AREA XPRESS (TRANSPORTATION)

Resolution by Supervisor: Bai a

Seconded by Supervisor: Jonker

WHEREAS, it is necessary to enter into agreements for advertising on the Montgomery Area Xpress system in order to generate additional revenue to help subsidize the cost of the system to the taxpayer, and

WHEREAS, an Advertising Policy has been adopted by the Board that sets guidelines regarding said advertising,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized to sign agreements with various entities that choose to advertise on the Montgomery Area Xpress System.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 132 of 2009

DATED: June 23, 2009

RESOLUTION ESTABLISHING STANDARDIZATION FOR E-911 PSAP CONTROLLER EQUIPMENT (SHERIFF)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Bai a

WHEREAS, the Montgomery County Sheriff has indicated that there is a need to establish standardization for E-911 PSAP control equipment that supports the Sheriff's Communication Center, and

WHEREAS, the Sheriff has identified the following reasons for such standardization:

- Familiarity with Plant/CML equipment by existing Sheriff's Office staff
- Compatibility with existing Emergitech computer assisted dispatch software
- Ability to continue a redundant system with Fulton County Sheriff's Office
- Track record of reliability with existing Plant/CML controller equipment
- Capability to handle future Next Generation 911 (NG 911) systems

, and

WHEREAS, General Municipal Law, Section 103, subdivision 5, permits a governing body, acting by vote of at least three-fifths of its total membership, to standardize purchases for a particular type or kind of equipment, material or supplies,

RESOLVED, that the Board of Supervisors hereby determines that there is a need to standardize the Montgomery County Sheriff E-911 PSAP controller equipment with Plant/CML telephone controller system products for reason of economy and efficiency.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 133 of 2009

DATED: June 16, 2009

RESOLUTION ENDORSING A GEODIVERSE DEPLOYMENT MODEL FOR THE E-911 DISPATCH SYSTEM (SHERIFF)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Bai a

WHEREAS, Montgomery County began operating its E-911 system in 1991, and

WHEREAS, an agreement was authorized with GTE (currently Frontier) to lease equipment needed to provide E-911 services by Sheriff's Office Communications Center, and

WHEREAS, the lease agreement with Frontier will expire April of 2010 and the intent is to design and procure a follow-on system to replace the original E-911 public safety answering point (PSAP) control equipment, and

WHEREAS, Sheriff's Office officials have been meeting and researching various designs for said follow-on system, and

WHEREAS, through said research, the Sheriff has recommended standardization for E-911 PSAP controller equipment with Plant/CML products that can serve the needs of both Montgomery and Fulton Counties, and

WHEREAS, said research has also resulted in the identification of three options, or "deployment models", by which an E-911 PSAP controller can be utilized by Montgomery County, including:

- Stand-alone (single county) model
 - Geodiverse (multi-county) Model
 - Host (leased) model
- , and

WHEREAS, the Public Safety and Finance Committees has reviewed the options and has recommended proceeding with the Geodiverse (multi-county) Deployment Model, inasmuch as that model would proceed through a partnership with the Fulton County Sheriff's Office in an economical and efficient manner, including backup system redundancy during emergencies,

RESOLVED, that based upon the foregoing, the Board of Supervisors hereby endorses the Geodiverse (multi-county) Deployment Model for future implementation of a new E-911 dispatch system for the Montgomery County Sheriff's Office, in partnership with the Fulton County Sheriff's Office, and

FURTHER RESOLVED, that the Sheriff and Purchasing Agent are hereby directed to proceed with preparation of appropriate purchasing procedures to implement a Geodiverse Deployment Model to support E-911 communication in the Sheriff's Office, 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. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 134 of 2009

DATED: June 23, 2009

RESOLUTION REAPPOINTING THREE TRUSTEES REPRESENTING MONTGOMERY COUNTY TO THE HEALTH INSURANCE TRUST PLAN BOARD OF TRUSTEES (PERSONNEL)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Johnson

WHEREAS, Article V Section 1 of the Montgomery County Health Insurance Trust Plan states that there are three (3) representatives for Montgomery County, 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

RESOLVED, Thomas DiMezza (Supervisor for the Town of Amsterdam), Shawn Bowerman (County Treasurer), and Richard Bai a (Personnel Officer) be reappointed for Montgomery County to a term of July 1, 2009 to June 30, 2011.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 135 of 2009

DATED: June 23, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - LITIGATION DEFENSE (SANITARY DISTRICT)

Resolution by Supervisor: Walters

Seconded by Supervisor: Strevy

WHEREAS, Pursuant to Resolution Number 74 of 2009 Montgomery County wishes to continue an agreement with the Attorney to represent the County and the Sewer Districts' interest in the property located at 20 River Street in the Village of Nelliston, SBL No. 46.10-3-12,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

TRANSFER FROM:
A-01-4-1990-00-4400 Contingency Account \$10,000

TRANSFER TO:
A-01-4-1930-00-4431 Professional Services \$10,000

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 136 of 2009

DATED: June 23, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES - CITY OF AMSTERDAM (DATA PROCESSING)

Resolution by Supervisor: Walters

Seconded by Supervisor: Barone, Sr.

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

WHEREAS, said contract will generate annual revenue of approximately \$42,852,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign the renewal agreement to provide data processing services to the City of Amsterdam for the period commencing July 1, 2009 and ending on June 30, 2010.

MOTION TO AMEND the second "Whereas" clause to change the annual revenue amount from \$42,852 to \$41,246 by Supervisor Strevy, seconded by Supervisor Walters, passed with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Resolution No. 137 Discussion:

Supervisor Barone motioned, seconded by Supervisor DiMezza, to amend the Resolution as follows: strike the "Further Resolved" clause and replace it with the following: "FURTHER RESOLVED, that payment for work to be performed under the terms of said agreements shall be at the rate of \$350.00 per centerline mile for the years 2009 and 2010." On roll call the motion was approved.

Supervisor Walters pointed out that by paying per centerline mile does not take in the different variables that can occur for individual communities. He indicated that there is a lot more than defining mileage due to the major differences. Supervisor Walters used as an example the major difference between the Towns of Charleston and Amsterdam. Amsterdam is responsible for mowing about 39 miles of county highways and Charleston is responsible for about 36 miles. The actual amount mowed by Amsterdam is likely much less because much of its county highways are populated by homes whose residents routinely mow right to the road. Much of Charleston's county roads are uninhabited which means a lot more mowing.

Supervisor Walters stated that his initial plan had been to implement a simplified payment system in conjunction with a contract that spells out specific guidelines for the mowing.

Supervisor DiMezza responded that his crews travel the roads with the mower arm up or down. Either way they still have the entire road, which is still going to cost about the same for gas whether their mowing or not.

Supervisor Jonker stated that the wear and tear on the equipment has to be taken into account. He indicated that he agreed with Supervisor Walters regarding the issue and felt that the Towns, under these conditions, will do only what's absolutely necessary.

Supervisor Barone motioned, seconded by Supervisor DiMezza, to Table the Resolution. On roll call the motion was defeated.

RESOLUTION NO. 137 of 2009

DATED: June 23, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENTS - MOWING (PUBLIC WORKS)

Resolution by Supervisor: Walters

Seconded by Supervisor: Barone, Sr.

RESOLVED, that pursuant to Section 135 of the Highway Law, the Chairman of the Board of Supervisors, upon review of the County Attorney, hereby is authorized to enter into agreements with the City of Amsterdam, the Village of St. Johnsville and the ten towns for mowing grass along County roads, and

FURTHER RESOLVED, that payment for work to be performed under the terms of said agreements shall be at the rate of \$_____ per centerline mile.

MOTION TO AMEND to strike the "Further Resolved" clause and replace it with the following: "FURTHER RESOLVED, that payment for work to be performed under the terms of said agreements shall be at the rate of \$350.00 per centerline mile for the years 2009 and 2010" by Supervisor Barone, Sr., seconded by Supervisor DiMezza, passed with Aye(1358). Supervisors Walters, Strevy, Paton and Jonker voted Nay. Supervisor Stagliano was absent. (6/23/2009)

MOTION TO TABLE by Supervisor Walters, seconded by Supervisor Jonker, was defeated with Aye(480). Supervisors Walters, Strevy, Paton, Jonker and Thayer voted Aye. Supervisor Stagliano was absent. (6/23/2009)

RESOLUTION ADOPTED with Aye(1461). Supervisors Walters, Paton and Jonker voted Nay. Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 138 of 2009

DATED: June 23, 2009

RESOLUTION AUTHORIZING IMPLEMENTATION AND FUNDING OF FJ&G RAIL TO TRAIL TRANSPORTATION ENHANCEMENT PROJECT (PUBLIC WORKS)

Resolution by Supervisor: Walters

Seconded by Supervisor: Paton

WHEREAS, a Project for the FJ&G Rail to Trail, Fonda to Fulton County Line, Transportation Enhancement Project, Montgomery County, PIN 2650.34 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% Federal funds and 0% Non-Federal funds; and

WHEREAS, the County of Montgomery desires to advance the above project by making a commitment of 100% of the Non-Federal share of the total project cost,

RESOLVED, that the Board of Supervisors hereby approves the Project, and authorizes the County of Montgomery to pay, in the first instance, 100 percent of the Federal and Non-Federal share of the total cost for the Project, or portions thereof, and

FURTHER RESOLVED, that \$1,500,000 shall be appropriated to cover the cost of participation in said project, and

FURTHER RESOLVED, that should the full Federal and Non-Federal share costs of said project exceed the amount of appropriated, the Board of Supervisors shall convene, as soon as possible, to appropriate said excess amount, immediately upon notification by the New York State Department of Transportation, and

FURTHER RESOLVED, that the Commissioner of Public Works hereby is authorized to execute all necessary agreements, certifications and/or reimbursement requests for Federal Aid and/or Marchiselli Aid, on behalf of the County, with the New York State Department of Transportation, in connection with advancement, approval and administration of said Project, and

FURTHER RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation, by attaching it to any necessary agreement in connection with said Project, and

FURTHER RESOLVED, that this Resolution shall take effect immediately.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 139 of 2009

DATED: June 23, 2009

RESOLUTION ENDORSING THE IMPLEMENTATION OF THE ALIVE AT 25, YOUNGER DRIVER EDUCATION AND THE VALUES IMPROVEMENT PROGRAM (STOP DWI)

Resolution by Supervisor: Bai a

Seconded by Supervisor: McMahan

WHEREAS, nationwide, vehicle crashes continue to be the number one cause of death for people between the ages of 16 and 24, and

WHEREAS, Montgomery County youth continue to die in preventable motor vehicle crashes each year and continue to be involved in a significant number of personal injury accidents, and

WHEREAS, Montgomery County statistics from 2007 prove that 33% (607 out of 1,800) of motor vehicle accidents involved drivers ages 16-29, and

WHEREAS, Montgomery County statistics from 2007 prove that Over 36% (169 out of 466) of persons killed or injured in motor vehicle crashes were ages 16-29, and

WHEREAS, Montgomery County statistics from 2007 prove that 23% (130 out of 568) of licensed drivers involved in fatal and personal injury crashes were ages 16-24, and

WHEREAS, in 2007, the age group of 16-24 year olds were involved in: 3 out of 7 fatal accidents; 169 personal injury accidents; 607 motor vehicle accidents; and 22 alcohol related accidents, and

WHEREAS, Montgomery County Stop-DWI has come up with a solution to reduce these devastating statistics by implementing a Younger Driver Education Program specifically designed for 16-24 year olds focusing on specific age related risks such as inexperience, speeding, peer pressure, text messaging while driving, cell phone use while driving, distractions, alcohol/drug usage, etc., and

WHEREAS, Montgomery County Stop-DWI, in conjunction with the Montgomery County District Attorney's Office, has partnered with the National Safety Council who will facilitate this highly interactive four-hour program, is proud to announce the inception of the "Alive at 25, Younger Driver Education Program." This program will provide young drivers with an opportunity to learn about specific age-related risks associated with driving, the costs of violating vehicle and traffic laws along with general defensive driving techniques, and

WHEREAS, Montgomery County has a large number of transients who may be unable to attend the interactive four-hour classroom program, and

WHEREAS, the Montgomery County Stop-DWI, in conjunction with the Montgomery County District Attorney's Office, has partnered with Western Corrections Incorporated to implement a home-study education program and is proud to announce the inception of the "Values Improvement Program." This program will allow transients the opportunity to learn about specific age-related risks

associated with driving, the costs of violating vehicle and traffic laws along with general defensive driving techniques by utilizing and completing a home-study guide and returning it to the Montgomery County Stop-DWI office for review, and

WHEREAS, upon completion of the "Alive at 25, Younger Driver Education Program" or the "Values Improvement Program," the sentencing court will be notified and a reduced sentencing may be imposed, and

WHEREAS, defendant fees will be associated with the "Alive at 25, Younger Driver Education Program" and the "Values Improvement Program," and

WHEREAS, Montgomery County Stop-DWI will generate revenue to be utilized for further education and Stop-DWI awareness with reinvestment geared specifically towards the targeted age group of youth ages 16-24, now therefore, be it

RESOLVED, that the Montgomery County Board of Supervisors endorses the implementation of the "Alive at 25, Younger Driver Education Program" and the "Values Improvement Program," and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUES:

A-32-3-2616(ADD)	Special Program Revenue	\$1,000.00
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INCREASE APPROPRIATIONS:

A-32-4-3315-00-.4438	Miscellaneous Supporting Services	\$1,000.00
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RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 140 of 2009

DATED: June 23, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS – MONTGOMERY COUNTY YOUTH DAY-2009 (YOUTH BUREAU/ACSD)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Thomas

WHEREAS, the Montgomery County Youth Bureau has been serving youth of Montgomery County since 1978, and

WHEREAS, the Montgomery County Youth Bureau/ACSD sponsored Youth Day-2008 on July 25th, 2008 to celebrate 30 years of serving youth of Montgomery County, and

WHEREAS, Youth Day-2008 was a tremendous success and served over 700 youth, and the Montgomery County Youth Bureau/ACSD will sponsor Youth Day-2009 on July 29th, 2009, and

WHEREAS, this event is scheduled to take place at the Montgomery County Annex Building and adjoining field/playground area owned by the Village of Fonda, and

WHEREAS, a request was made to the Village of Fonda and permission was granted by the Village of Fonda to use adjoining field/playground area for Youth Day-2009, and

WHEREAS, Montgomery County has provided the certificate of insurance to the Village of Fonda demonstrating the coverage by the county for the above stated event, and

WHEREAS, the Montgomery County Youth Board of Directors has recommended allocations of 2009 Outreach Program funds totaling \$10,100.00 leaving a remaining balance of \$5,900.00, and

WHEREAS, the Montgomery County Youth Board of Directors requests to use the unallocated Outreach Funding balance of \$5,900.00 for expenditures related to the Youth Day-2009 event, and

WHEREAS, the Montgomery County Youth Bureau/ACSD will be seeking outside vendors and exhibitors for Youth Day-2009, and

WHEREAS, agreements and contracts will result from seeking of vendors and exhibitors needing review and signing, 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 any and all related agreements and contracts for the purpose of Youth Day-2009 to be held on July 29th, 2009.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 141 of 2009

DATED: June 23, 2009

RESOLUTION AUTHORIZING THE TREASURER TO AMEND THE 2009 OPERATING BUDGET (VETERANS SERVICES)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Thomas

WHEREAS, the Veterans Services Agency was 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 County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUES:

A-19-3-3710	Veterans Services Agency State Aid	\$25,000
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INCREASE APPROPRIATIONS:

A-19-4-6510-00-.2230	Motor Vehicle Equipment	\$25,000
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RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 142 of 2009

DATED: June 23, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CITY OF AMSTERDAM - PURCHASING SERVICES (PURCHASING)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Greco

WHEREAS, the Purchasing Agent has recommended a Memorandum of Agreement be entered into between Montgomery County, its Purchasing Agent and the City of Amsterdam to provide purchasing services to the City of Amsterdam, and

WHEREAS, Said agreement will generate annual revenue of approximately \$20,000,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign the agreement to provide Purchasing services to the City of Amsterdam for the period commencing July 1, 2009 and ending on June 30, 2010, 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(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 143 of 2009

DATED: June 23, 2009

RESOLUTION AWARDING FOOD SERVICE & CLEANING SUPPLY BID 09-09 (PURCHASING)

Resolution by Supervisor: Greco

Seconded by Supervisor: Jonker

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

WHEREAS, said bids were opened on June 1, 2009, 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. 09-09 to All American Poly, Hill & Markes, Sam Tell & Son Inc., S&J Enterprises, R.H. Crown and Seely Conover's for a term of two years beginning August 1, 2009 and ending July 31, 2011, and

FURTHER RESOLVED, that the Cleaning Supplies portion of said bid hereby are awarded to Liberty Enterprises, Hill & Markes, Sam Tell & Son Inc., S&J Enterprises, R.H. Crown and Seely Conover's for the same term.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 144 of 2009

DATED: June 23, 2009

RESOLUTION ESTABLISHING PUBLIC HEARING - LOCAL LAW #3 OF 2009 - A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED PROPERTY, NOT NEEDED FOR A COUNTY PURPOSE - TOWN OF FLORIDA (TREASURER)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Jonker

WHEREAS, a public hearing is required to be held concerning Introductory Local Law No. 3 of 2009, a local law authorizing the private sale of county-owned property, not needed for a county purpose,

RESOLVED, that Introductory Local Law No. 3 of 2009 hereby is submitted to the Montgomery County Board of Supervisors for consideration, following the holding of a public hearing, as follows:

Introductory Local Law No. 3 of 2009 - A Local Law Authorizing the Private Sale of County-Owned Property, Not Needed for a County Purpose - Town of Florida

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

SECTION 1. The Board of Supervisors of the County of Montgomery has determined that County-owned real property parcels, known as SBL's 117.9-1-9 and 117.9-1-20.2, located in the Town of Florida are no longer necessary for public use.

SECTION 2. The Board of Supervisors of the County of Montgomery hereby authorizes the conveyance of all the right, title and interest of the County in and to said real properties to Town of Florida for the sum of \$1.00, and

FURTHER RESOLVED, that said public hearing shall be held Tuesday, July 28, 2009 at 6:55 p.m., in the Chamber 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(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Resolution No. 145 Discussion:

Supervisor Jonker withdrew his sponsorship on the Resolution because the bill has nothing in place to stop importing milk. The bill would raise the cost of milk therefore calling for more importation, which is no help for dairy farmers in Montgomery County and will drive the price down further.

Supervisor Quackenbush picked up the sponsorship so that the Resolution could be discussed.

Supervisor Barone stated that he also has concerns regarding the bill and motioned to Table the Resolution. The motion was seconded Supervisor Thayer and approved on voice call.

RESOLUTION NO. 145 of 2009

DATED: June 23, 2009

RESOLUTION SUPPORTING FEDERAL SENATE BILL S. 889, THE FEDERAL MILK MARKETING IMPROVEMENT ACT (BOARD OF SUPERVISORS)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Dybas

WHEREAS, our nation's vast farming industry contributes to the health and prosperity of every American every day of the year; and

WHEREAS, the dairy farming industry is the economic backbone of Montgomery County; and

WHEREAS, it is estimated that dairy farmers are currently being paid about 95 cents per gallon of milk, while it costs \$1.50 to produce the same gallon and the rising costs of production, along with the extreme drop in price per hundred weight of milk has many dairy farmers in Montgomery County concerned about providing for their families now and in the future; and

WHEREAS, United States Senators Arlen Specter and William Casey have led an effort to reintroduce the Federal Milk Marketing Improvement Act of 2007 (S.1722) which is "an act to amend the Agricultural Adjustment Act to require the Secretary of Agriculture to determine the price of milk used for manufactured purposes, which shall be classified as Class II milk, by using the nations average cost of production and for other purposes"; and

WHEREAS, a revised version of the bill, The Federal Milk Marketing Improvement Act of 2009 (S.889) has been introduced, emphasizing the improvement of the pricing of milk; and

WHEREAS, this bill was designed to correct the disparity in payment versus cost and the reintroduction of this bill would mean a raise in the price per hundred weight from a current approximate price of just under \$12 to an approximate price of \$22.46; now therefore, be it

RESOLVED, that the Montgomery County Board of Supervisors supports S.889, the "Federal Milk Marketing Improvement Act of 2009" and requests our representatives in the United States Congress and Senate to pass this bill to correct the many inequities the dairy farming industry is facing in Montgomery County and nation wide; and

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to President Barack Obama, Senator Arlen Specter, Senator William Casey, Senator Charles Schumer, Senator Kirsten Gillibrand, New York Senator Hugh T. Farley, New York Assemblyman George Amedore, Congressman Paul D. Tonko, New York Commissioner of Agriculture and Markets Patrick Hooker, New York State Association of Counties, Progressive Agriculture Organization (Pro-Ag), Albany County, Delaware County, Schoharie County, Greene County, Otsego County and Schenectady County.

MOTION TO TABLE by Supervisor Barone, Sr., seconded by Supervisor Thayer, passed with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Resolution No. 146 Discussion:

Supervisor DiMezza stated that the County spent hundred of thousands of dollars on the new electronic voting machines. Jamie Duchessi of the Board of Elections sent correspondence stating that only two towns will be using the electronic machines in the upcoming election. Supervisor DiMezza stated that the County had already approved the machines and should not be going back on that decision.

Supervisor McMahon stated that it should be the main objective of the Board to make sure that residents that want to vote can vote. The new voting machines are to overwhelming for the elder population. He stated that the object is to get people to vote and if people will not use the new machines then the process has failed. He felt that both options should be available to the voters.

Supervisor Johnson stated that it is a pilot program and felt that the Board should move forward because of the earlier decision made and the money spent. After the pilot program has been completed, that would be the time to reevaluate the system. She indicated that the process should play out and see what the future brings.

Supervisor Greco responded that he understands moving forward but pointed out that the City of Amsterdam is heavily populated with senior citizens and computers scare them. He stated that they should have the option of using both types of machines.

Supervisor Thayer stated that it would be a travesty to lose the lever machines and felt that both the lever and electronic voting machines should be made available to the voters.

Supervisors Barone and Dybas made a motion and seconded, respectively, to Table the Resolution. On roll call the motion to Table was defeated.

Supervisors DiMezza and Barone made a motion and seconded, respectively, to amend the Resolution as follows: strike the first "Resolved" clause and replace it with the following: "RESOLVED, that the Montgomery County Board of Supervisors hereby joins with the New York State Associations of the Towns and other Counties seeking and supporting the continuation of our lever voting machines together with ballot marking devices (BMD), and". On roll call the Resolution was adopted as amended.

RESOLUTION NO. 146 of 2009

DATED: June 23, 2009

RESOLUTION TO JOIN THE NEW YORK STATE ASSOCIATION OF TOWNS AND OTHER COUNTIES IN SEEKING COUNTY LEADERSHIP AND SUPPORT FOR FISCAL RESPONSIBILITY BY STAYING WITH LEVER VOTING MACHINES (BOARD OF SUPERVISORS)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Greco

WHEREAS, for many decades Montgomery County has successfully used mechanical lever-style voting machines, with very few problems, and is desirous of continuing to do so, and

WHEREAS, New York State enacted the Election Reform and Modernization Act of 2005 (ERMA) and other laws that require all lever machines to be replaced and prohibit the use of any lever machines in any future elections in New York State, and

WHEREAS, Montgomery County believes that the continued use of lever-style voting machines is in the best interest of the public and should be permitted to be used in future elections, and

WHEREAS, it is the opinion of this Board that if the State of New York replaces lever voting machines with optical scanner systems, the cost to the taxpayers of Montgomery County will be insurmountable not covered by HAVA funds and the payment thereof will severely strain and possibly break the budgets of all Counties in this time of economic crisis, and

WHEREAS, the expense of the computerized voting systems is exorbitant and will no doubt increase annually and there will be uncertain as to costs and expenses, none of which exists with the current lever machine and BMDs machines, and

WHEREAS, New York State now has accurate and reliable electoral system using the lever-style voting machines, and

WHEREAS, the New York State legislation relating to voting machines far exceeds the federal requirements of Help America Vote Act (HAVA), and

WHEREAS, the State's statutorily required elimination of lever-style voting machines is unnecessary, inappropriate and costly to Montgomery County taxpayers, and in these difficult economic times, the cost to implement elections with these new machines will not be paid for New York State and is an unfunded mandate,

RESOLVED that the Montgomery County Board of Supervisors hereby joins with the New York State Association of Towns and other Counties seeking and supporting the continuation of our lever voting machines together with Ballot Marking Devices (BMD) and rejecting the use of a computerized voting system as the computerized voting system will be a huge expense and undertaking in Montgomery County during this time of economic uncertainty, and

RESOLVED, that the Montgomery County Board of Supervisors hereby requests the New York State Legislature and the New York State Board of Elections to enact laws, rules and regulations as specifically authorized to continue the use of lever-style voting machines, and

RESOLVED, that a copy of this resolution be forwarded to the New York Association of Towns, Election Transparency Coalition, Governor David Paterson, New York Senate Majority Leader Malcolm A. Smith, Assembly Speaker Sheldon Silver, Assembly Minority Leader Brian Kolb, Senator Hugh Farley, Congressman Paul D. Tonko, Assemblyman George Amedore and Assemblyman Marc Butler, the Executive Directors of the New York State Board of Elections, Todd Valentine and Stanley Zalen, the New York State Board of Election Commissioners, James Walsh, Douglas Kellner, Evelyn Aquila and Gregory Patterson, United States Senators Charles Schumer and Kirsten Gillibrand.

MOTION TO TABLE by Supervisor Barone, Sr., seconded by Supervisor Dybas, was defeated with Aye(433). Supervisors Barone, Sr., Dybas and Quackenbush voted Aye. Supervisor Stagliano was absent. (6/23/2009)

MOTION TO AMEND to strike the first "Resolved" clause and replace it with the following:
 "RESOLVED, that the Montgomery County Board of Supervisors hereby joins with the New York State Associations of the Towns and other Counties seeking and supporting the continuation of our lever voting machines together with ballot marking devices (BMD), and" by Supervisor DiMezza, seconded by Supervisor Barone, Sr., passed with Aye(1196). Supervisors Barone, Sr., McMahon and Quackenbush voted Nay. Supervisor Dybas abstained. Supervisor Stagliano was absent. (6/23/2009)

RESOLUTION ADOPTED with Aye(1636). Supervisor Dybas abstained. Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
 County Attorney

Robin Loske
 Clerk, Board of Supervisors

RESOLUTION NO. 147 of 2009

DATED: June 23, 2009

RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN ASSIGNMENT CONSENT TO TRANSFER ANTENNAE SPACE CONTRACT FROM AMSTERDAM MEMORIAL HOSPITAL TO ST. MARY'S HOSPITAL (BOARD OF SUPERVISORS)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Dybas

WHEREAS, Amsterdam Memorial Hospital is going out of business and St. Mary's Hospital of Amsterdam has agreed to acquire the assets of Amsterdam Memorial Hospital, and

WHEREAS, St. Mary's Hospital of Amsterdam will not incur the debts or other obligations of Amsterdam Memorial Hospital, and

WHEREAS, St. Mary's Hospital of Amsterdam is prepared to assume the obligations of Amsterdam Memorial Hospital's contract with Montgomery County for the Antennae Space,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign the Assignment Consent to transfer the Antennae Space Contract to St. Mary's Hospital of Amsterdam.

RESOLUTION ADOPTED with Aye(1633). Supervisor Greco abstained. Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
 County Attorney

Robin Loske
 Clerk, Board of Supervisors

RESOLUTION NO. 148 of 2009

DATED: June 23, 2009

RESOLUTION OF APPROVAL/SUPPORT FOR PROPOSED STATE LEGISLATION/SENATE BILL S. 4080-ASSEMBLY BILL A. 7504-A/AMEND NEW YORK STATE CIVIL PRACTICE LAW & RULES (BOARD OF SUPERVISORS)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Greco

WHEREAS, under current State law, negligence damages recovered against a municipality by its employees are not reduced by the amount of the employee's disability pension and as such, public employees who may be hurt while on the job are being paid twice for the same future lost earnings, and

WHEREAS, private employers are permitted to reduce future lost earnings by the amount of any pension benefits that may be received by the employee, while public employers are not afforded such equitable relief, and

WHEREAS, there is legislation currently being considered by New York State Senate and Assembly (S. 4080-A and A. 7504-A, respectively), which would amend the New York State Civil Practice Law and Rules to allow municipalities to offset awards for future lost earnings made to employees by disability pensions and other collateral sources of compensation, thereby ending the unfair double recoveries against public employees, and

WHEREAS, this legislation would save municipalities millions of dollars annually by giving the same benefit to public employers that private employers currently enjoy, a matter of fundamental fairness and sound public policy, and

WHEREAS, the proposed legislation would also protect public employers who settle litigation from

being subjected to a claim by a health benefits provider or other collateral source payer for reimbursement of monies that it may have paid to the employee in said case,

RESOLVED, that the Montgomery County Board of Supervisors does hereby support the proposed legislation designated in the New York State Senate as S. 4080-A and in the Assembly as A. 7504-A, and therefore urges lawmakers to adopt said bills, and

FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to the Counsel to the New York State Governor, the New York State Senate Majority Leader and the New York State Assembly Speaker.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 149 of 2009

DATED: June 23, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET FOR AN ADVANCE TO THE MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT (BOARD OF SUPERVISORS)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Barone, Sr.

WHEREAS, the Montgomery County Soil and Water Conservation District made a formal request to the County, at the County's Finance Committee meeting on June 16, 2009, to lend the District funds that are due the District through New York State, and without assistance from the County the District will suffer a fiscal crisis, and

WHEREAS, the District received notice that the vouchers that were submitted to the State would not be funded until the end of August with \$30,000 being allocated first and the remaining balances to follow during this calendar year, and

WHEREAS, these are funds the District has already earned and will be reimbursed by the State, and

WHEREAS, there are two vouchers that are outstanding that total \$42,781.76, which the District is asking the County to loan them with the understanding that the District will reimburse the County when the State funds are received,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes an advance in the sum of \$42,781.76 to the Montgomery County Soil and Water Conservation District, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

TRANSFER FROM:

A-01-1990-00-4400	Contingent Account	\$42,781.76
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TRANSFER TO:

A-01-8710-00-4576	Soil Conservation District	\$42,781.76
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RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Resolution No. 150:

Supervisors Barone and DiMezza made a motion and seconded, respectively, to amend the Resolution as follows: change the the first "Resolved" clause to "Increase Appropriations" amount from \$500,000 to \$300,000. On voice call the motion was approved.

RESOLUTION NO. 150 of 2009

DATED: June 23, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - DEMOLITION TIP FEE EXPENSES (BOARD OF SUPERVISORS)

Resolution by Supervisor: Greco

Seconded by Supervisor: Di Mezza

WHEREAS, pursuant to Resolution No. 253 of 2008 the Board of Supervisors allocated funding to pay for MOSA tipping fees for debris from demolition projects, and

WHEREAS, additional funding is needed to cover the County's share of the tip fee for the demolition projects that have been completed in the County,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE APPROPRIATIONS:

A-599	Appropriated Fund Balance	\$500,000
A-01-4-8160-00-4439	Other Support Services	\$500,000

, and

FURTHER RESOLVED, that Montgomery County will subsidize all but \$20.00 per ton of tipping fee for any demolition material coming from any municipality within Montgomery County, and

FURTHER RESOLVED, municipalities within Montgomery County that deliver or authorize the delivery of waste to any other entity other than MOSA is hereby excluded from the subsidy.

MOTION TO AMEND the first "Resolved" clause to change the "Increase Appropriations" amount from \$500,000 to \$300,000 by Supervisor Barone, Sr., seconded by Supervisor DiMezza, passed with Aye(1520). Supervisors Baia and Jonker voted Nay. Supervisor Stagliano was absent. (6/23/2009)

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 151 of 2009

DATED: June 23, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE AN AGREEMENT WITH GERHARDT, LLC FOR PREPARATION OF A SOLID WASTE SERVICES AGREEMENT (BOARD OF SUPERVISORS)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Greco

WHEREAS, Montgomery County has been a member of and has been provided services by the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA) since its creation in 1987, and

WHEREAS, Montgomery County along with Otsego and Schoharie Counties, entered into a Service Agreement with MOSA dated May 1, 1989, which Service Agreement was for the purpose of insuring the repayment of MOSA Bonds, for the payment of other MOSA expenses and to define the services to be provided by MOSA to Montgomery, Otsego and Schoharie Counties, and

WHEREAS, Montgomery County has requested that MOSA defease the remaining outstanding bonds thereby satisfying the original purposes of the May 1, 1989 MOSA Services Agreement, and

WHEREAS, Montgomery County is considering what, if any, services it wants to utilize MOSA for the in the future, and

WHEREAS, Montgomery County received a presentation on April 8, 2009 concerning the defeasance of the MOSA Bonds and future plans of the member Counties to prepare a new MOSA Service Agreement,

RESOLVED, that the Chairman is hereby authorized, after review and approval of the County Attorney, to execute an agreement with Gerhardt, LLC of 107 Paris Road, New York to prepare a new MOSA Service Agreement for an amount not to exceed \$13,833, and

FURTHER RESOLVED, this agreement is contingent upon the approval of similar agreements between Otsego and Schoharie Counties and Gerhardt, LLC for the same services.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (6/23/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

OTHER

Vice Chairman Walters went on record to say he was never cited or fined by DEC for junk on his

property. DEC did issue him a Notice of Remedy for the tractor tires on his property. He indicated that the tires were too big to take to MOSA but he did find someone to take them and they are no longer on his property.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Barone, Sr., seconded by Supervisor Strevy, passed with Aye(1772). Supervisor Stagliano was absent.

Chairman Thomas adjourned the meeting at 8:00 P.M.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - ECONOMIC DEVELOPMENT/PLANNING
7:00 PM, July 7, 2009

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Di Mezza, Johnson, Jonker, Paton, McMahon and Strevy.

Additional Supervisors present were Supervisors Greco, Quackenbush, Walters, Thomas, Dybas and Thayer. Supervisors Barone and Stagliano were absent.

Chairman Baia has called a meeting of the Economic Development/Planning Committee for 7:00 p.m. on Tuesday, July 7, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION SUPPORTING ANTI-BULLYING LEGISLATION (BOARD OF SUPERVISORS)
2. OTHER

Item #1: (RESOLUTION SUPPORTING ANTI-BULLYING LEGISLATION -(BOARD OF SUPERVISORS) Supervisors Baia and Greco 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.

Add-On Resolution: (RESOLUTION SUPPORTING U.S. SENATOR GILLIBRAND'S EFFORTS TO INCREASE THE MILK INCOME LOSS CONTRACT - (BOARD OF Supervisors) Supervisors Jonker 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 #2: (OTHER) There were no other items for discussion.

Supervisors Jonker and Greco made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Baia adjourned the Economic Development/Planning Committee meeting at 7:10 PM.

Respectfully submitted,

Robin Loske
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, July 7, 2009

COMMITTEE MEETING DISCUSSION

Chairman Thayer presided over the meeting commencing at 7:01 PM.

Roll call indicated Committee members present included Supervisors Bai a, Di Mezza, Jonker, Quackenbush and Strevy. Supervisor Barone was absent.

Additional Supervisors present were Greco, Johnson, McMahon, Paton, Dybas, Walters, and Thomas. Absent was Supervisor Stagliano.

Chairman Thayer has called a meeting of the Public Safety Committee for 7:05 p.m. on Tuesday, July 7, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FBI ANTENNA SITE LICENSE RENEWAL - OAK RIDGE SITE (SHERIFF)
2. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - NYS OFFICE OF HOMELAND SECURITY CASE GRANT (EMERGENCY MANAGEMENT)
3. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AID TO PROSECUTION GRANT AGREEMENT CONTRACT (DISTRICT ATTORNEY)
4. Other

Item #1: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FBI ANTENNA SITE LICENSE RENEWAL - OAK RIDGE SITE (SHERIFF) The Resolution was sponsored and seconded by Supervisors Jonker and Dybas, respectively. The resolution was moved to the full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - NYS OFFICE OF HOMELAND SECURITY CASE GRANT (EMERGENCY MANAGEMENT) The Resolution was sponsored and seconded by Supervisors Greco and Strevy, respectively. The resolution was moved to the full Board with a positive recommendation. There were no objections.

Item #3: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AID TO PROSECUTION GRANT AGREEMENT CONTRACT (DISTRICT ATTORNEY) The Resolution was sponsored and seconded by Supervisors Quackenbush and Greco, respectively. The resolution was moved to the full Board with a positive recommendation. There were no objections.

Item #4 (OTHER) There were no other items for discussion.

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

Chairman Thayer adjourned the Public Safety Committee meeting at 7:03 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - EDUCATION/GOVERNMENT
7:10 PM, July 7, 2009

COMMITTEE MEETING DISCUSSION

Chairman McMahon presided over the meeting commencing at 7:04 PM.

Roll call indicated Committee members present included Supervisors Baia, Paton, Strevy and Thayer. Supervisors Barone and Stagliano were absent.

Additional Supervisors present were Supervisors Greco, DiMezza, Johnson, Thomas, Jonker and Dybas. Supervisors Quackenbush and Walters were absent.

Chairman McMahon has called a meeting of the Education/Government Committee for 7:10 p.m. on Tuesday, July 7, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. DISCUSSION ITEM - LPN (LICENSED PRACTICAL NURSING) PROGRAM AT BOCES
2. DISCUSSION ITEM - FMCC CHARGE BACKS FROM OTHER COUNTIES
3. DISCUSSION ITEM - ETHICS COMMITTEE
4. OTHER

Item #1: (DISCUSSION ITEM - LPN (LICENSED PRACTICAL NURSING) PROGRAM AT BOCES)

Elaine Mongin, Coordinator of Adult Services for HFM BOCES, asked the County for assistance with their LPN Program.

Supervisor McMahon stated that the program will bring in primarily young women and help them get a job and begin a career and the cost to assist the program would be barely seen in the County's budget.

Ms. Mongin reported that the program has graduated 163 students in its history, including seventy-one from Montgomery County. Fulton County currently contributes \$10,000 per year and anticipates that Fulton County will be raising their contribution to \$15,000 per year.

Ms. Mongin explained that once students complete the two-year, part-time program, they can take a state licensing exam and walk right into a job at local assisted care facilities, primary care centers and doctor's offices with an average salary starting at about \$35,000 per year. She stated that in spite of the economic downturn these types of jobs are plentiful and the program has a 100% placement rate. Some of the graduates take advantage of an agreement with FMCC to move directly into its nursing program or go to other schools such as Hudson Valley Community College and the Ellis Hospital School of Nursing to earn a degree to become Registered Nurses.

Supervisor Baia stated that a contribution of \$15,000 per year is money well spent to train people in a career, especially a career that serves the community.

Supervisor Johnson suggested that a Resolution be presented to the Finance Committee for their consideration.

Chairman Thomas and Supervisor Baia made a motion and seconded, respectively to sponsor the Resolution to go the Finance Committee. There were no objections.

Item #2: (DISCUSSION ITEM - FMCC CHARGE BACKS FROM OTHER COUNTIES)

Dr. Dustin Swanger, President of FMCC, took the floor and informed the Board that FMCC has filed a lawsuit against Saratoga County because they refuse to pay the College \$24,000 for work done in the high schools.

Supervisors Quackenbush and Dybas made a motion and seconded, respectively, to sponsor a Resolution in support of the FMCC lawsuit against Saratoga County. The Resolution was moved to the full Board with a positive recommendation. There were no objections.

Item #3: (DISCUSSION ITEM - ETHICS COMMITTEE)

Chairman Thomas explained that Clarence Hamm, who currently sits on the Ethics Advisory Board, term expired on December 31, 2008. Mr. Hamm has indicated his desire to be reappointed to the Committee. Chairman Thomas also indicated that Mr. Centi who sits on the same Committee should be

replaced due to a conflict of interest.

Supervisors DiMezza and Baia made a motion and seconded, respectively, to sponsor a Resolution to reappoint Clarence Hamm to the Ethics Advisory Committee. The Resolution was moved to the full Board with a positive recommendation. There were no objections.

Item #4: (OTHER) There were no other items for discussion.

Motion was made and seconded by Supervisors Greco and DiMezza, respectively, to adjourn the Committee meeting.

Chairman McMahon adjourned the Education/Government Committee meeting at 7:30 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - NEEDS ASSESSMENT
10:00 AM, July 8, 2009

COMMITTEE MEETING DISCUSSION

Chairman DiMezza presided over the meeting commencing at 10:00 a.m.

Roll call indicated that Committee members present were Chairman Thomas, Supervisors Johnson and Greco, Commissioner Clayburn, Personnel Director Baia, Treasurer Bowerman and Data Processing Director Bain. Supervisors Walters and Quackenbush were absent.

Additional Supervisors present were Supervisors Barone and Strevy. Additional personnel present were County Auditor Zumbolo, Clerk of the Board, Robin Loske and Edward Russo.

Chairman DiMezza and Chairman Thomas have called a meet of the Needs Assessment Committee for 10:00 a.m. on Wednesday, July 8, 2009 at the County Annex Building, Room 214, 20 Park Street, Fonda, New York.

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

1. OFFICE SPACE IN BUILDING LOCATED ON RIVERSIDE DRIVE, FULTONVILLE, NY
2. OTHER

Item #1: (OFFICE SPACE IN BUILDING LOCATED ON RIVERSIDE DRIVE, FULTONVILLE, NY)

Chairman DiMezza stated the impetus for looking at additional office space came from the Fulmont Development Agency, which needs additional space in the County Annex Building for staff and programs it is adding with funding received from the federal stimulus package. The Committee also discussed space shortage for other County agencies such as the Department of Social Services.

Chairman DiMezza indicated that a temporary solution would be to lease some space.

The Committee reviewed a proposal to lease a one-story brick office building that was part of the White Mop Wringer Co., which is now owned by Olbrych Realty of Mayfield.

Chairman DiMezza stated that Olbrych Realty is looking for a minimum three-year lease. The lease price is \$8.00 per foot, which would amount to about \$68,000 per year.

The Committee discussed several possibilities for using the leased building such as moving Data Processing and the Print Shop. The Probation Department could move in where the Print shop was, which would give them a secured entrance and would also free up space for the Department of Social Services. Marco Zumbolo stated that moving Probation would not free up enough space for Social Services as they are over crowded.

Another idea that was discussed was the possibility of moving the Cornell Cooperative Extension back to the County into the Data Processing offices from its current spot in the old Johnstown Hotel.

The possibility of expanding the Fulmont Development Agency into Room 214 of the Annex Building utilizing portable partitions for developing office space.

Supervisor Greco suggested that the Fulmont Development Agency and Cooperative Extension move into the leased building and that would free up space in the Annex Building.

The County Auditor stated that an important aspect to consider would be the cost of moving the Data Processing Department as well as other Departments.

Supervisor Dybas indicated that he would call Marilyn Smith of the Cooperative Extension to see how much space they currently utilize.

Chairman DiMezza stated that he scheduled a walk through of the old White Mop Building at 11:00 a.m.

Chairman DiMezza set another Needs Assessment Committee meeting for July 30, 2009 at 9:30 a.m. in Room 214 of the Annex Building.

Chairman DiMezza asked the Clerk of the Board to contact Denis Wilson of the Fulmont Development Agency and Marilyn Smith of the Cooperative Extension to attend the meeting and ask that they bring estimates of their current office space and what they would need for future office space.

Item #2 (OTHER) There were no other items for discussion.

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

Chairman DiMezza adjourned the Needs Assessment Committee meeting at 10:35 a.m.

Respectfully submitted,

Robin Loske
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, July 14, 2009

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Dybas, Jonker, Paton, and Strevy. Supervisors Baia and Stagliano were absent.

Additional Supervisors present were Greco, DiMezza, Quackenbush, Johnson, Walters, Thayer and Thomas. Supervisor McMahon was absent.

Chairman Barone has called a meeting of the Health and Human Services Committee for 7:00 p.m. on Tuesday, July 14, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM GRANT CONTRACT (PUBLIC HEALTH)
2. RESOLUTION REESTABLISHING THE TITLE OF SUPERVISING PUBLIC HEALTH NURSE (PUBLIC HEALTH)
3. RESOLUTION AWARDING TRANSPORTATION SERVICES BID #08-09 (PUBLIC HEALTH)
4. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - RESOURCE ALLOCATION PLAN (YOUTH BUREAU)
5. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROGRAM AGREEMENTS - SPECIAL DELINQUENCY PREVENTION PROGRAM (YOUTH BUREAU)
6. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROGRAM AGREEMENTS - YOUTH INITIATIVE PROGRAM AND YOUTH DEVELOPMENT/DELINQUENCY PREVENTION (YOUTH BUREAU)
7. RESOLUTION AMENDING 2009 OPERATING BUDGET - GRANT AWARD (YOUTH BUREAU/ACSD)
8. RESOLUTION AMENDING 2009 OPERATING BUDGET - (YOUTH BUREAU/ACSD)
9. RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE MEMORANDUM OF UNDERSTANDING BETWEEN MONTGOMERY COUNTY AND THE NEW YORK STATE DIVISION OF VETERANS' AFFAIRS(VETERANS)
10. other

Item #1: (RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM GRANT CONTRACT) - (PUBLIC HEALTH) Supervisors Barone 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 #2: (RESOLUTION REESTABLISHING THE TITLE OF SUPERVISING PUBLIC HEALTH NURSE) - (PUBLIC HEALTH) Supervisors Barone and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3: (RESOLUTION AWARDING TRANSPORTATION SERVICES BID #08-09) - (PUBLIC HEALTH) Supervisors Barone and Greco made a motion and seconded, respectively, to move the Resolution to the Finance Committee for further review. There were no objections.

Item #4: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - RESOURCE ALLOCATION PLAN) - (YOUTH BUREAU) Supervisors Barone and Greco made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #5: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROGRAM AGREEMENTS - SPECIAL DELINQUENCY PREVENTION PROGRAM) - (YOUTH BUREAU) Supervisors Barone 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: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROGRAM AGREEMENTS - YOUTH INITIATIVE PROGRAM AND YOUTH DEVELOPMENT/DELINQUENCY PREVENTION) - (YOUTH BUREAU) Supervisors Barone and Quackenbush made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #7: (RESOLUTION AMENDING 2009 OPERATING BUDGET - GRANT AWARD) - (YOUTH BUREAU/ACSD) Supervisors Barone and Patton made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #8: (RESOLUTION AMENDING 2009 OPERATING BUDGET) - (YOUTH BUREAU/ACSD) Supervisors Barone and Greco made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #9: (RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE MEMORANDUM OF UNDERSTANDING BETWEEN MONTGOMERY COUNTY AND THE NEW YORK STATE DIVISION OF VETERANS' AFFAIRS (VETERANS))

Dan Roth, Veterans Director, took the floor and explained that "Vet Cop" is an application residing on the New York State Division of Veterans' Affairs computer system. This application will allow Director Roth to access information for the Veterans of Montgomery County on a more timely basis. There will be no cost to the County because the Veteran's Office already has the computer equipment and transmission lines needed to access the program. The Division of Veterans Affairs will provide outreach materials to the County at no charge.

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

ITEM #10: (OTHER) There was no other items for discussion.

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

Chairman Barone adjourned the Health & Human Services Committee meeting at 7:08 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PERSONNEL
7:05 PM, July 14, 2009

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:31 PM.

Roll call indicated Committee members present were Supervisors Dybas, Thayer and Walters. Supervisors Baia, McMahon and Stagliano were absent.

Additional Supervisors present were Supervisors Greco, DiMezza, Johnson, Paton, Barone, Jonker, Strevy and Thomas.

Chairman Quackenbush has called a meeting of the Personnel Committee for 7:05 p.m. on Tuesday, July 14, 2009 in the Supervisors' Chambers, County Office Bldg, 64 Broadway, Fonda, NY.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT WITH NATIONAL EMPLOYERS COUNCIL, INC. (PERSONNEL)
2. RESOLUTION RATIFYING MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF MONTGOMERY AND MONTGOMERY COUNTY LOCAL 294 OF INTERNATIONAL BROTHERHOOD OF TEAMSTERS FOR CORRECTION OFFICERS AND AUTHORIZE CHAIRMAN TO SIGN CONTRACT FOR THE PERIOD OF 1/1/2009 - 12/31/2012 (PERSONNEL)
3. EXECUTIVE SESSION - GRIEVANCE
4. OTHER

Item #1: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT WITH NATIONAL EMPLOYERS COUNCIL, INC.) - (PERSONNEL) The Resolution, sponsored by Supervisors Dybas and Thayer, respectively, was moved to the Full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION RATIFYING MEMORANDUM OF AGREEMENT BETWEEN THE COUNTY OF MONTGOMERY AND MONTGOMERY COUNTY LOCAL 294 OF INTERNATIONAL BROTHERHOOD OF TEAMSTERS FOR CORRECTION OFFICERS AND AUTHORIZE CHAIRMAN TO SIGN CONTRACT FOR THE PERIOD OF 1/1/2009 - 12/31/2012) - (PERSONNEL)

Chairman Quackenbush stated that he would recuse himself from the vote on the Resolution because he is a member of the Teamsters Union. He appointed Chairman Thomas to vote in his stead.

Supervisor DiMezza stated that the Agreement would give the Union members an average increase of 3% per year,

Chairman Thomas noted that the new contract would not affect the 2009 Budget because the funds were placed in reserve funds for the anticipated pay raises and the final Agreement was within the range anticipated.

The Resolution, sponsored by Supervisors Thomas and Johnson, respectively, was moved to the Full Board with a positive recommendation. There were no objections.

Item #3: (EXECUTIVE SESSION - PERSONNEL MATTER) Chairman Quackenbush stated that the executive session for the grievance matter would be handled after "Other".

Item #4: (OTHER) Supervisor DiMezza stated that he would like to sponsor a Resolution to go to the full Board to move the short and long term disability insurance into the Trust.

Supervisor Strevy asked why the short and long term disability has not been included in the Trust prior to now. Supervisor DiMezza responded that the Resolution establishing the insurance dates back to the year 1995 or 1996.

Personnel Director, Richard Baia, informed the Committee that if the insurance is included in the Trust it could be offered to other agencies such as FMCC, MOSA and the City of Amsterdam.

The Resolution, sponsored by Supervisors DiMezza and Barone, respectively, was moved to the Full Board with no recommendation. There were no objections.

Executive Session:

Pursuant to Section 105 (e) of the NYS Open Meeting Law, the motion was made and seconded by Supervisors Walters and Thayer, respectively, to enter into Executive Session to discuss a personnel matter. Executive Session commenced at 7:39 p.m.

Motion was made and seconded by Supervisors Dybas and Walters, respectively, to adjourn the Executive Session. Executive Session adjourned at 8:15 p.m.

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

Chairman Quackenbush adjourned the Personnel Committee meeting at 8:15 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - GENERAL SERVICES
7:10 PM, July 14, 2009

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:08 p.m.

Roll call indicated Committee members present included Supervisors DiMezza, Johnson, Jonker Paton, Strevy and Thayer.

Additional Supervisors present were Supervisors Greco, Quackenbush, Barone, Dybas and Thomas. Supervisors McMahon, Baia and Stagliano were absent.

Chairman Walters has called a meeting of the General Services Committee for 7:10 p.m. on Tuesday, July 14, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. DISCUSSION:

ANIMAL ABUSE TASK FORCE

2. OTHER

Item #1: (DISCUSSION ITEM - ANIMAL ABUSE TASK FORCE)

Sgt. Whitman of the Sheriff's Office took the floor and stated that the Sheriff's Office needs some professional help in investigating animal abuse cases. He suggested the County retain a veterinarian to assist law enforcement when an animal may not appear to be abused or unhealthy.

Chairman Walters indicated that the County has been discussing formation of an "Animal Abuse Task Force" for more than a year. The discussions have been stalled mainly because of liability and insurance concerns for Task Force members.

Chairman Walters stated that retaining a veterinarian to help deputies would be a good interim solution. This would not only make their jobs easier but also help build stronger cases against animal abusers. Chairman Walters stated that everybody's intentions might be good but it comes down to the deputy to make a decision about what to do.

Chairman Walters indicated that Vets have been approached in the past to assist in abuse cases but have expressed concerns about getting paid for their services.

Chairman Thomas pointed out that the concern is not as much about the time vets spend to examine the animals as it is about treating them. He indicated that it cost a lot to house and take care of abused animals when they are removed from their abusive surroundings.

It was pointed out that convicted abuser can be legally held responsible for any costs associated with treating and housing abused animals, but recovering those costs in many cases is difficult if not impossible.

Several ideas were discussed including setting a fee schedule and keeping a list of available vets at the Sheriff's Dispatch Office.

Supervisor Greco suggested that a line be added in the Sheriff's budget for vet services and leave it up to the Sheriff to determine the best use for the funds.

Item #2: (OTHER) There was no other items for discussion.

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

Chairman Walters adjourned the General Services Committee meeting at 7:29 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE
7:00 PM, July 21, 2009

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the Finance Committee meeting commencing at 7:00 PM.

Roll call indicated Committee members present were Supervisors Dybas, Johnson and Jonker. Absent were Supervisor Barone, DiMezza and Greco.

Additional Supervisors present were McMahon, Paton, Walters, Thayer and Thomas. Absent were Supervisors Quackenbush, Baia and Stagliano.

Chairman Strevy has called a meeting of the Finance Committee for 7:00 p.m. on Tuesday, June 16, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AMENDING 2009 OPERATING BUDGET - CONTRIBUTION OF FUNDS TO HFM BOCES LPN PROGRAM (BOARD OF SUPERVISORS)
2. 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 1998
3. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ALIVE AT 25 YOUNGER DRIVER EDUCATION PROGRAM (STOP-DWI)
4. RESOLUTION AUTHORIZING THE PAYMENT OF 2008 MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT (MOSA) SHORTFALL (BOARD OF SUPERVISORS)
5. OTHER

Item #1: (RESOLUTION AMENDING 2009 OPERATING BUDGET - CONTRIBUTION OF FUNDS TO HFM BOCES LPN PROGRAM (BOARD OF SUPERVISORS) Supervisors Thomas and Baia made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #2: (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 1998) Supervisors Dybas and Johnson made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #3: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ALIVE AT 25 YOUNGER DRIVER EDUCATION PROGRAM (STOP-DWI) Supervisors Thayer and Jonker made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Dybas asked if there were any costs associated with the Agreement. Chairman Strevy stated that he did not think there was any cost to the County but he would request that Youth Bureau Director Jennifer Petteys attend the meeting to address any questions the Board may have.

The Resolution was moved to the Full Board. There were no objections.

Item #4: (RESOLUTION AUTHORIZING THE PAYMENT OF 2008 MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT (MOSA) SHORTFALL (BOARD OF SUPERVISORS) Supervisors Jonker and Dybas made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Walters motioned to amend the third "Whereas" as follows:

"WHEREAS, MOSA presented Montgomery County with a new invoice dated June 26, 2009, which provides for the 2008 GAT shortfall modification as required by MOSA Resolution Number 32 of 2009, for a total adjusted 2008 GAT shortfall of 8,289 tons, and

WHEREAS, the MOSA per ton tip fee of \$104.50 is separated into two components consisting of \$62.99 per ton for transportation and disposal costs and \$41.51 per ton for operating costs, and

WHEREAS, the aforementioned tip fee components for the 2008 GAT shortfall represents \$344,077 for operating costs and \$522,124 for transportation and disposal costs for a total amount of \$866,201.00, "

The Resolution, as amended, was moved to the Full Board with a positive recommendation. There were no objections.

Add-On Resolution: (RESOLUTION AMENDING 2009 OPERATING BUDGET - MONTGOMERY COUNTY SANITARY DISTRICT #1) Supervisors Quackenbush and Jonker made a motion and seconded, respectively, to sponsor the Resolution.

There was discussion relative to the transfer of funds for both engineering fees and attorney fees being included in the one Resolution. Supervisor Jonker explained that the engineering fees were to deal with work for the Sanitary District pump stations and the attorney fees were to deal with ongoing litigation.

Treasurer Bowerman advised that there should be two Resolutions to deal with the transfer of funds to separate the functions.

Supervisors Jonker and McMahon made a motion and seconded, respectively, to sponsor a second Resolution to separate the engineering fees from the legal fees.

The Resolutions were moved to the Full Board with a positive recommendation. There were no objections.

Item #5: OTHER - (RESOLUTION AWARDING TRANSPORTATION SERVICES BID #08-09 (PUBLIC HEALTH))

Kim Conboy, Public Health Director, took the floor and stated that she recommends that Routes 2, 10, 15, 19 and 34A be awarded to Browns Transportation as the low bidder and the remaining routes to Blue Line Commuter Inc. as the low bidder.

The Resolution was moved to the Full Board. There were no objections.

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

Chairman Strevy adjourned the Finance Committee meeting at 7:23 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
PUBLIC HEARING
6:50 PM, July 28, 2009

FMCC 2009-2010 Operating Budget

PUBLIC HEARING DISCUSSION

RESOLUTION ADOPTING 2009-2010 FMCC OPERATING BUDGET

WHEREAS, the Fulton-Montgomery Community College Board of Trustees has presented Fulton and Montgomery County, the sponsoring counties, with a 2008-2009 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, 2009 and ending on August 31, 2010, with appropriations totaling \$18,071,998, 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 2009, 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.

By order of the Board of Supervisors of Montgomery County.

Chairman Thomas asked whether anyone from the public wished to speak. No one came forth.

Chairman Thomas adjourned the public hearing at 6:50 p.m.

Respectfully submitted,

Robin Loske
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, July 28, 2009

RESOLUTION ESTABLISHING PUBLIC HEARING - A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED PROPERTY NOT NEEDED FOR A COUNTY PURPOSE - TOWN OF FLORIDA (TREASURER)

PUBLIC HEARING DISCUSSION

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 3 OF 2009 - A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED PROPERTY, NOT NEEDED FOR A COUNTY PURPOSE - TOWN OF FLORIDA (TREASURER)

WHEREAS, on June 23, 2009 a proposed Local Law for the County of Montgomery, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property, Not Needed for a County Purpose" (Town of Florida) was presented to the Board of Supervisors for consideration, and

WHEREAS, on June 23, 2008 Resolution No. 144 of 2009 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 28th day of July 2009, at the time and place appointed, and

WHEREAS, said public hearing has been held,

RESOLVED, that said Local Law, known as Introductory Local Law No. 3 of 2009, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property, Not Needed for a County Purpose" (Town of Florida) hereby is adopted and is incorporated as follows:

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

SECTION 1. The Board of Supervisors of the County of Montgomery has determined that County-owned real property parcels, known as SAL's 117.9-1-9 and 117.9-1-20.2, located in the Town of Florida are no longer necessary for public use.

SECTION 2. The Board of Supervisors of the County of Montgomery hereby authorizes the conveyance of all the right, title and interest of the County in and to said real properties to Town of Florida, 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.

By order of the Board of Supervisors of Montgomery County.

Chairman Thomas asked whether anyone from the public wished to speak. No one came forth.

Chairman Thomas adjourned the public hearing at 6:55 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, July 28, 2009

CALL TO ORDER

Chairman Thomas called the Regular Meeting of the Montgomery County Board of Supervisors for July 28, 2009 to order at 7:00 PM.

SALUTE TO THE FLAG

Supervisor McMahon led the Salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors McMahon, Strevy, Dybas, Thayer, Barone, Thomas, Baia, Johnson, Greco, Paton, Jonker, Walters, Quackenbush, and DiMezza were present. Supervisor Stagliano was absent.

PRIVILEGE OF THE FLOOR

- A. Public Comment - There was not public comment
- B. Gina DaBiere-Gibbs - Tourism Update
Montgomery County Chamber of Commerce

Ms. DaBiere-Gibbs presented a the Montgomery County Chamber of Commerce tourism update as attached hereto.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (June 23, 2009 - July 21, 2009) by Supervisor Barone, Sr., seconded by Supervisor Quackenbush, passed with Aye(1772). Supervisor Stagliano was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor DiMezza, seconded by Supervisor Barone, Sr., passed with Aye(1772). Supervisor Stagliano was absent.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

- A. Resolutions
- B. Other

RESOLUTION NO. 152 of 2009

DATED: July 28, 2009

RESOLUTION SUPPORTING ANTI-BULLYING LEGISLATION (BOARD OF SUPERVISORS)

Resolution by Supervisor: Baia

Seconded by Supervisor: Greco

WHEREAS, it is necessary to have a safe and civil environment in schools for students to learn and achieve high academic standards, and

WHEREAS, harassment, intimidation, bullying or other disruptive or violent behavior is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe and non-threatening environment,

RESOLVED, that the Senate and Assembly of New York State should support anti-bullying legislation

to take every reasonable precaution to protect students and school employees from the irreparable physiological, physical, emotional, mental, and social harm of bullying and harassment, and

FURTHER RESOLVED, that copies of this Resolution be forwarded to Senator Charles Schumer, Senator Kirsten Gillibrand, New York Senator Hugh T. Farley, New York Assemblyman George Amedore and Congressman Paul D. Tonko.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 153 of 2009

DATED: July 28, 2009

RESOLUTION SUPPORTING U. S. SENATOR KIRSTEN GILLIBRAND'S EFFORTS TO INCREASE THE MILK INCOME LOSS CONTRACT (BOARD OF SUPERVISORS)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Dybas

WHEREAS, our nations vast farming industry contributes to the health and prosperity of every American every day of the year, and

WHEREAS, the dairy farming industry is the economic backbone of Montgomery County, and

WHEREAS, dairy farmers are receiving a price for their milk that is some 40% below the cost of production, putting not only their farms in financial jeopardy, but also that of local businesses that service these dairy farmers, and

WHEREAS, U.S. Senator Gillibrand is proposing legislation to expand the Federal, Milk Income Loss Contract, with an inflation adjustor and increasing from 45% to 90% the milk, which is eligible for payment through the Milk Income Loss Contract, and

WHEREAS, U.S. Senator Gillibrand is also proposing hearings in an effort to repair the flawed milk price discovery mechanism that currently exists,

RESOLVED, that the Montgomery County Board of Supervisors supports Senator Gillibrand's efforts to maintain a viable dairy industry in Montgomery County and the Untied States, and

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to President Barack Obama, Senator Kirsten Gillibrand, Senator Charles Schumer, Congressman Paul D. Tonko, Senator Hugh T. Farley, Assemblyman George Amedore, New York Commissioner of Agriculture and Markets Patrick Hooker, the Counties of Fulton, Albany, Chenango, Delaware, Green, Herkimer, Lewis, Madison, Oneida, Otsego, Rensselaer, St. Lawrence, Saratoga, Schoharie and Washington and the New York State Association of Counties.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 154 of 2009

DATED: July 28, 2009

RESOLUTION ADVOCATING CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORP. BE ALLOWED TO OPERATE IN ITS CURRENT FORM WHILE CONTINUING TO PROVIDE REASONABLE SUPPORT FOR MONTGOMERY COUNTY & TO OPERATE IN A COMPATIBLE MANNER FOR HORSERACING & BREEDING IN NYS

Resolution by Supervisor: Thomas

Seconded by Supervisor: Barone, Sr.

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

WHEREAS, over the past thirty-years, 43 counties and municipalities have received more than \$3 billion in revenue from the six New York Off-Track Betting Corporations, which have been used to offset local tax increases, and

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

WHEREAS, counties and municipalities who are participating members in New York State OTB's are more than bystanders in any decision which affects the structure of Off-Track Betting and horse racing in New York State, and

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

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

WHEREAS, any such negative impact on the financial and operational relationship that Montgomery County has with Capital District Regional Off-Track Betting Corporation would negatively affect Montgomery County,

RESOLVED, that Montgomery County's stake in the future of horseracing and Capital District Regional Off-Track Betting Corporation in New York State be preserved, and

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

FURTHER RESOLVED, that Montgomery County, a member of Capital District Regional Off-Track Betting Corporation, could not and will not support any recommendation by the Task Force on the future of Off-Track Betting or the State of New York that would change the current structure of Off-Track Betting in New York State and put in jeopardy the financial and operational relationship between Montgomery County and Capital District Regional Off-Track Betting Corporation, and

FURTHER RESOLVED, that Montgomery County supports and will support the legislative efforts of Capital District Regional Off-Track Betting Corporation to introduce and have passed the proposed 2009 OTB Omnibus Bill, Legislation, including the right to operate Video Lottery Terminals (VLT's) in locations within its geographic area in Montgomery County; such legislation includes many changes to current statutes that govern the operation and distribution of revenues of Capital District Regional Off-Track Betting Corporation, and

FURTHER RESOLVED, that those changes would permit Capital District Regional Off-Track Betting Corporation to return revenues to Montgomery County allowing Capital District Regional Off-Track Betting Corporation to continue to provide reasonable support for the government of Montgomery County while continuing to operate in a manner compatible with the well being of horse racing and breeding in New York State.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 155 of 2009

DATED: July 28, 2009

RESOLUTION SUPPORTING FULTON-MONTGOMERY COMMUNITY COLLEGE (FMCC) LITIGATION AGAINST SARATOGA COUNTY (BOARD OF SUPERVISORS)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Dybas

WHEREAS, Saratoga County has not paid FMCC chargebacks for college courses in their high schools, and

WHEREAS, FMCC has filed litigation against Saratoga County to collect such chargebacks,

RESOLVED, that the Montgomery Board of Supervisors supports FMCC in its litigation efforts against Saratoga County for the chargebacks associated with college courses in high schools.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 156 of 2009

DATED: July 28, 2009

RESOLUTION ADOPTING 2009-2010 FMCC OPERATING BUDGET (BOARD OF SUPERVISORS)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Thomas

WHEREAS, the Fulton-Montgomery Community College Board of Trustees has presented Fulton and Montgomery County, the sponsoring counties, with a 2008-2009 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, 2009 and ending on August 31, 2010, with appropriations totaling \$18,071,998, 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 2009, 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(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 157 of 2009

DATED: July 28, 2009

RESOLUTION APPOINTING MONTGOMERY COUNTY ETHICS BOARD MEMBER (BOARD OF SUPERVISORS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Bai a

WHEREAS, Resolution Number 276 of 2007 appointed Clarence Hamm to the Montgomery County Ethics Advisory Board, and

WHEREAS, Clarence Hamm's appointment ended on December 31, 2008, and

WHEREAS, the Chairman of the Montgomery County Board of Supervisors recommends the reappointment of Clarence Hamm of 43 Fairmont Avenue, Amsterdam, NY, registered in the Democrat political party, and

WHEREAS, this reappointment is effective January 1, 2009 and will end on December 31, 2010,

RESOLVED, that the Montgomery County Board of Supervisors hereby confirms said reappointment, 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(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Resolution No. 158 - Amendment:

Supervisor Strevy motioned to amend, seconded by Supervisor Quackenbush, to delete the words "pro-rated annual" in the first "Resolved" clause. On voice call the motion to amend was unanimously approved.

RESOLUTION NO. 158 of 2009

DATED: July 28, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - CONTRIBUTION OF FUNDS TO HAMILTON, FULTON, MONTGOMERY (HFM) BOCES LPN PROGRAM (BOARD OF SUPERVISORS)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Bai a

WHEREAS, HFM BOCES offers an LPN Program for the residents of Hamilton, Fulton and Montgomery Counties, and

WHEREAS, there is a great need for LPN's throughout Montgomery County to aid with adult services,

RESOLVED, that the Board of Supervisors hereby makes a pro-rated annual contribution of \$15,000.00 for 2009 to aid the HFM BOCES LPN Program, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget as follows:

TRANSFER FROM:
A-599 Appropriated Fund Balance \$15,000

TRANSFER TO:
A-01-1010-00-4460 Other Programs \$15,000

MOTION TO AMEND by Supervisor Strevy, seconded by Supervisor Quackenbush to delete the words "pro-rated annual" in the first "Resolved" clause, passed with Aye(1772). Supervisor Stagliano was absent. (7/28/2009)

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 159 of 2009

DATED: July 28, 2009

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 1998 (BOS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Johnson

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 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, 2009 and continues through June 30, 2010, 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. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 160 of 2009

DATED: July 28, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FBI ANTENNA SITE LICENSE RENEWAL - OAK RIDGE SITE (SHERIFF)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Dybas

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 renewal on a yearly basis,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign a Renewal License Agreement with the US Department of Justice, Federal Bureau of Investigation, with said license being a \$200.00 monthly fee for a one-year period commencing on October 1, 2009 and ending on September 30, 2010.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 161 of 2009

DATED: July 28, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - NYS OFFICE OF HOMELAND SECURITY CASE GRANT (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Greco

Seconded by Supervisor: Strevy

WHEREAS, the Office of Emergency Management is applying as a submitting partner for a Companion Animal Sheltering Equipment (CASE) Grant through the NYS Office of Homeland Security, and

WHEREAS, this Memorandum of Agreement is intended to build regional Pet and Companion Animal Sheltering Capabilities, and

WHEREAS, this CASE Grant is in conjunction with Fulton, Schoharie and Otsego Counties as non-submitting partners,

RESOLVED, that the Chairman of the Montgomery County Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to sign a Memorandum of Agreement with Fulton, Schoharie and Otsego Counties.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 162 of 2009

DATED: July 28, 2009

RESOLUTION AUTHORIZING CHARIMAN TO SIGN AID TO PROSECUTION GRANT AGREEMENT CONTRACT (DISTRICT ATTORNEY)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Greco

WHEREAS, the District Attorney has been advised that Montgomery County has been awarded an Aid to Prosecution Grant by the New York State Division of Criminal Justice Services,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of a \$35,300 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 to sign a contract agreement accepting said grant.

RESOLUTION ADOPTED with Aye(1636). Supervisor Dybas abstained. Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 163 of 2009**DATED:** July 28, 2009**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT WITH NATIONAL EMPLOYERS COUNCIL, INC. (PERSONNEL)**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Thayer

WHEREAS, Montgomery County has contracted with the National Employers Council, Inc. for various Human Resource Management Services, and

WHEREAS, the Personnel Officer has recommended continuation of said Agreement,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized 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, 2009 to August 31, 2010 at a cost not to exceed \$8,400.00.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Resolution No. 164

Supervisor Quackenbush stated that he was abstaining on the Resolution because he sits on the Board for the International Brotherhood of Teamsters.

RESOLUTION NO. 164 of 2009**DATED:** July 28, 2009**RESOLUTION RATIFYING MEMORANDUM OF AGREEMENT BETWEEN THE CO. OF MONTGOMERY & MONTGOMERY COUNTY LOCAL 294 OF INTERNATIONAL BROTHERHOOD OF TEAMSTERS FOR CORRECTION OFFICERS & AUTH CHAIRMAN TO SIGN CONTRACT FOR THE PERIOD OF 1/1/2009 - 12/31/2012 (PERSONNEL)**

Resolution by Supervisor: Thomas

Seconded by Supervisor: Johnson

WHEREAS, negotiations for a successor employment agreement to contract with Montgomery County Local 294 of Correction Officers has been conducted, with the parties reaching a Memorandum of Agreement for Full-Time Employees, and

WHEREAS, the membership of Montgomery County Local 294 of Correction Officers has ratified the Memorandum of Agreement,

RESOLVED, that the Montgomery County Board of Supervisors hereby ratifies and approves the Full-Time Memorandum of Agreement between the County of Montgomery and Montgomery County Local 294 of Correction Officers, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney is hereby authorized to sign a Full-Time Contract, incorporating said Memorandum of Agreement, with Correction Officers for the period of January 1, 2009 through December 31, 2012.

RESOLUTION ADOPTED with Aye(1614). Supervisor Quackenbush abstained. Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 165 of 2009**DATED:** July 28, 2009**RESOLUTION AUTHORIZING THE TRANSFER OF SHORT TERM AND LONG TERM DISABILITY FROM COUNTY GOVERNMENT TO THE MONTGOMERY COUNTY HEALTH INSURANCE TRUST PLAN (PERSONNEL)**

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Barone, Sr.

WHEREAS, included in the Montgomery County Health Insurance Trust Plan are the following: Health Insurance, Dental Insurance, Vision Insurance, Prescription Drugs and Stop-Loss Insurance, and

WHEREAS, it is recommended that the Short Term and the Long Term Disability Health Benefits be included in the Trust Plan,

RESOLVED, that effective September 1, 2009 the Short Term and the Long Term Disability will be included in the Montgomery County Health Insurance Trust Plan.

RESOLUTION ADOPTED with Aye(1521). Supervisors Dybas and Jonker abstained. Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 166 of 2009

DATED: July 28, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - ENGINEERING SERVICES (SANITARY DISTRICT #1)

Resolution by Supervisor: Jonker

Seconded by Supervisor: McMahon

WHEREAS, there are additional funds needed in the Professional Services line item of the Montgomery County Sanitary District #1 2009 Operating Budget to cover the cost of engineering fees,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes and directs the County Treasurer to amend the Montgomery County Sanitary District #1 2009 Operating Budget as follows:

TRANSFER FROM:

G-26-4-1990-00-4400	Contingent Account	\$18,000.00
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TRANSFER TO:

G-26-4-8120-00-4431	Professional Services	\$18,000.00
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RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 167 of 2009

DATED: July 28, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - LITIGATION DEFENSE (SANITARY DISTRICT #1)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Jonker

WHEREAS, pursuant to Resolution Number 74 of 2009, Montgomery County wishes to continue an Agreement with the Attorney to represent the County and the Sewer Districts' interest in the property located at 20 River Street in the Village of Nelliston, SBL No. 46.10-3-12,

Resolved, that the Montgomery County Board of Supervisors hereby authorizes and directs the County Treasurer to amend the Montgomery County Sanitary District #1 2009 Operating Budget as follows:

TRANSFER FROM:

G-26-4-1990-00-4400	Contingent Account	\$10,000.00
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TRANSFER TO:

G-26-4-8120-00-4431	Professional Services	\$10,000.00
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RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 168 of 2009**DATED:** July 28, 2009**RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM GRANT CONTRACT (PUBLIC HEALTH)**

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Strevy

WHEREAS, Montgomery County has been awarded the Childhood Lead Poisoning Prevention Program grant funds, not to exceed \$35,000.00, for the period commencing April 1, 2009 and ending March 31, 2010, and

WHEREAS, the Childhood Lead Poisoning Prevention Program grant funds are currently appropriated in the 2009 Operating Budget,

RESOLVED, that the Board of Supervisors hereby authorizes acceptance of the 2009-2010 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 to sign the 2009-2010 Grant Contract, and

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. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 169 of 2009**DATED:** July 28, 2009**RESOLUTION REESTABLISHING THE TITLE OF SUPERVISING PUBLIC HEALTH NURSE (PUBLIC HEALTH)**

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Dybas

WHEREAS, the Board of Supervisors established a grade and salary schedule for non-bargaining employees which placed the Assistant Public Health Director in Group 2, and

WHEREAS, the Public Health Director has recommended that the title of Supervising Public Health Nurse be reestablished in the Public Health Department, and

WHEREAS, it is the intention to eliminate the current position of Assistant Public Health Director to provide for the new Supervising Public Health Nurse position,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the newly established Group 2A with a group increment of \$700.00, and a base/minimum salary of \$52,250 for 2009, \$53,818 for 2010, \$55,432 for 2011 and \$57,095 for 2012, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes the reestablishment of the title "Supervising Public Health Nurse" in the Public Health Department and is hereby placed in the newly established Group 2A, Salary Schedule for Non-Bargaining Employees, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget as follows:

TRANSFER FROM:

A-16-4-4010-00.1110(281) F/T Employees-Asst. PH Director \$16,421.00

TRANSFER TO:

A-16-4-4010-00.1110(423) F/T Employees-Supervising PHN \$16,421.00

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Supervisor DiMezza stated that the County was being grossly overcharged for the transportation services because of the bid process, which offered no flexibility. He pointed out that despite the fact that the cost to operate a bus on any of the routes would be the same no matter how many passengers there are. The bids included a cost for one passenger and then for each additional child.

Supervisor DiMezza suggested that instead of going through a bid process it might be better to do an RFP, which would allow for more flexibility.

Supervisor Barone suggested that the County Mobility Coordinator, in conjunction with NYSDOT, research a more inexpensive way to deal with the transportation issue. He pointed out that contracts have a 90-day out clause if a less expensive way could be found.

RESOLUTION NO. 170 of 2009

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

DATED: July 28, 2009

RESOLUTION AWARDING TRANSPORTATION SERVICES BID #08-09 (PUBLIC HEALTH)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Greco

WHEREAS, the Purchasing Agent was authorized to solicit bids for transportation services for the Montgomery County Public Health Department 3-5 Preschool and Early Intervention programs for the period September 1, 2009–August 31, 2012, and

WHEREAS, said bids were opened on June 24, 2009, and

WHEREAS, the Montgomery County Public Health Department has prepared the attached 2009-2012 Bid Proposal Analysis and Bid Award Recommendation,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 08-09, Route Numbers 2, 10, 15, 19 and 34A to Browns Transportation as the low bidder and awards the remaining routes to Blue Line Computer Inc. as the low bidder, and

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

RESOLUTION ADOPTED with Aye(1140). Supervisors Johnson, Barone, Sr., Baia and DiMezza voted Nay. Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 171 of 2009

DATED: July 28, 2009

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

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Greco

WHEREAS, the New York State Office of Children and Family Services has allocated \$93,417.00 to Montgomery County for 2009 as delineated in the program summary,

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

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 172 of 2009

DATED: July 28, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROGRAM AGREEMENTS - SPECIAL DELINQUENCY PREVENTION PROGRAM (YOUTH BUREAU)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Strevy

WHEREAS, the Montgomery County Youth Board of Directors has recommended allocation of funds for the 2009 Special Delinquency Prevention Program,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign 2009 Special Delinquency Prevention Program Agreements, as follows:

Catholic Charities/Montgomery County (Begin Again)	\$9,070.00
Montgomery County Probation Department (Juvenile Field Project)	\$9,000.00
Montgomery County Sheriff's Department (Drug, Alcohol & Safety Training)	\$1,308.00
Montgomery County Youth Bureau (Administration)	\$2,019.00
Montgomery County Youth Bureau (Community Service Program)	\$7,000.00

FURTHER RESOLVED, that said Board also authorized allocation of 2009 Youth Development/Delinquency Prevention Program funds for municipal programs, as follows:

City of Amsterdam (Recreation Department)	\$5,340.00
Town of Amsterdam (Town Recreation)	\$1,230.00
Village of Fort Johnson (Youth Commission)	\$ 331.00
Village of Hagaman (Youth Commission)	\$ 830.00
Town of Canajoharie (Youth Center)	\$1,230.00
Village of Canajoharie (Youth Center)	\$1,330.00
Village of Fort Plain (Village Recreation)	\$2,829.00
Town of Charleston (Youth Commission)	\$ 412.00
Town of Florida (Youth Commission)	\$1,829.00
Town of Glen (Summer Program)	\$ 531.00
Village of Fultonville (Summer Program)	\$ 531.00
Town of Mohawk (Summer Program)	\$ 929.00
Town of Mohawk (Tribes Hill Youth Commission)	\$ 331.00
Village of Fonda (Summer Program)	\$ 531.00
Town of Palatine (Youth Center)	\$ 623.00
Village of Palatine Bridge (Youth Center)	\$ 849.00
Town of Root (Youth Center)	\$ 930.00
Town of St. Johnsville (Town Recreation)	\$ 543.00
Village of St. Johnsville (Village Recreation)	\$1,829.00

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 173 of 2009

DATED: July 28, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROGRAM AGREEMENTS - YOUTH INITIATIVE PROGRAM AND YOUTH DEVELOPMENT/DELINQUENCY PREVENTION (YOUTH BUREAU)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Quackenbush

WHEREAS, the Montgomery County Youth Board of Directors has recommended 2009 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 2009 Youth Initiatives Program agreements as follows:

Catholic Charities/Montgomery County (Better Your Own Body)	\$ 2,000.00
Catholic Charities/Montgomery County (Schools Aiding Family Environment)	\$ 2,280.00
Alcoholism & Substance Abuse Council (Reconnecting Youth)	\$ 3,704.00

, and

FURTHER RESOLVED, that said Chairman is authorized and directed to sign 2009 Youth Development/Delinquency Prevention Program agreements, as follows:

Catholic Charities/Montgomery County (Schools Aiding Family Environment)	\$ 4,628.00
City of Amsterdam Police Department (Juvenile Aid Bureau)	\$ 4,734.00
Community Youth Center (Youth Center)	\$ 4,929.00
St. Johnsville Youth Center (Youth Center)	\$ 4,428.00
Mental Health Association (Forensic Youth Services)	\$ 1,928.00

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 174 of 2009

DATED: July 28, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - GRANT AWARD (YOUTH BUREAU/ACSD)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Paton

WHEREAS, the Youth Bureau/Alternative Community Services Department has received a Legislative Initiative Grant Award from Assemblyman George Amedore, and

WHEREAS, the Grant Award is in the amount of \$5,000 and is earmarked to be used towards Montgomery County Youth Day-2009,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUES:

A-21-3-3889 State Aid Other Culture and Recreation \$5,000.00

INCREASE APPROPRIATIONS:

A-21-4-7310-00-.4559 Outreach Programs \$5,000.00

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 175 of 2009

DATED: July 28, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET (YOUTH BUREAU/ACSD)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Greco

WHEREAS, the Youth Bureau/Alternative Community Services Department has received donations from the community, and

WHEREAS, the donations are in the amount of \$5,655.00 and are earmarked to be used towards Montgomery County Youth Day-2009,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUES:

A-21-3-2705 Gifts and Donations \$5,655.00

INCREASE APPROPRIATIONS:

A-21-4-7310-00-.4559 Outreach Programs \$5,655.00

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 176 of 2009

DATED: July 28, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - ALIVE AT 25 YOUNGER DRIVER EDUCATION PROGRAM (STOP-DWI)

Resolution by Supervisor: Thayer

Seconded by Supervisor: Jonker

WHEREAS, Resolution Number 139 of 2009 endorsing the implementation of the Alive at 25, Younger Driver Education Program was adopted by the Board of Supervisors on June 23, 2009,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign any and all related agreements and contracts for the Alive At 25, Younger Driver Education Program.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 177 of 2009

DATED: July 28, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE MEMORANDUM OF UNDERSTANDING BETWEEN MONTGOMERY COUNTY AND THE NEW YORK STATE DIVISION OF VETERANS' AFFAIRS (VETERANS)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Greco

WHEREAS, it is in the mutual interest of the Montgomery County Veterans Service Agency and the New York State Division of Veterans' Affairs to provide quality benefits and compensation counseling services to Veterans, and

WHEREAS, the New York State Division of Veterans' Affairs will provide access to its computer system by way of the "Vet Cop" application on their server, and

WHEREAS, veterans benefits counseling will be provided in Montgomery County by way of the Veterans Service Agency at no cost to the veteran,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized to sign a Memorandum of Understanding with New York State Division of Veterans' Affairs to utilize the "Vet Cop" application.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 178 of 2009

DATED: July 28, 2009

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 3 OF 2009 - A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED PROPERTY NOT NEEDED FOR A COUNTY PURPOSE - TOWN OF FLORIDA (TREASURER)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Thomas

WHEREAS, on June 23, 2009 a proposed Local Law for the County of Montgomery, entitled: "A Local

Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose" (Town of Florida) was presented to the Board of Supervisors for consideration, and

WHEREAS, on June 23, 2008 Resolution No. 144 of 2009 was adopted authorizing and directing that a Public Hearing be held by the Board of Supervisors on the 28th day of July 2009, at the time and place appointed, and

WHEREAS, said public hearing has been held,

RESOLVED, that said Local Law, known as Introductory Local Law No. 3 of 2009, entitled: "A Local Law Authorizing the Private Sale of County-Owned Property Not Needed for a County Purpose" (Town of Florida) hereby is adopted and is incorporated as follows:

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

SECTION 1. The Board of Supervisors of the County of Montgomery has determined that County-owned real property parcels, known as SAL's 117.9-1-9 and 117.9-1-20.2, located in the Town of Florida are no longer necessary for public use, and

SECTION 2. The Board of Supervisors of the County of Montgomery hereby authorizes the conveyance of all the right, title and interest of the County in and to said real properties to Town of Florida, 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. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Resolution No. 179 - Typo:

Supervisor Walters stated that he would like the words "undelivered and untransported" inserted after the words "disposal costs" in the last "WHEREAS" clause. County Attorney Landon stated that the change can be considered as a typo because Supervisor Walters had asked that the change be made during the Finance Committee meeting.

RESOLUTION NO. 179 of 2009

DATED: July 28, 2009

RESOLUTION AUTHORIZING THE PAYMENT OF 2008 MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT (MOSA) SHORTFALL (BOARD OF SUPERVISORS)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Dybas

WHEREAS, Montgomery County was presented with an invoice dated January 13, 2009, by MOSA for the 2008 GAT shortfall of 10,020 tons at the full tip fee amount of \$104.50 per ton for a total amount of \$1,047,090.00, and

WHEREAS, subsequent to receipt of said invoice, Montgomery County presented the MOSA Governing Board with certain evidence disputing the Montgomery County 2008 GAT shortfall, and

WHEREAS, the MOSA Governing Board, at its June 24, 2009 full Board meeting, did recognize said evidence and subsequently approved Resolution Number 32 of 2009, which provided for a reduction of Montgomery County's 2008 GAT shortfall by 1,731 tons, and

WHEREAS, MOSA presented Montgomery County with a new invoice dated June 26, 2009, which provides for the 2008 GAT shortfall modification as required by MOSA Resolution Number 32 of 2009, for a total adjusted 2008 GAT shortfall of 8,289 tons, and

WHEREAS, the MOSA per ton tip fee of \$104.50 is separated into two components consisting of \$62.99 per ton for transportation and disposal costs and \$41.51 per ton for operating costs, and

WHEREAS, the aforementioned tip fee components for the 2008 GAT shortfall represents \$344,077 for operating costs and \$522,124 for transportation and disposal costs for undelivered and untransported waste for a total amount of \$866,201.00,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes payment to MOSA for the 2008 GAT shortfall of 8,289 tons at the rate of \$104.50 per ton for a total amount not to exceed \$866,201.00.

RESOLUTION ADOPTED with Aye(1487). Supervisor DiMezza voted Nay. Supervisor Thayer abstained.

Supervisor Stagliano was absent. (7/28/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

OTHER

There was no other business for discussion.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor Strevy, passed with Aye(1772).
Supervisor Stagliano was absent.

Chairman Thomas adjourned the meeting at 7:25 P.M.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - NEEDS ASSESSMENT
9:00 AM, July 30, 2009

COMMITTEE MEETING DISCUSSION

Supervisor Greco presided over the meeting commencing at 9:00 a.m.

Roll call indicated that Committee members present were Chairman Thomas, Supervisor Greco, Commissioner Clayburn, Personnel Director Baia, Treasurer Bowerman and Data Processing Director Bain. Supervisors DiMezza, Johnson, Walters and Quackenbush were absent.

Additional Supervisors present was Supervisor Barone. County personnel present were Auditor Zumbolo, Probation Director Sitterly and Clerk of the Board Robin Loske. Others present were Denis Wilson of Fulmont Community Action and Marilyn Smith of Cornell Cooperative Extension.

Chairman DiMezza and Chairman Thomas have called a meeting of the Needs Assessment Committee for 9:00 a.m. on Thursday, July 30, 2009 at the County Annex Building, Room 214, 20 Park Street, Fonda, New York.

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

1. Further Discussion - Office Space
2. OTHER

Item #1: (Further Discussion - Office Space)

Chairman Thomas stated that after touring the White Mop building it was not practical to consider the building for additional office space as it would cost too much to make it ready for use.

Supervisor Greco stated that the County should be looking at a long-term solution instead of a temporary solution. Supervisor Greco suggested that the County revive the plan to add on to the Public Safety Building. The plan would add two more wings to the building that now houses the County Sheriff Office and the jail. This would be the County's least expensive option for the long-term solution of adding permanent space.

Supervisor Greco felt that by moving the County Probation Department, the Emergency Management Office and the Public Defender's Office out of its current space it would free up much needed space for the Department of Social Services. Supervisor Greco also suggested moving Data Processing which would free up space in the Annex Building.

The immediate need for space for the Fulmont Community Action Agency was solved by the Committee agreeing to use Room 214 in the Annex Building. The need for this space would only be for the life of two grants, which expire between September 2010 and 2011. During this period portable partitions would be used to develop the open room into offices for about 12 employees.

Mr. Zumbolo stated that he would check on the OGS website as to the space requirements for individual offices.

Supervisor Greco asked Marilyn Smith of Cooperative Extension if she currently has a lease where the agency is housed. She stated that they have three years left on the current lease. She thought that the agency could get out of the lease with a 90-day out clause, which would involve paying three months rent. The Agency currently is paying about \$71,000 per year, which includes all utilities. Ms. Smith stated the agency is looking for another solution that would be less expensive. She pointed out that the Cooperative Extension would require enough space to have a full size kitchen and other meeting rooms to meet its requirements.

Ms. Smith will check about the legalities of getting out of the current lease.

Item #2 (OTHER) There were no other items for discussion.

Supervisors Greco and Barone, made a motion and seconded, respectively, to adjourn the Committee meeting.

Supervisor Greco adjourned the Needs Assessment Committee meeting at 9:38 a.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - ECONOMIC DEVELOPMENT/PLANNING
7:00 PM, August 4, 2009

COMMITTEE MEETING DISCUSSION

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

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

Additional Supervisors present were Supervisors Greco, Barone, Thomas, Dybas and Thayer. Supervisors Quackenbush, Walters and Stagliano were absent.

Chairman Baia has called a meeting of the Economic Development/Planning Committee for 7:00 p.m. on Tuesday, August 4, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION-SNOWMOBILE TRAILS GRANT-IN-AID APPLICATION (ECONOMIC DEVELOPMENT AND PLANNING)
2. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT- MOHAWK VALLEY SNOWMOBILE CLUBS, INC. - SNOWMOBILE TRAIL MAINTENANCE (ECONOMIC DEVELOPMENT AND PLANNING)
3. RESOLUTION AUTHORIZING RFP - BUS SYSTEMS OPERATOR - MONTGOMERY AREA XPRESS (ECONOMIC DEVELOPMENT AND PLANNING)
4. RESOLUTION UPDATING REAPPOINTMENTS AND APPOINTING MEMBERS FOR AGRICULTURAL AND FARMLAND PROTECTION BOARD (ECONOMIC DEVELOPMENT AND PLANNING)
5. DISCUSSION - COUNTY REVOLVING LOAN FUND REGULATIONS
6. OTHER

Item #1: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION-SNOWMOBILE TRAILS GRANT-IN-AID APPLICATION (ECONOMIC DEVELOPMENT AND PLANNING) Supervisors Greco and Johnson 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: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT- MOHAWK VALLEY SNOWMOBILE CLUBS, INC. - SNOWMOBILE TRAIL MAINTENANCE (ECONOMIC DEVELOPMENT AND PLANNING) Supervisors McMahon 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 #3: (RESOLUTION AUTHORIZING RFP - BUS SYSTEMS OPERATOR - MONTGOMERY AREA XPRESS (ECONOMIC DEVELOPMENT AND PLANNING) Supervisors Dybas and Barone made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Barone asked if the specifications were put together yet. Supervisor Baia responded that there is another meeting scheduled to finalize the specifications.

Supervisor Greco suggested that a point system be used to evaluate the responses to the RFP. Chairman Thomas felt this would be a good idea.

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

Item #4: (RESOLUTION UPDATING REAPPOINTMENTS AND APPOINTING MEMBERS FOR AGRICULTURAL AND FARMLAND PROTECTION BOARD (ECONOMIC DEVELOPMENT AND PLANNING) Supervisors Strevy and Paton 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: (DISCUSSION - COUNTY REVOLVING LOAN FUND REGULATIONS) Ken Rose, Director of Economic/Development and Planning, took the floor and presented a revised document regarding the Revolving Loan Fund Regulations as attached hereto. Mr. Rose pointed out that the Regulations have not been looked at in a long time. The most important change that is being recommended is the addition of a clause that limits the amount of any loan to 30 percent of the total project cost and 15 percent of the loan will be used for working capital. By doing so would limit the County's risk by forcing the borrower to find other sources of funding and it makes sure that the applicant has a little more of an equity commitment.

Mr. Rose also recommended setting a minimum interest rate of 2 percent for loans through the program, which will help to attract and keep businesses in the County.

Mr. Rose requested that he and his staff be allowed to begin legal action to collect delinquent loans without first getting Board approval, which could take several months. He stated that there has never been a set policy for addressing delinquent loans, but suggested allowing his staff to work directly with the County Attorney to begin legal action. Mr. Rose stated that his staff has the experience and the knowledge to know when to call in a loan.

Supervisors Strevy and Johnson made a motion and seconded, respectively, to sponsor a Resolution to revise the Regulations for the Revolving Loan Fund. The Resolution was moved to the full Board with a positive recommendation. There were no objections.

Supervisor Greco stated it is time again to trust the staff administering the federally funded program.

Supervisors Greco and Johnson made a motion and seconded, respectively, to sponsor a Resolution to authorize the County Attorney to work with Mr. Rose's staff to commence legal action when necessary. The hourly amount for the County Attorney's services will be left blank and filled in at the Board meeting. The Resolution was moved to the full Board with a positive recommendation. There were no objections.

Item #6: (OTHER) There were no other items for discussion.

Supervisors Strevy and McMahon made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Bai adjourned the Economic Development/Planning Committee meeting at 7:16 PM.

Respectfully submitted,

Robin Loske
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, August 4, 2009

COMMITTEE MEETING DISCUSSION

Chairman Thayer presided over the meeting commencing at 7:16 PM.

Roll call indicated Committee members present included Supervisors Bai a, Barone, and Strevy. Supervisors DiMezza, Jonker and Quackenbush were absent.

Additional Supervisors present were Greco, McMahon, Paton, Dybas, and Thomas. Absent were Supervisors Johnson, Walters and Stagliano.

Chairman Thayer has called a meeting of the Public Safety Committee for 7:05 p.m. on Tuesday, July 7, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - HYPER-REACH NOTIFICATION SYSTEM - SAM ASHER COMPUTING SERVICES, INC. (SHERIFF)
2. DISCUSSION - 911 MOBILE PHONE SURCHARGE
4. OTHER

Item #1: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - HYPER-REACH NOTIFICATION SYSTEM - SAM ASHER COMPUTING SERVICES, INC. (SHERIFF) The Resolution was sponsored and seconded by Supervisors Dybas and Barone, respectively.

Chairman Thayer pointed out that only one bid was received due to the fact that Sam Asher Computing Services is the only source available for the Hyper-Reach System.

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

Item #2: (DISCUSSION - 911 MOBILE PHONE SURCHARGE)

Chairman Thayer reported that the Sheriff would like a Resolution from the Board of Supervisors to go to State Legislatures and the counties throughout New York State to urge to the State to stop raiding 911 mobile phone surcharge funds collected, which should be routed to the local municipalities who are actually providing the 911 services.

A motion was sponsored and seconded by Supervisors Barone and Strevy, respectively to send a support resolution to appropriate state officials. Supervisor Dybas recommended that the Resolution also be sent to the Sheriff's Association and NYSAC.

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

Item #3 (OTHER) Chairman Thayer announced that the movie which was supposed to be shown at the Youth Day on July 29th will be shown on August 6th.

Motion was made and seconded by Supervisors Barone and Bai a, respectively, to adjourn the Committee meeting. There were no objections.

Chairman Thayer adjourned the Public Safety Committee meeting at 7:28 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE
7:00 PM, August 18, 2009

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the Finance Committee meeting commencing at 7:00 PM.

Roll call indicated Committee members present were Supervisors Barone, DiMezza and Dybas. Absent were Supervisors Greco, Johnson and Jonker.

Additional Supervisors present were Supervisors Quakenbush, McMahon, Paton, Walters, Baia, Thayer and Thomas. Absent was Supervisor Stagliano.

Chairman Strevy has called a meeting of the Finance Committee for 7:00 p.m. on Tuesday, August 18, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AUTHORIZING FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD SUBMITTAL OF A WORKFORCE INVESTMENT ACT LOCAL PLAN MODIFICATION FOR 2009-2010 (BOARD OF SUPERVISORS)
2. RESOLUTION TRANSFERRING FUNDS TO PURCHASE A FIRE EXTINGUISHER TRAINING AID (EMERGENCY MANAGEMENT)
3. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - LOCAL WATERFRONT REVITALIZATION PROGRAM - (MONT CO. SOIL AND WATER CONSERVATION DISTRICT)
4. RESOLUTION AWARDDING BID #10-09 - SALE OF SURPLUS VEHICLES AND EQUIPMENT PURCHASING)
5. RESOLUTION AMENDING 2009 OPERATING BUDGET - DETENTION PREVENTION (SOCIAL SERVICES)
6. RESOLUTION AMENDING 2009 BUDGET - INVESTIGATIVE SERVICES (SOCIAL SERVICES)
7. OTHER

Item #1: (RESOLUTION AUTHORIZING FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD SUBMITTAL OF A WORKFORCE INVESTMENT ACT LOCAL PLAN MODIFICATION FOR 2009-2010) (BOARD OF SUPERVISORS) Supervisors Quackenbush and Barone made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION TRANSFERRING FUNDS TO PURCHASE A FIRE EXTINGUISHER TRAINING AID) (EMERGENCY MANAGEMENT) Supervisors DiMezza and Baia made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #3: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - LOCAL WATERFRONT REVITALIZATION PROGRAM) - (MONT CO. SOIL AND WATER CONSERVATION DISTRICT) Supervisors Strevy and Paton made a motion and seconded, respectively, to sponsor the Resolution.

Amanda Schaller, of the Montgomery County Soil and Water Conservation, took the floor and explained the need for the Resolution and the grant. It is necessary for the County to be named the authorized representative for the grant because the State does not recognize the Soil & Water District as a municipality. Once the grant monies are awarded the County will transfer the funds to the Soil and Water Conservation.

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

Item #4: (RESOLUTION AWARDDING BID #10-09 - SALE OF SURPLUS VEHICLES AND EQUIPMENT) (PURCHASING) Supervisors Dybas and Barone made a motion and seconded, respectively, to sponsor the Resolution.

Chairman Strevy pointed out a change that needed to be done to the Resolution. Carol Amato asked that her bid be pulled for Item #29-Bicycle. The item will go to the next highest bidder, which is Edward Russo of Amsterdam for an amount of \$5.00. The Resolution will be revised to reflect this change.

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

Item #5: (RESOLUTION AMENDING 2009 OPERATING BUDGET - DETENTION PREVENTION (SOCIAL SERVICES) Supervisors Barone and DiMezza made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #6: (RESOLUTION AMENDING 2009 BUDGET - INVESTIGATIVE SERVICES (SOCIAL SERVICES) Supervisors Barone and DiMezza made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Add-On Resolutions:

(RESOLUTION SUPPORTING CONTRACT EXTENSION FOR TOURISM FUNDING - MONTGOMERY COUNTY CHAMBER OF COMMERCE (ECONOMIC DEVELOPMENT/PLANNING) Supervisors Thomas and DiMezza made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

(RESOLUTION AWARDDING BID 11-09 - WHEEL LOADER (PUBLIC WORKS) Supervisors Walters and Dybas made a motion and seconded, respectively, to sponsor the Resolution.

Commissioner Clayburn pointed out that Anderson Equipment was the only company to conform with the bid specifications for a hydrostatic transmission.

Supervisor Dybas recommended that the words "and the lowest conforming bidder was Anderson Equipment of Latham, NY" be added to the second "WHEREAS" clause. The Committee members agreed to the change and the Resolution will be revised to reflect the change.

It was moved to the Full Board with a positive recommendation. There were no objections.

Item #7: (OTHER) LPG Hybrid System:

Sheriff Amato took the floor and introduced Geoffrey Hoffman of American Alternative Fuel and asked that Mr. Hoffman address the Board relative to converting the law enforcement vehicles to a LPG Hybrid system.

Mr. Hoffman took the floor and explained that his company has been retained by NYSEDA to propose a project installation of clean fleet vehicles, for which they will provide funding through a grant from the American Recovery and Reinvestment Act. He would write the grant so that Montgomery County would be included in the funding. This would be at no cost to the County. The grant also includes fill stations which would be no cost to the County.

Mr. Hoffman pointed out the advantages of converting the vehicles to LPG. The LPG Hybrid system would give the Sheriff's patrol cars the ability to run on clean burning and cost effective propane while retaining their ability to run gasoline. There is the capability to switch from one fuel to other with the push of a button on the dashboard.

Some key points to the system is that LPG is a safer fuel than gasoline; there is no noticeable power loss; the range of the vehicle is essentially doubled; the maintenance intervals are less due to cleaner combustion; there is a significant reduction in harmful emissions; there is increased longevity from clean combustion; and less dependency on foreign oil. He stated that it could save the County about 40% on fuel bills.

Supervisor Quackenbush asked if there was any additional risk to officers in the event of an accident. Mr. Hoffman responded that nothing in the conversion makes the car less safer. He pointed out that a propane tank is built 20 times stronger than a gasoline tank.

Supervisor Thayer expressed concerns over the cost of training for technicians and equipment. Mr. Hoffman responded that the training is covered under the grant.

Supervisors Baia and Thayer made a motion and seconded, respectively, to sponsor a Resolution for the Sheriff's Office to apply for the grant. It was moved to the Full Board with a positive recommendation. There were no objections.

Microwave System:

Sheriff Amato reported that Kimball Technology is ready to start work on the County's Microwave System. He pointed out that the Board passed a resolution earlier in the year to award the RFP to Kimball. There is now a need for a resolution to amend the 2009 Operating Budget to move funds into the appropriate account to pay Kimball for their services.

Supervisors Thayer and Thomas made a motion and seconded, respectively, to sponsor a Resolution for the budget amendment. It was moved to the Full Board with a positive recommendation. There were no objections.

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

Chairman Strevey adjourned the Finance Committee meeting at 7:28 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PERSONNEL
7:15 PM, August 18, 2009

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:28 PM.

Roll call indicated Committee members present were Supervisors Baia, Dybas, McMahon, Thayer and Walters. Supervisor Stagliano was absent.

Additional Supervisors present were Supervisors Paton, Barone and Thomas. Absent were Supervisors Greco, DiMezza, Johnson, Jonker and Strevy.

Chairman Quackenbush has called a meeting of the Personnel Committee for 7:15 p.m. on Tuesday, August 18, 2009 in the Supervisors' Chambers, County Office Bldg, 64 Broadway, Fonda, NY.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT M.M. HAYES - ID BADGE SYSTEM MAINTENANCE AGREEMENT (PERSONNEL)
2. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - LABOR RELATIONS SERVICES - ROEMER, WALLENS & MINEAUX, LLP (PERSONNEL)
3. DISCUSSION - GRIEVANCE (EXECUTIVE SESSION)

Item #1: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT M.M. HAYES - ID BADGE SYSTEM MAINTENANCE AGREEMENT (PERSONNEL)) The Resolution, sponsored by Supervisors Dybas and Thayer, respectively, was moved to the Full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - LABOR RELATIONS SERVICES - ROEMER, WALLENS & MINEAUX, LLP (PERSONNEL)) The Resolution, sponsored by Supervisors Barone and DiMezza, respectively, was moved to the Full Board with a positive recommendation. There were no objections.

Item #3: (EXECUTIVE SESSION - PERSONNEL MATTER)

Prior to the executive session, Personnel Director, Richard Baia, took the floor and announced that Florence Stanton, RPTSA Director, is retiring effective October 1, 2009 and Deborah Bain, Data Processing Director, will be retiring in February of 2010.

Mr. Baia asked the Board if they would like to advertise to fill the positions or promote from within the Department.

Supervisor Baia recommended advertising for the positions to be assured the County gets the most qualified person for the tax payers money.

Supervisor Barone recommended that the position of Director of RPTSA be promoted from within the Department and the Board could deal with the Data Processing Director at a later date. Supervisor Barone stated by promoting from within gives County employees the incentive to perform to the best of their knowledge and ability because they know there is a chance for promotion. Supervisor McMahon agreed with Supervisor Barone.

Chairman Quackenbush stated that the Board went out with an advertisement for the Clerk of the Board and was glad that they did because the new Clerk of the Board is doing a great job.

Ms. Stanton pointed out that whoever is hired to fill her position must also be approved by the State.

Chairman Quackenbush suggested putting the matter of advertising for the positions on the next Personnel Committee meeting agenda. The Committee agreed.

Executive Session:

Pursuant to Section 105 (e) of the NYS Open Meeting Law, the motion was made and seconded by Supervisors Thayer and Baia, respectively, to enter into Executive Session to discuss a personnel matter. Executive Session commenced at 7:38 p.m.

Motion was made and seconded by Supervisors Dybas and Thayer, respectively, to adjourn the Executive Session. Executive Session adjourned at 8:30 p.m.

Supervisors Thayer and Dybas made a motion and seconded, respectively, to adjourn the Committee

meeting.

Chairman Quackenbush adjourned the Personnel Committee meeting at 8:30 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, August 25, 2009

CALL TO ORDER

Chairman Thomas called the Regular Meeting of the Montgomery County Board of Supervisors for August 25, 2009 to order at 7:00 PM.

SALUTE TO THE FLAG

Supervisor Baia led the Salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors McMahon, Strevy, Dybas, Thayer, Barone, Thomas, Baia, Greco, Paton, Walters and Quackenbush, were present. Supervisors Johnson, Jonker, DiMezza and Stagliano were absent.

PRIVILEGE OF THE FLOOR

- A. Public Comment - There was not public comment
- B. Presentation
2009 Youth Day Recognition of Sponsors

Jennifer Petteys, Youth Bureau Director, took the floor and presented certificates of appreciation to the following organizations/individuals for their sponsorship and help for the 2009 Youth Day event:

Village of Fonda
Montgomery County Board of Supervisors
Assemblyman Amedore
Allen Wainwright (DPW)
Milk Train
Reality Check
Project Action
United Way
Longhorn Trucking
Beechnut

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (July 28, 2009 - August 18, 2009) by Supervisor Quackenbush., seconded by Supervisor Baia, passed with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Strevy, seconded by Supervisor Quackenbush, passed with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

- A. Resolutions
- B. Other

RESOLUTION NO. 180 of 2009

DATED: August 25, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION-SNOWMOBILE TRAILS GRANT-IN-AID APPLICATION (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Greco
Seconded by Supervisor: Johnson

WHEREAS, the New York State Office of Parks Recreation and Historic Preservation's Snowmobile Trails Grant-In-Aid Program for the 2009-2010 snowmobile season is due September 1, 2009, 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 Department of Economic Development and Planning 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 2009-2010 snowmobile season.

RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 181 of 2009

DATED: August 25, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT- MOHAWK VALLEY SNOWMOBILE CLUBS, INC. - SNOWMOBILE TRAIL MAINTENANCE (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: McMahon
Seconded by Supervisor: Strevy

WHEREAS, the 2008-2009 snowmobile season was the sixth season for the use of the New York State Canal Way Trail by snowmobiles, and

WHEREAS, the Mohawk Valley Snowmobile Clubs, Inc. proposes to continue to provide maintenance services on a portion of the New York State Canal Way Trail within Montgomery County for the 2009-2010 snowmobile season,

RESOLVED, that the Chairman of the Board of Supervisors, upon approval of the County Attorney, hereby is authorized 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.

RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 182 of 2009

DATED: August 25, 2009

RESOLUTION AUTHORIZING RFP - BUS SYSTEMS OPERATOR - MONTGOMERY AREA XPRESS (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Dybas
Seconded by Supervisor: Barone, Sr.

WHEREAS, Resolution 218 of 2007 established a Montgomery County Public Transportation system - the Montgomery Area Xpress (the MAX), and

WHEREAS, said system is managed and maintained by a third-party provider whose contract will expire on December 31, 2009, and

WHEREAS, it is necessary to solicit proposals for a third-party operator beginning January 1, 2010,

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 for a third-party operator of the Montgomery County Area Xpress, (the MAX) for services beginning January 1, 2010.

RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were

absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 183 of 2009

DATED: August 25, 2009

RESOLUTION UPDATING REAPPOINTMENTS AND APPOINTING MEMBERS FOR AGRICULTURAL AND FARMLAND PROTECTION BOARD (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Paton

RESOLVED, that the following persons hereby are reappointed members of the Agricultural and Farmland Protection Board for a two-year term commencing upon adoption of this Resolution and ending on December 31, 2012,

Michael Cole	142 Hickory Grove Road, Canajoharie	Active Farmer
Gerald Douglas	7402 STHWY 5S, Fort Plain	Farm Bureau
Robert Harris	923 STHWY 162, Sprakers	Active Farmer

, and

FURTHER RESOLVED, that the following persons hereby are reappointed members of the Agricultural and Farmland Protection Board for a three-year term commencing upon adoption of this Resolution and ending on December 31, 2013,

Roy Dykeman	RD #1, Box 331, Fultonville	Active Farmer
Elma Phillips	795 Pattersonville Road, Pattersonville	Agribusiness

, and

FURTHER RESOLVED, that the following person is hereby appointed as a new member of the Agricultural and Farmland Protection Board for a three-year term commencing upon adoption of this resolution and ending on December 31, 2013,

Dave Rivkovich	7350 St Hwy 5S, Fort Plain	Active Farmer
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, and

FURTHER RESOLVED, that the following persons hereby are reappointed members of the Agricultural and Farmland Protection Board for the duration of their term limit or time of service commencing upon adoption of this Resolution or at a term ending on December 31, 2014,

Doug Greene	County Annex Building, Fonda	(County Economic Development and Planning)
Florence Stanton	County Annex Building, Fonda	Real Property Director Marilyn J. Smith
Corey Nellis	4001 STHWY 5S, Fultonville	Cooperative Ext.
Sieds Jonker	210 Dillenbeck Road, Palatine Bridge	Soil & Water Conserv. Board of Supervisor

RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 184 of 2009

DATED: August 25, 2009

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

RESOLUTION ADOPTING REVOLVING LOAN FUND REGULATIONS (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Johnson

WHEREAS, Montgomery County administers a loan fund for economic development purposes, which was awarded to the County by the U.S. Department of Housing and Urban Development,

RESOLVED, that the County Board of Supervisors hereby adopts the attached Revolving Loan Fund Regulations.

RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were

absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 185 of 2009

DATED: August 25, 2009

RESOLUTION AUTHORIZING FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD SUBMITTAL OF A WORKFORCE INVESTMENT ACT LOCAL PLAN MODIFICATION FOR 2009-2010 (BOARD OF SUPERVISORS)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Barone, Sr.

WHEREAS, pursuant to the Federal Workforce Investment Act of 1998, Fulton- Montgomery-Schoharie Counties Workforce Development Board is responsible for developing, integrating and coordinating a workforce development system to meet the needs of business and provides career opportunities for workers, and

WHEREAS, in accordance with the Workforce Investment Act, the Fulton-Montgomery-Schoharie Workforce Development Board must extend the current Local Plan Modification of July 1, 2009 through June 30, 2010 for another year to allow for reevaluation of current system delivery of employment and training services,

RESOLVED, that the Fulton-Montgomery-Schoharie Workforce Development Board is hereby authorized to submit a One-year Plan Modification to the NYS Department of Labor for the period July 1, 2009 – June 30, 2010, and

FURTHER RESOLVED, that the Chairman of the Board is hereby authorized to execute "Attachment B: Signature of Chief Elected Official" acknowledging the submission of the Local Plan Modification, and

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Fulton-Montgomery-Schoharie Workforce Development Board and Fulton and Schoharie Counties.

RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Motion to Amend Resolution No. 186 by Supervisor Barone, Sr., seconded by Supervisor Baia, to insert the amount of \$200 per hour in the "RESOLVED" clause was approved on voice call.

RESOLUTION NO. 186 of 2009

DATED: August 25, 2009

RESOLUTION AUTHORIZING PAYMENT FOR LEGAL SERVICES - REVOLVING LOAN FUND (ECONOMIC DEVELOPMENT/PLANNING)

Resolution by Supervisor: Greco

Seconded by Supervisor: Johnson

WHEREAS, it is the desire of the Montgomery County Board of Supervisors to retain the County Attorney, Douglas E. Landon, to provide legal representation to the Department of Economic Development/Planning for loans that are in default through the Revolving Loan Fund, and

WHEREAS, it was indicated by the Economic Development/Planning Committee that Attorney Landon would be compensated for said legal services,

RESOLVED, that Attorney Douglas E. Landon shall be paid a sum of \$_____ per hour for said legal services, which will be paid upon submission of a payment voucher, and

FURTHER RESOLVED, that said payments shall be made from the Revolving Loan Fund, budget line item CD-24-4-8668-93.4431.

MOTION TO AMEND by Supervisor Barone, Sr., seconded by Supervisor Baia, to insert the amount of \$200 per hour in the "RESOLVED" clause passed with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent. (8/25/2009)

RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 187 of 2009

DATED: August 25, 2009

RESOLUTION SUPPORTING CONTRACT EXTENSION FOR TOURISM FUNDING- MONTGOMERY COUNTY CHAMBER OF COMMERCE (ECONOMIC DEVELOPMENT/PLANNING)

Resolution by Supervisor: Thomas

Seconded by Supervisor: Di Mezza

WHEREAS, the New York State – "I Love New York" program has changed the tourism year to follow a calendar year of January 1 through December 31, and

WHEREAS, the current agreement with Montgomery County Chamber of Commerce for the County's Tourism Promotion Agency expires September 30, 2009, and

WHEREAS, the Montgomery County Chamber of Commerce has been designated the County's Tourism Promotion Agency for 2009 and needs to file for a contract extension until December 31, 2009,

RESOLVED, that the Montgomery County Board of Supervisors hereby endorses the Montgomery County Chamber of Commerce's contract extension for "I Love New York" Tourism Matching Funds through December 31, 2009, and

FURTHER RESOLVED, that Montgomery County hereby agrees to commit \$10,909.26 to fulfill the contract obligations and Tourism Promotion Agency designation for 2009.

RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, Di Mezza, Jonker and Stagliano were absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 188 of 2009

DATED: August 25, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - HYPER-REACH NOTIFICATION SYSTEM - SAM ASHER COMPUTING SERVICES, INC. (SHERIFF)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Barone, Sr.

WHEREAS, the Sheriff has recommended renewing the use of a its reverse-911 system,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized to sign an agreement with Sam Asher Computing Services, Inc. of Rochester, NY for the use of its reverse 911 system called Hyper-Reach, and

FURTHER RESOLVED, that said Agreement shall be for a three-year period which will commence two weeks from the date of signing, and

FURTHER RESOLVED, that said contract would be at a cost not to exceed \$21,600 (\$7,200 x 3 years) and a cost per additional minute usage fee of \$.20.

RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, Di Mezza, Jonker and Stagliano were absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 189 of 2009

DATED: August 25, 2009

RESOLUTION URGING NEW YORK STATE TO STOP PILLAGING 9-1-1 FUNDS (SHERIFF)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Strevy

WHEREAS, 9-1-1 Center's across New York State are working to keep pace with changing technology, and

WHEREAS, in New York State, as well as most of the country, the local 9-1-1 Center cannot receive text messages and has difficulty tracking digital telephone calls and is finding it difficult to keep pace with an increasing call volume, and

WHEREAS, 60% of calls in Montgomery County come from cellular telephones and there is a surcharge tax on mobile telephone bills of \$1.20, which is supposed to help fund 9-1-1 Centers, and

WHEREAS, New York State is keeping most of the money collected from the tax surcharge such that in 2008 the State collected \$174,870,026.05 but only shared \$9.8 million with the 9-1-1 Centers in New York State, with Montgomery County's share only being \$27,000 for 2008 through 2011, and

WHEREAS, there is a technology solution known as Next Generation 9-1-1 (NG911), which is estimated to take 10 years and approximately \$22 billion dollars across the United States to put in place, and

WHEREAS, if New York State shared the full amount of surcharge money collected this technology could be in place across all of the counties within several years, and

WHEREAS, it is necessary for State leaders to acknowledge that the local municipalities should be getting all of this funding to provide 9-1-1 services, as public safety is a number one priority of government,

RESOLVED, that the Montgomery County Board of Supervisors hereby enlists the support of State Legislatures and each and every county in the State of New York in an effort to stop the State from pillaging the 9-1-1 funds and route those funds to the local municipalities who are actually providing the services, and

FURTHER RESOLVED, that copies of this Resolution be forwarded to Governor David A. Patterson, Senator Charles Schumer, Senator Kirsten Gillibrand, New York Senator Hugh T. Farley, New York Assemblyman George Amedore, Congressman Paul D. Tonko, Sheriff's Association and NYSAC.

RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 190 of 2009

DATED: August 25, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - MICROWAVE SYSTEM (SHERIFF)

Resolution by Supervisor: Thayer

Seconded by Supervisor: Thomas

WHEREAS, pursuant to Resolution No. 119 of 2009, the Board of Supervisors authorized the Chairman to sign a contract with L. Robert Kimball & Associates, Inc. for consulting services to implement a new Microwave System for Montgomery County, and

WHEREAS, the services are to be provided at a cost not to exceed \$42,434.00, and

WHEREAS, the funding of this project was not included in the 2009 Operating Budget,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE:

A-599	Appropriated Fund Balance	\$42,434.00
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INCREASE:

A-02-4-3020-00-4438	Misc. Supporting Services	\$42,434.00
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RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 191 of 2009

DATED: August 25, 2009

RESOLUTION ENDORSING GRANT APPLICATION – MONTGOMERY COUNTY LAW ENFORCEMENT LPG HYBRIDS

(SHERIFF)

Resolution by Supervisor: Bai a

Seconded by Supervisor: Thayer

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) has requested that American Alternative Fuel of Castleton, NY, propose a project for the installation of clean fleet vehicles for which they will provide funding through a grant under the American Recovery and Reinvestment Act, and

WHEREAS, the LPG Hybrid Conversion System is well proven with substantial domestic law enforcement vehicles on its reliability and performance,

RESOLVED, that the Board of Supervisors of Montgomery County hereby approves and endorses the Sheriff's Office to submit a grant application under the American Recovery and Reinvestment Act for the LPG Hybrid Conversion System, 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 LPG Hybrid Conversion System.

RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 192 of 2009

DATED: August 25, 2009

RESOLUTION TRANSFERRING FUNDS TO PURCHASE A FIRE EXTINGUISHER TRAINING AID (EMERGENCY MANAGEMENT)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Bai a

WHEREAS, effective in September, 2009, all new employees will have to attend a 2-day orientation for Fire Extinguisher Training, and

WHEREAS, this orientation will encompass all facets of training that employees need for a safe environment,

RESOLVED, that a Fire Extinguisher Training Aid be purchased for a price of \$11,200 to be used to train all new and existing employees, and

FURTHER RESOLVED, that the County Treasurer hereby is directed to transfer funds in the 2009 Operating Budget as follows:

TRANSFER FROM:

A-10-4-0991-00. 8840	Personnel Unemployment Insurance	\$11,200.00
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TRANSFER TO:

A-02-4-3640-00. 2250	Emergency Management Technical Equipment	\$11,200.00
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RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 193 of 2009

DATED: August 25, 2009

RESOLUTION AWARDDING BID 11-09 - WHEEL LOADER (PUBLIC WORKS)

Resolution by Supervisor: Walters

Seconded by Supervisor: Dybas

WHEREAS, the Purchasing Department was authorized to solicit bids for a Wheel Loader for the

Public Works Department, and

WHEREAS, said bids were opened on August 17, 2009 and Anderson Equipment Company of Latham, NY was the lowest conforming bidder,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 11-09, Wheel Loader, to Anderson Equipment Company of Latham, NY, in the amount of \$167,026.

RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 194 of 2009

DATED: August 25, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET DETENTION PREVENTION (SOCIAL SERVICES)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: DiMezza

WHEREAS, the Commissioner of Social Services has received notification of funding allocated for Prevention of Detention and Residential Placement for Youth at Risk of Entering the Juvenile Justice System or becoming PINS, and

WHEREAS, the Commissioner of Social Services has made recommendation that the County enter into an agreement with Berkshire Farm Center & Services for Youth for the provision of said program,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized to sign appropriate documents related to the contracting of services with Berkshire Farm Center & Service for Youth in an amount not to exceed \$52,602 for the period March 1, 2009 to December 31, 2009, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUES:

A-18-3-4610-00	Federal Aid DSS Admin.	\$38,602.00
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INCREASE APPROPRIATION:

A-18-4-6010-00.4438	Misc. Supporting Services	\$38,602.00
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RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 195 of 2009

DATED: August 25, 2009

RESOLUTION AMENDING 2009 BUDGET - INVESTIGATIVE SERVICES (SOCIAL SERVICES)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: DiMezza

WHEREAS, the Commissioner of Social Services is requesting funding to allow for payments to contracted investigators through December 31, 2009,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

TRANSFER FROM:

A599	Fund Balance	\$ 7,673.00
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TRANSFER TO APPROPRIATIONS:

A-18-4-6010-00.4438	Misc. Supporting Services	\$ 7,673.00
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INCREASE REVENUES:

A-18-3-3610-00	State Aid DSS Administration	\$ 3,836.00
A-18-3-4610-00	Federal Aid DSS Administration	\$14,067.00

INCREASE APPROPRIATIONS:

A-18-4-6010-00.4438	Misc. Supporting Services	\$17,903.00
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RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 196 of 2009**DATED:** August 25, 2009**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT M.M. HAYES - ID BADGE SYSTEM MAINTENANCE AGREEMENT (PERSONNEL)**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Thayer

WHEREAS, the Personnel Officer is requiring a Maintenance Agreement for the Identocard IVIS Plus Badge System, Software, Digital Camera, Badge Printer, and Door Access System, Hardware and Software,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign a one-year renewal Maintenance Agreement for the Identocard IVIS Plus Badge System and Door Access System with M.M. Hayes, at a cost not to exceed \$6,890.00, for the period commencing on September 1, 2009 and ending on August 31, 2010.

RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 197 of 2009**DATED:** August 25, 2009**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - LABOR RELATIONS SERVICES ROEMER, WALLENS & MINEAUX, LLP (PERSONNEL)**

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: DiMezza

WHEREAS, it has been recommended that Montgomery County continue professional labor relations services with Roemer, Wallens & Mineaux, LLP, of Albany, New York for the provision of collective negotiating and consultation services,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign an agreement with Roemer, Wallens & Mineaux, LLP, of Albany, New York, for the provision of labor relation services, and

FURTHER RESOLVED, that said agreement is for a period commencing on January 1, 2010 and ending on December 31, 2012.

RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 198 of 2009**DATED:** August 25, 2009**RESOLUTION AWARING BID 10-09 - SALE OF SURPLUS VEHICLES AND EQUIPMENT (PURCHASING)**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Barone, Sr.

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 27, 2009, and

WHEREAS, the Purchasing Agent, Commissioner of Department of Public Works, Sheriff and Commissioner of Social Services have reviewed the bids and have recommended that awards be made to the highest responsible bidder for each vehicle or piece of equipment,

RESOLVED, that the Board of Supervisors hereby awards Bid 10-09 as follows:

AWARDED TO	DESCRIPTION	\$AMOUNT
Carol Amato of Sprakers	Item #26-Bicycle	20.00
Edward Russo of Amsterdam	Item #29-Bicycle	5.00
Andy Aldi of Hagaman	Item #41-Truck Cap	23.00
Andy Redshaw of Johnstown	Item #42-2001 Chevy Venture Van Vin #1GNDU23E21D332791	163.00
Kevin Phelps of Amsterdam	Item #49-1996 Ford F-150 Pickup Vin #1FTEF15Y8TLC15007	427.00
Burton Wilson of Caroga Lake	Item #18-Bicycle	10.00
	Item #20-Bicycle	10.00
	Item #25-Bicycle	5.00
	Item #33-Bicycle	5.00
	Item #35-Bicycle	10.00
	Item #37-Bicycle	5.00
	Item #52-Homelite Chainsaw	5.00
General Services of Amsterdam	Item #46-1994 Chevy C3500 Cube Van Vin #1GBHG31K4RF167363	309.51
	Item #47-1994 Chevy 4X4 K3500 Utility w/plow Vin #1GBHK34K9RE281004	857.49
Donna Dunston	Item #54-48-Gallon Fuel Tank	51.50
Robert Dence of Mayfield	Item #51-Delta Table Saw	185.50
Shawn Cotton of Fort Plain	Item #53-48-Gallon Fuel Tank	20.00

FURTHER RESOLVED, that New York State sales tax of 8% will be collected on all taxable items sold.

RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 199 of 2009

DATED: August 25, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION-LOCAL WATERFRONT REVITALIZATION PROGRAM (SOIL AND WATER CONSERVATION DISTRICT)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Paton

WHEREAS, funding under Title 11 of the New York State Environmental Protection Fund Local Waterfront Revitalization Program is available to cities, towns, villages and counties to prepare, refine or implement Local Waterfront Revitalization Programs (LWRP), and

WHEREAS, the LWRP encourages communities to plan for the future of their waterfronts and undertake improvement projects to implement their plans, and

WHEREAS, the New York State Department of State is soliciting grant applications under Title 11

for the following grant category: Preparing or implementing a local or regional watershed management plan. Eligible applicants may apply for grant funding to undertake work that advances the initiation, completion, refinement or implementation of a watershed management plan, and

WHEREAS, the project grant application requires that the project applicant be an eligible county, city, town, or village located on coastal waters or a designated inland waterway, and

WHEREAS, the project grant application requires the Montgomery County Board of Supervisors designate, by title, the representative authorized to act on behalf of said governing body in all matters related to this financial assistance,

RESOLVED, Montgomery County shall be the project applicant for said grant application, and

FURTHER RESOLVED, the Montgomery County Board of Supervisors designates the Chairman of the Montgomery County Board of Supervisors as the representative for said governing body, and

FURTHER RESOLVED, the Montgomery County Soil and Water Conservation District shall be the contact agency for said project, and

FURTHER RESOLVED that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, is hereby authorized to sign and submit all required documents, agreements and subsequent reporting materials for funding under this grant award.

RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Resolution No. 200 was presented on the floor by Supervisor Walters.

Motion to suspend the Rules by Supervisor Barone, Sr., seconded by Supervisor Baia, so that the Resolution could be considered passed with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent.

RESOLUTION NO. 200 of 2009

DATED: August 25, 2009

RESOLUTION AUTHORIZING DONATION OF 1959 SNOW BLOWER TO THE MONTGOMERY COUNTY AGRICULTURAL SOCIETY

Resolution by Supervisor: Walters

Seconded by Supervisor: Greco

WHEREAS, Montgomery County owns a 1959 FWD SNO-60 Snow Blower, identified as Unit #65, and

WHEREAS, Unit #65 was damaged in the 2006 flood and can no longer be used, and

WHEREAS, the Montgomery County Agricultural Society is interested in displaying Unit #65 at the annual County Fair,

RESOLVED, that the Montgomery County Board of Supervisors hereby donates Unit #65 to the Montgomery County Agricultural Society to the display for the enjoyment of all.

RESOLUTION ADOPTED with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent. (8/25/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

OTHER

There was no other business for discussion.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Barone, Sr., seconded by Supervisor Baia, passed with Aye(1301). Supervisors Johnson, DiMezza, Jonker and Stagliano were absent.

Respectfully submitted,

Robin Loske
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, September 8, 2009

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Baia, Dybas, Jonker, Paton, Stagliano and Strevy.

Additional Supervisors present were Greco, Quackenbush, Walters, Thayer and Thomas. Supervisors DiMezza and Johnson were absent.

Chairman Barone has called a meeting of the Health and Human Services Committee for 7:00 p.m. on Tuesday, September 8, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - NATIONAL ALLIANCE FOR THE MENTAL ILL MONTGOMERY-FULTON-HAMILTON COUNTY CHAPTER
2. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RESOLUTION AGREEMENT BETWEEN U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES OFFICE FOR CIVIL RIGHTS AND MONTGOMERY COUNTY DEPARTMENT OF SOCIAL SERVICES
3. OTHER

Item #1: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - NATIONAL ALLIANCE FOR THE MENTAL ILL MONTGOMERY-FULTON-HAMILTON COUNTY CHAPTER) Supervisors Barone and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RESOLUTION AGREEMENT BETWEEN U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES OFFICE FOR CIVIL RIGHTS AND MONTGOMERY COUNTY DEPARTMENT OF SOCIAL SERVICES) Supervisors Barone and Baia made a motion and seconded, respectively to sponsor the Resolution.

Chairman Barone explained that the ORC did an investigation and found the Montgomery County Department of Social Services were not in compliance in several areas. Particularly, the Department was not providing language assistance services, which includes bilingual interpreters and signs and posters for the County's Spanish speaking residents.

Supervisors Quackenbush, Greco and Thomas questioned the criteria that federal officials used to determine which portion of the population required language services.

Supervisor Baia asked the Commissioner of Social Services, William Cranker, if the Department was in compliance when the complaint was filed. Commissioner Cranker responded that it was not in compliance at the time. Commissioner Cranker stated that he did not know what the penalty would be, beyond withholding of federal reimbursements to the County, if noncompliance was continued.

Commissioner Cranker reported that the Department has taken some remedial action by hiring a translator for the reception area and a Hispanic translator who accompanies nurses and caseworkers for home health care visits. The Department has hired two more bilingual examiners, which gives the Department a total of five bilingual examiners.

When Supervisors asked County Attorney Landon the purpose of the Agreement he responded that it essentially commits the County to do what is already required by federal regulations and gives the Department of Social Services an opportunity to address the issues that have been raised.

Supervisor Jonker asked what impact the changes would have on the Department's budget. Commissioner Cranker responded that there is not a significant affect on the budget.

Chairman Barone stated that federal officials were adamant that a Resolution be adopted at the September Board meeting.

Supervisor Stagliano stated that the Committee should move the Resolution to the full Board because the County was not in compliance with federal regulations and its own guidelines.

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

ITEM #3: (OTHER) There were no other items for discussion.

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

Chairman Barone adjourned the Health & Human Services Committee meeting at 7:28 PM.

Respectfully submitted,

Robin Loske
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, September 8, 2009

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:28 p.m.

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

Additional Supervisors present were Supervisors Greco, Quackenbush, Barone, Dybas, Thomas, McMahon, Baia and Stagliano.

Chairman Walters has called a meeting of the General Services Committee for 7:05 p.m. on Tuesday, September 8, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FULTON-MONTGOMERY COMMUNITY COLLEGE (DATA PROCESSING)
2. RESOLUTION TRANSFERRING FUNDS TO PURCHASE NUMBERING MACHINE (DATA PROCESSING/PRINTING)
3. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CORNING DATA/IBM MAINFRAME/BACKUP COMPUTER LEASING (DATA PROCESSING)
4. RESOLUTION APPROVING 2009 CAPITAL PROJECTS - BRIDGE REPLACEMENT (PUBLIC WORKS)
5. OTHER

Item #1: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FULTON-MONTGOMERY COMMUNITY COLLEGE (DATA PROCESSING)) Supervisors Walters 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 #2: (RESOLUTION TRANSFERRING FUNDS TO PURCHASE NUMBERING MACHINE (DATA PROCESSING/PRINTING)) Supervisors Walters and Greco made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CORNING DATA/IBM MAINFRAME/BACKUP COMPUTER LEASING (DATA PROCESSING)) Supervisors Walters and McMahon made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #4: (RESOLUTION APPROVING 2009 CAPITAL PROJECTS - BRIDGE REPLACEMENT (PUBLIC WORKS)) Supervisors Walters and Thayer 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) Dennis Heaton, Solid Waste Coordinator, reported that the County is still meeting its GAT for 2009. Mr. Heaton indicated that all the County demolition programs are going through the MOSA system.

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

Chairman Walters adjourned the General Services Committee meeting at 7:33 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PERSONNEL
7:15 PM, September 8, 2009

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:33 PM.

Roll call indicated Committee members present were Supervisors Baia, Dybas, McMahon, Stagliano, Thayer and Walters.

Additional Supervisors present were Supervisors Greco, Paton, Barone, Jonker, Strevy and Thomas. Absent were Supervisors DiMezza and Johnson.

Chairman Quackenbush has called a meeting of the Personnel Committee for 7:15 p.m. on Tuesday, September 8, 2009 in the Supervisors' Chambers, County Office Bldg, 64 Broadway, Fonda, NY.

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

1. RESOLUTION APPOINTING DIRECTOR OF REAL PROPERTY TAX SERVICES (RPTSA)
2. OTHER

Item #1: (RESOLUTION APPOINTING DIRECTOR OF REAL PROPERTY TAX SERVICES (RPTSA) The Resolution was sponsored by Supervisors Greco and McMahon, respectively.

The proposed Resolution would appoint Sandra Fraiser as the new Director for RPTSA upon the current Director's retirement on October 30, 2009. Ms. Fraiser has worked in RPTSA for many years, which would make this a promotion from within the Department.

Supervisors McMahon, Greco, Strevy, Barone and Jonker felt that the position should be filled from within the Department. Each Supervisor expressed their respect for Ms. Fraiser and stated that she is qualified to fill the position. They also felt that by promoting from within gives County employees the incentive to do the best job they possibly can.

Supervisor Dybas stated that it was wrong not to advertise because he felt that the Board should see what other qualified applicants are available for comparison.

Supervisor Stagliano suggested that a policy be developed that would provide consistency for filling Department Head vacancies.

Supervisors Thayer and Baia both indicated their confidence in Ms. Fraiser's ability but felt the position should be advertised and interviews conducted. Chairman Quackenbush agreed that advertising would be the most appropriate action to take.

After some heated discussion between Supervisors Barone and Stagliano, Chairman Quackenbush motioned to Table the Resolution. The motion was seconded by Supervisor Dybas and on roll call the motion was approved with Supervisors Dybas, Stagliano, Thayer and Quackenbush voting "yea" and Supervisors Baia and Walters voting "nay".

At this point, Supervisor McMahon voiced his dissatisfaction with Chairman Quackenbush and left the meeting stating that he would not be attending another Personnel Committee meeting.

Florence Stanton, Director of the Real Property Tax Agency, pointed out that State Law requires that a Director be approved by ORPS and in place on October 31st.

Supervisors Baia, Walters, Greco, Paton, Barone, Jonker, Strevy and Thomas left the meeting prior to adjournment. Members of the Personnel Committee remaining were Supervisors Dybas, Stagliano, Thayer and Quackenbush.

Item #2: (OTHER) Supervisors Dybas and Thayer, respectively, sponsored a Resolution authorizing the Personnel Director to advertise for the position of Director Real Property Tax Service II. The Resolution was moved to the Full Board with a positive recommendation. There were no objections.

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

Chairman Quackenbush adjourned the Personnel Committee meeting at 7:52 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE
7:00 PM, September 15, 2009

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the Finance Committee meeting commencing at 7:00 PM.

Roll call indicated Committee members present were Supervisors Barone, DiMezza and Dybas and Greco. Absent were Supervisors Johnson and Jonker.

Additional Supervisors present were Supervisors Paton, Walters, Thayer and Thomas. Absent were Supervisors Quackenbush, McMahon, Baia and Stagliano.

Chairman Strevy has called a meeting of the Finance Committee for 7:00 p.m. on Tuesday, September 15, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT 2008-2009 SNOWMOBILE TRAILS GRANT-IN-AID PROGRAM MOHAWK VALLEY SNOWMOBILE CLUBS, INC. (ECONOMIC DEVELOPMENT AND PLANNING)
2. RESOLUTION REAPPOINTING AND APPOINTING MEMBERS OF MONTGOMERY COUNTY PLANNING BOARD (ECONOMIC DEVELOPMENT AND PLANNING)
3. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION/AGREEMENTS - 2009-2010 SECTION 5311 - NYS DOT (ECONOMIC DEVELOPMENT AND PLANNING)
4. RESOLUTION TO ESTABLISH THE MONTGOMERY COUNTY BOARD OF SUPERVISORS AS LEAD AGENCY IN A SEQR DETERMINATION FOR SNOWMOBILE TRAIL (ECONOMIC DEVELOPMENT AND PLANNING)
5. RESOLUTION AMENDING 2009 OPERATING BUDGET (VETERANS SERVICE)
6. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ONEIDA COUNTY SHERIFF - SECURITY SERVICES FOR MONTGOMERY COUNTY INMATES AT CENTRAL NY PSYCHIATRIC CENTER - (SHERIFF)
7. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - LONG TERM CARE POINT OF ENTRY PROGRAM (SOCIAL SERVICES)
8. RESOLUTION AMENDING 2009 OPERATING BUDGET - HEAP (SOCIAL SERVICES)
9. RESOLUTION AMENDING OPERATING 2009 BUDGET - FOOD STAMPS (SOCIAL SERVICES)
10. RESOLUTION AMENDING 2009 OPERATING BUDGET - COMMUNITY SOLUTIONS FOR TRANSPORTATION (SOCIAL SERVICES)
11. RESOLUTION AMENDING 2009 OPERATING BUDGET - BACK TO SCHOOL BENEFIT (SOCIAL SERVICES)
12. RESOLUTION ENDORSING NEW METHODOLOGY FOR REQUESTING SUNY FINANCIAL SUPPORT OF FMCC CAPITAL PROJECTS (FMCC)
13. RESOLUTION ACKNOWLEDGING MONTGOMERY COUNTY'S FINANCIAL SUPPORT TO FULTON-MONTGOMERY COMMUNITY COLLEGE CAPITAL PROJECTS AND AUTHORIZING FULTON-MONTGOMERY COMMUNITY COLLEGE TO APPLY FOR SUNY FUNDING (FMCC)
14. OTHER

Item #1: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT 2008-2009 SNOWMOBILE TRAILS GRANT-IN-AID PROGRAM MOHAWK VALLEY SNOWMOBILE CLUBS, INC. (ECONOMIC DEVELOPMENT AND PLANNING)) Supervisors Strevy and Thayer made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION REAPPOINTING AND APPOINTING MEMBERS OF MONTGOMERY COUNTY PLANNING BOARD (ECONOMIC DEVELOPMENT AND PLANNING)) Supervisors Dybas and Barone made a motion and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #3: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION/AGREEMENTS - 2009-2010 SECTION 5311 - NYS DOT (ECONOMIC DEVELOPMENT AND PLANNING)) Supervisors Barone and Thomas made a motion

and seconded, respectively, to sponsor the Resolution. It was moved to the Full Board with a positive recommendation. There were no objections.

Item #4: (RESOLUTION TO ESTABLISH THE MONTGOMERY COUNTY BOARD OF SUPERVISORS AS LEAD AGENCY IN A SEQR DETERMINATION FOR SNOWMOBILE TRAIL (ECONOMIC DEVELOPMENT AND PLANNING) Supervisors DiMezza and Barone 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: (RESOLUTION AMENDING 2009 OPERATING BUDGET (VETERANS SERVICE) 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 #6: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ONEIDA COUNTY SHERIFF - SECURITY SERVICES FOR MONTGOMERY COUNTY INMATES AT CENTRAL NY PSYCHIATRIC CENTER - (SHERIFF) Supervisors Thayer and Thomas 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: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - LONG TERM CARE POINT OF ENTRY PROGRAM (SOCIAL SERVICES) Supervisors Strevy and Barone 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: (RESOLUTION AMENDING 2009 OPERATING BUDGET - HEAP (SOCIAL SERVICES) Supervisors Barone 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 #9: (RESOLUTION AMENDING OPERATING 2009 BUDGET - FOOD STAMPS (SOCIAL SERVICES) Supervisors Barone and Greco 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 #10: (RESOLUTION AMENDING 2009 OPERATING BUDGET - COMMUNITY SOLUTIONS FOR TRANSPORTATION (SOCIAL SERVICES) Supervisors Barone and Greco 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 #11: (RESOLUTION AMENDING 2009 OPERATING BUDGET - BACK TO SCHOOL BENEFIT (SOCIAL SERVICES) Supervisors Barone and Dybas made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor Dybas asked Commissioner Cranker what kind of accountability was taken to make sure the funds went toward school supplies. Commissioner Cranker stated that the money was distributed through State and Federal stimulus funds and no oversight or accountability was established as to how the funds were used.

Supervisor DiMezza indicated that he would not vote in favor of the Resolution at the Board meeting due to the lack of accountability.

The Resolution was moved to the Full Board. There were no objections.

Item #12: (RESOLUTION ENDORSING NEW METHODOLOGY FOR REQUESTING SUNY FINANCIAL SUPPORT OF FMCC CAPITAL PROJECTS (FMCC) Supervisors Greco and Paton 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 #13: (RESOLUTION ACKNOWLEDGING MONTGOMERY COUNTY'S FINANCIAL SUPPORT TO FULTON-MONTGOMERY COMMUNITY COLLEGE CAPITAL PROJECTS AND AUTHORIZING FULTON-MONTGOMERY COMMUNITY COLLEGE TO APPLY FOR SUNY FUNDING (FMCC) Supervisors DiMezza and Strevy made a motion and seconded, respectively, to sponsor the Resolution.

Supervisor DiMezza raised concern about the breakdown of Montgomery County's share. It was noted that the college foundation will be funding a portion of the cost of the Management Information System project.

Treasurer Bowerman asked about the timing of the Classroom Building Renovation Project Phase II. It was initially proposed for 2011 but if it is now being proposed for 2010, the Treasurer is concerned about the impact that it would have on the budget.

Clarification of the time schedule for the Classroom Building Renovation Project Phase II will be obtained prior to the Board meeting.

The Resolution was moved to the Full Board. There were no objections.

Item #14: (Other) There was no other business.

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

Chairman Strevy adjourned the Finance Committee meeting at 7:16 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, September 22, 2009

CALL TO ORDER

Chairman Thomas called the Regular Meeting of the Montgomery County Board of Supervisors for September 22, 2009 to order at 7:00 PM.

SALUTE TO THE FLAG

Supervisor Johnson led the Salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors McMahon, Strevy, Dybas, Thayer, Barone, Thomas, Bai a, Greco, Paton, Walters and Quackenbush, Johnson, Jonker and DiMezza were present. Supervisor Stagliano was absent.

PRIVILEGE OF THE FLOOR

A. Public Comment - There was not public comment

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (August 23, 2009 - September 15, 2009) by Supervisor Barone, Sr., seconded by Supervisor Thayer, 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

There was no unfinished business.

SUSPEND RULES

MOTION TO SUSPEND THE RULES by Supervisor Strevy, seconded by Supervisor Dybas, to include an add-on Resolution entitled "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" passed with Aye(1772). Supervisor Stagliano was absent.

SUSPEND RULES II

MOTION TO SUSPEND THE RULES by Supervisor Barone, Sr., seconded by Supervisor McMahon, to reintroduce an add-on Resolution entitled "RESOLUTION APPOINTING DIRECTOR OF REAL PROPERTY TAX SERVICES (RPTSA)" passed with Aye(1297). Supervisors Dybas, Quackenbush, Jonker and Thayer voted Nay. Supervisor Stagliano was absent.

NEW BUSINESS

A. Resolutions

B. Other

RESOLUTION NO. 201 of 2009

DATED: September 22, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT
FULTON-MONTGOMERY COMMUNITY COLLEGE (DATA PROCESSING)

Resolution by Supervisor: Wal ters

Seconded by Supervisor: Greco

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized 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 \$13,449, would be for a period commencing January 1, 2010 and ending December 31, 2010.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 202 of 2009

DATED: September 22, 2009

RESOLUTION TRANSFERRING FUNDS TO PURCHASE NUMBERING MACHINE (DATA PROCESSING/PRINTING)

Resolution by Supervisor: Wal ters

Seconded by Supervisor: Strevy

WHEREAS, the numbering machine in the Print Shop has met its life expectancy and is no longer supported, and

WHEREAS, we are no longer able to order service and/or consumables, and

WHEREAS, there is an ever increasing need for numbering jobs in the Print Shop,

RESOLVED, that the Montgomery County Board of Supervisors does hereby approve the purchase of a replacement numbering machine that better meets the current needs of the department, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

TRANSFER FROM:

A-14-4-1680-00.4408	Office Supplies	\$5,000.00
A-14-4-1680-00.4425	Maintenance	\$1,550.00
A-14-4-1670-00.4459	Software	\$2,000.00

TRANSFER TO:

A-14-4-1670-00-2250	Technical Equipment	\$8,550.00
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RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 203 of 2009

DATED: September 22, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CORNING DATA/IBM MAINFRAME/BACKUP COMPUTER LEASING (DATA PROCESSING)

Resolution by Supervisor: Wal ters

Seconded by Supervisor: McMahon

WHEREAS, the current lease for the County's mainframes located in the Data Processing Department, and at the Sheriff's Office, will expire in November and December of 2009, and

WHEREAS, the County will need continued mainframe vendor upgrading and support, and

WHEREAS, the Data Processing Director recommends continued leasing and upgrading of the County mainframes from which the majority of county departments access and utilize programs for their everyday electronic needs,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized to sign a lease agreement with Corning Data and IBM for the provision of mainframe computers for a period of 3 years in an amount not to exceed \$111,000 for the term of the lease.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 204 of 2009

DATED: September 22, 2009

RESOLUTION APPROVING 2009 CAPITAL PROJECTS - BRIDGE REPLACEMENT (PUBLIC WORKS)

Resolution by Supervisor: Walters

Seconded by Supervisor: Thayer

WHEREAS, the Commissioner of Public Works has recommended that three bridge replacement projects be undertaken during 2009,

RESOLVED, that the Board of Supervisors hereby approves the replacement of Casler Road, BIN 3309430, in the Town of Minden; Round Barn Road, BIN 3310060, in the Town of Glen; and Cherry Valley Road, BIN 3309560, in the Town of Canajoharie; as Capital Projects at a cost not to exceed \$2,431,200.00, 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(1772). Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 205 of 2009

DATED: September 22, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - NATIONAL ALLIANCE FOR THE MENTALLY ILL MONTGOMERY-FULTON-HAMILTON COUNTY CHAPTER (MENTAL HEALTH)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Dybas

WHEREAS, by Resolution 360 of 2006, the Board of Supervisors authorized the Chairman to sign an agreement with National Alliance for the Mentally Ill Montgomery-Fulton-Hamilton (NAMI) County Chapter, Amsterdam, New York for advocacy and family support services to the families of people who are mentally ill, and

WHEREAS, funding for fiscal and programmatic oversight of the NYS Office of Mental Health Community Support Services program (CSS) is provided by the NYS Office of Mental Health, and

WHEREAS, the Montgomery County Mental Health Department has been required to take over responsibility for fiscal and programmatic oversight of the program by the NYS Office of Mental Health, and

WHEREAS, the NAMI Chapter employs an individual to maintain their offices at Riverfront Center who is knowledgeable in data processing, spreadsheets, word processing and basic bookkeeping functions, and

WHEREAS, this employee of the NAMI could provide the necessary services to maintain the fiscal and programmatic oversight of the NYS OMH Community Support Services program without the need of additional office space and equipment, and

WHEREAS, the employment of one full-time individual would be beneficial to the NAMI Chapter and the Local Mental Health Department of Montgomery County and is the most efficient method of complying with the requirements of fiscal and programmatic oversight,

RESOLVED, the face value of the contract shall be increased from \$33,000 to \$53,000 and an Addendum will be added to the contract detailing the duties and responsibilities of the NAMI Chapter to the Montgomery County Mental Health Department, and

FURTHER RESOLVED, that the contract may be renewed if there is NYS Office of Mental Health funds available and with no increase in the total value of the contract, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, after review and approval by the County, is hereby authorized to sign an amendment to the contract between Montgomery County and NAMI of Amsterdam, New York.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 206 of 2009

DATED: September 22, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RESOLUTION AGREEMENT BETWEEN U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES OFFICE FOR CIVIL RIGHTS AND MONTGOMERY COUNTY DEPARTMENT OF SOCIAL SERVICES (SOCIAL SERVICES)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Bai a

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, hereby is authorized to sign a Resolution Agreement between the U.S. Department of Health and Human Services Office for Civil Rights and Montgomery County Department of Social Services.

RESOLUTION ADOPTED with Aye(1636). Supervisor Dybas abstained. Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 207 of 2009

DATED: September 22, 2009

RESOLUTION AUTHORIZING THE ADVERTISEMENT OF A VACANCY FOR THE POSITION OF DIRECTOR REAL PROPERTY TAX SERVICE I (PERSONNEL)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Thayer

WHEREAS, the current Director of the Real Property Tax Service Agency will retire effective October 30, 2009, which will create a vacancy in said Department, and

WHEREAS, it is necessary to advertise for said position as soon as possible to provide continuity to the Department,

RESOLVED, that the Personnel Officer is hereby authorized and directed to advertise immediately for the position of Director Real Property Tax Service I.

RESOLUTION DEFEATED with Aye(475). Supervisors Dybas, Quackenbush, Jonker and Thayer voted Aye. Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 208 of 2009

DATED: September 22, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT 2008-2009 SNOWMOBILE TRAILS GRANT-IN-AID PROGRAM MOHAWK VALLEY SNOWMOBILE CLUBS, INC. (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Thayer

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation has awarded Montgomery County \$76,950.00 from the 2008-2009 Snowmobile Trails Grant-In-Aid Program, based upon an application submitted in cooperation with the Mohawk Valley Snowmobile Clubs, Inc, and

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation underestimated the mileage for the 2008-2009 Snowmobile Trails Grant-In-Aid Program making the overall award \$78,299.34,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to execute documents accepting the revised grant award in the amount of \$78,299.34 for the 2008-2009 Snowmobile Trails Grant from the Office of Parks,

Recreation and Historic Preservation, and

FURTHER RESOLVED, that said Chairman also is authorized to execute an amended agreement, between the County and the Mohawk Valley Snowmobile Clubs, Inc., provided for said organization to conduct snowmobile trail development and maintenance consistent with the grant program requirement, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUES:

A-24-3-3889	State Aid-Other Culture and Recreation	\$11,400
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INCREASE APPROPRIATIONS:

A-24-4-7180-00-4572	Recreation Trails	\$11,400
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RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 209 of 2009

DATED: September 22, 2009

RESOLUTION REAPPOINTING AND APPOINTING MEMBERS OF MONTGOMERY COUNTY PLANNING BOARD (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Barone, Sr.

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 County Planning Board member's need re-appointment with a term that will expire in 2012:

Appointee	Representing	Term Expiration
Robert DiCaprio	Second Ward	06/30/12
Robert L. Mead	Third Ward	06/30/12
<u>Don Mead</u>	Town of Glen	06/30/12
Salvatore "Sam" Giarrizzo	Town of Palatine	06/30/12
	Town of St. Johnsville	06/30/12

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 above individuals to the Montgomery County Planning Board to fill the terms which expire June 30, 2012.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 210 of 2009

DATED: September 22, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION/AGREEMENTS - 2009-2010 SECTION 5311 - NYS DOT (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Thomas

WHEREAS, Montgomery County is submitting a request for a grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, for a project to provide public mass transportation service for the Montgomery Area Xpress, which runs fixed route service throughout Montgomery County and the Montgomery County Commuter Run, which runs fixed route service from Montgomery County to Albany, both systems are currently operated by Brown Coach, Inc. as the County's third party provider, and

WHEREAS, said application would be for fiscal years 2009 and 2010, and

WHEREAS, Montgomery County and the State of New York have entered into a continuing agreement which authorizes the undertaking of the Project and payment of the Federal Share,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County attorney, is hereby authorized to act on behalf of Montgomery County to sign the application to complete the above named project, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized to sign any contracts or agreements between Montgomery County and any third party subcontractor necessary to complete the public transportation project.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 211 of 2009

DATED: September 22, 2009

RESOLUTION TO ESTABLISH THE MONTGOMERY COUNTY BOARD OF SUPERVISORS AS LEAD AGENCY IN A SEQR DETERMINATION FOR SNOWMOBILE TRAIL (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Barone, Sr.

WHEREAS, Montgomery County is the Local Sponsor and Administrator for the NYS OPRHP Snowmobile Trails Grant-In-Aid Program, and

WHEREAS, the Fulmont Snow Travelers Club is re-routing approximately 1.8 miles of trail C7B, which is subject to review under State Environmental Quality Review Act (SEQR) and is classified as an Unlisted Action pursuant to the regulations found in §6 NYCRR, Part 617, and

WHEREAS, there are no other involved agencies,

RESOLVED, the Montgomery County Board of Supervisors hereby declare themselves lead agency in carrying out the environmental review under SEQR, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval by the County Attorney, is hereby authorized to sign any and all documents related to this process.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 212 of 2009

DATED: September 22, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET (VETERANS SERVICE)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Dybas

WHEREAS, the Veteran Service Agency received donations from the memorial of Veteran Roland Post, and

WHEREAS, these donations are to be used for the benefit of the Montgomery County veterans,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUES:

A-19-3-2705-00	Gifts and Donations	\$750.00
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INCREASE APPROPRIATIONS:

A-19-4-6510-00-.4449	Special Supplies and Materials	\$750.00
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RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 213 of 2009

DATED: September 22, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ONEIDA COUNTY SHERIFF - SECURITY SERVICES FOR MONTGOMERY COUNTY INMATES AT CENTRAL NY PSYCHIATRIC CENTER - (SHERIFF)

Resolution by Supervisor: Thayer

Seconded by Supervisor: Thomas

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 one-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 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 would be for the period January 1, 2010 through December 31, 2010 at the rate of \$140 per day per inmate.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 214 of 2009

DATED: September 22, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - LONG TERM CARE POINT OF ENTRY PROGRAM (SOCIAL SERVICES)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Barone, Sr.

WHEREAS, the Commissioner of Social Services has received notification of \$63,000 funding allocated for Year Four Long Term Care Point of Entry Program for the period October 1, 2009 - September 30, 2010, and

WHEREAS, Montgomery County Department of Social Services and Montgomery County Office for the 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 to sign appropriate documents related to the contracting of services with Montgomery County Office for the Aging for their part of the program in the amount not to exceed \$7,875 for October 1, 2009 to December 31, 2009, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUE:

A-18-3-3610-00	State Aid DSS Admin.	\$7,875
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INCREASE APPROPRIATIONS:

A-18-4-6010-00.4438	Misc. Supporting Services	\$7,875
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RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 215 of 2009

DATED: September 22, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - HEAP (SOCIAL SERVICES)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Dybas

WHEREAS, the Commissioner of Social Services has received notification of additional HEAP administrative funding throughout 2009 and for the Early Outreach Program,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUES:

A-18-3-4610-00	Federal Aid -Social Services Admin.	\$20,650
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INCREASE APPROPRIATIONS:

A-18-4-6010-00.1130(1061)	HEAP Personnel	\$18,000
A-18-4-6010-00.4407	Office Equipment	1,050
A-18-4-6010-00.4408	Office Supplies	1,000
A-18-4-6010-00.4409	Office Furniture	600

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 216 of 2009

DATED: September 22, 2009

RESOLUTION AMENDING OPERATING 2009 BUDGET - FOOD STAMPS (SOCIAL SERVICES)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Greco

WHEREAS, the Commissioner of Social Services has requested to recognize deferred revenue received for Food Stamp Bonus Award,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUES:

A-18-3-4611-00	Federal Aid - Food Stamp Admin.	\$5,308
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APPROPRIATIONS:

A-18-4-6010-00.4422	Equipment Repairs	\$5,308
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RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 217 of 2009

DATED: September 22, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - COMMUNITY SOLUTIONS FOR TRANSPORTATION (SOCIAL SERVICES)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Greco

WHEREAS, the Commissioner of Social Services has received notification of funding allocated for Community Solutions for Transportation (CST) 10, and

WHEREAS, the Commissioner of Social Services has made recommendation that the County enter into agreements with the County Mobility Coordinator and Amsterdam Transit for provision of said program,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized to sign appropriate documents related to the contracting of services with the County Mobility Coordinator and Amsterdam Transit in the amounts not to exceed

\$2,000 and \$2,825 respectively for the period of October 1, 2009 to December 31, 2009, and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUES:

A-18-3-4610-00 Federal Aid DSS Admin. \$6,625.00

INCREASE APPROPRIATIONS:

A-18-4-6010-00.4462 TANF Services \$6,625.00

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Discussion: Resolution No. 218

Supervisor Dybas confirmed with Commissioner Cranker that there was no accountability associated with the distribution of funds for the school supplies.

Supervisor DiMezza indicated that due to the lack of accountability he would not vote in favor of the Resolution.

Supervisor Strevey pointed out that the money has been spent and reimbursed, to the County from the State, and the Resolution was to authorize a budget adjustment.

RESOLUTION NO. 218 of 2009

DATED: September 22, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - BACK TO SCHOOL BENEFIT (SOCIAL SERVICES)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Dybas

WHEREAS, the Commissioner of Social Services has received notification of funding allocated for the Back to School benefit to all Temporary Assistance and Food Stamp cases with children ages 3 through 17,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUES:

A-18-3-3609-00 State Aid -Family Assistance \$116,600.00
A-18-3-4609-00 Federal Aid - Family Assistance \$466,400.00

INCREASE APPROPRIATIONS:

A-18-4-6011-00-6109 Family Assistance \$583,000.00

RESOLUTION ADOPTED with Aye(1329). Supervisors DiMezza, Quackenbush and Thayer voted Nay. Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 219 of 2009

DATED: September 22, 2009

RESOLUTION ENDORSING NEW METHODOLOGY FOR REQUESTING SUNY FINANCIAL SUPPORT OF FMCC CAPITAL PROJECTS (FMCC)

Resolution by Supervisor: Greco

Seconded by Supervisor: Paton

WHEREAS, SUNY requires Fulton and Montgomery Counties to adopt and submit to SUNY a resolution acknowledging each Board of Supervisors' support and financial commitment to FMCC Capital Projects for which SUNY funding is requested, and

WHEREAS, this methodology deals with projects to be implemented next year, and

WHEREAS, over the past two (2) years, NYS has not bonded its share of FMCC Capital Project costs until later in the year resulting in Fulton County having to front the State's share of FMCC Capital Project costs and has resulted in a financial hardship on Fulton County, and

WHEREAS, three (3) actions are currently needed to get New York State to commit to its 50% share of an FMCC Capital Project as follows:

- . Both Montgomery and Fulton Counties must adopt resolutions supporting and acknowledging its financial commitment to those Capital Projects for which State money are being requested;
- . FMCC completes a "Project Initiation Form" and submits it to SUNY with the two (2) County resolutions;
- . SUNY trustees approve the project and SUNY's share is authorized to be bonded,

, and

WHEREAS, once a project is approved by SUNY, the State's share of that project cost does not become available until the NYS Division of Budget issues bonds, and

WHEREAS, SUNY Trustees usually meet in late October of each year to approve those projects for which State dollars will be committed to,

RESOLVED, Montgomery County proposes a new methodology for requesting SUNY's financial support for FMCC capital projects as follows:

- . Montgomery County Board of Supervisors adopts a resolution at their September meeting held on the 4th Tuesday of the month;
- . Fulton County Board of Supervisors adopts a resolution at their October meeting held on the 2nd Monday of the month;
- . These resolutions would deal with projects to be implemented 2 years later (a resolution adopted in October of 2010 would be for 2012 projects);
- . Once these resolutions are adopted, certified and received by FMCC, they would be attached to the Project Initiation Form and submitted by FMCC to SUNY prior to SUNY's October deadline,

, 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. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 220 of 2009

DATED: September 22, 2009

RESOLUTION ACKNOWLEDGING MONTGOMERY COUNTY'S FINANCIAL SUPPORT TO FULTON-MONTGOMERY COMMUNITY COLLEGE CAPITAL PROJECTS AND AUTHORIZING FULTON-MONTGOMERY COMMUNITY COLLEGE TO APPLY FOR SUNY FUNDING (FMCC)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Strevy

WHEREAS, SUNY did receive funding that may be made available to community colleges to support "Capital Projects", and

WHEREAS, as a result of said legislative action, FMCC and its sponsoring Counties must re-evaluate plans for Capital Projects on the campus in context with the College's 2005 Master Plan, and

WHEREAS, FMCC officials have prepared a list of Capital Projects that it recommends be competed,

RESOLVED, that the Montgomery County Board of Supervisors hereby endorses the following list of Capital Projects for completion at FMCC and hereby authorizes the College Board of Trustees to submit the appropriate application to SUNY administration to obtain the state share for the projects:

PROJECT	TOTAL COST	MONTGOMERY COUNTY SHARE
Management Information System	\$ 905,000	\$100,000 (2010)
Classroom Building Renovations Phase II	\$ 2,500,000	\$625,000 (2011)

, and

FURTHER RESOLVED, that once State approvals for said Capital Projects are obtained, the projects shall be submitted to the Finance Committee for review within Montgomery County's budget/capital plan process, 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. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 221 of 2009

DATED: September 22, 2009

RESOLUTION OF THE BOARD OF SUPERVISORS MONTGOMERY COUNTY, INCREASING TAXES ON SALES AND USES OF TANGIBLE PERSONAL PROPERTY AND OF CERTAIN SERVICES, ON OCCUPANCY OF HOTEL ROOMS AND ON AMUSEMENT CHARGES PURSUANT TO ARTICLE 29 OF THE NYS TAX LAW

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Greco

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, Resolution 235 of 2005 and Resolution 256 of 2007 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, 2011. 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, Resolution 235 of 2005 and Resolution 256 of 2007 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, 2011, 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, Resolution 235 of 2005 and Resolution 256 of 2007 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. 94 of 2009 adopted by the Board of Supervisors on April 28, 2009, for the period July 1, 2009, through June 30, 2029:

(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 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, 2029.

(2) Eighty percent of net collections from the county's additional one percent rate of taxes imposed by this Resolution shall be set aside for county purposes. The remaining twenty percent of net collections from such taxes imposed at the additional rate of one percent shall be allocated and paid as follows: eighteen percent thereof monthly to the city of Amsterdam and the remaining two percent to be distributed to the towns and villages based on assessed valuation. 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, 2029.

Section 4. This enactment shall take effect December 1, 2009.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Discussion - Add-On Resolution No. 222

Supervisor Thayer stated that the Board should be ashamed for thumbing their noses at 48,000 people in Montgomery County by not advertising for the position of Director of Real Property Tax Service I. He went on record to say that Ms. Fraiser is qualified for the position but he did not agree with the process of not advertising.

Supervisor DiMezza responded to Supervisor Thayer by saying shame on him for not supporting the second in command (Ms. Fraiser) for the position.

Supervisor Quackenbush stated that Ms. Fraiser would be perfect for the position and he would support her. Supervisor Quackenbush indicated that he still feels it would be a good idea to advertise and felt that it had become the accepted practice to advertise for such openings, citing the process for hiring a full time Clerk of the Board and the Solid Waste Coordinator in the past year. He also pointed out that the Personnel Officer suggested that the County advertise for the position.

Supervisor Walters stated that both the full time Clerk of the Board and the Solid Waste Coordinator were newly created positions, which was the reason for advertising. Supervisor Walters stated that Ms. Fraiser has been a long-time employee for the County and deserves a step up.

Supervisor Greco went on record to say that promoting from within is a good morale booster and felt that Ms. Fraiser was very capable of performing as the Director of RPTSA.

Supervisor Jonker stated that he would support Ms. Fraiser but was opposed to the process.

Supervisors Quackenbush reported that the Personnel Committee will discuss the establishment of a policy for filling Department Head vacancy at their next meeting.

RESOLUTION NO. 222 of 2009

DATED: September 22, 2009

RESOLUTION APPOINTING DIRECTOR OF REAL PROPERTY TAX SERVICES (RPTSA)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: McMahon

WHEREAS, a vacancy exists for the position of Director of Real Property Tax Services,

RESOLVED, that Sandra L. Frasier hereby is appointed Director of Real Property Tax Services I, for the balance of the current term, which expires on September 30, 2013, and

FURTHER RESOLVED, that the annual base salary for said position is established in the Non-Bargaining Salary Schedule as \$46,350.00, and

FURTHER RESOLVED, that said appointment is effective on October 31, 2009.

RESOLUTION ADOPTED with Aye(1570). Supervisor Dybas voted Nay. Supervisor Thayer abstained.
Supervisor Stagliano was absent. (9/22/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

OTHER

There was no other business for discussion.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Barone, Sr., seconded by Supervisor Strevy, passed with Aye(1772). Supervisor Stagliano was absent.

Meeting adjourned at 7:36 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - EDUCATION/GOVERNMENT
7:00 PM, October 6, 2009

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Baia, Paton, Strevy and Thayer. Supervisors Barone and Stagliano were absent.

Additional Supervisors present were Supervisors Quackenbush, Thomas, Jonker and Dybas. Supervisors Greco, DiMezza and Johnson were absent.

Chairman McMahon has called a meeting of the Education/Government Committee for 7:00 p.m. on Tuesday, October 6, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. PRESENTATION: ON VARIOUS ISSUES ON THE FUTURE OF COUNTY GOVERNMENT
2. OTHER

Item #1: (PRESENTATION: ON VARIOUS ISSUES ON THE FUTURE OF COUNTY GOVERNMENT) Wayne Allen, past Montgomery County Administrator, took the floor and presented his views on current State and County mandates along with other issues facing governmental entities. Mr. Allen stated that with 30 years of service in government he could assist the County in developing solutions for their critical needs and save tax dollars; assist in the development of management skills for department heads; assist in the development of succession planning of key County personnel; improve County's internal controls and provide quarterly reports, which highlight social, economic and fiscal trends that impact the County.

Chairman McMahon thanked Mr. Allen and told him that he would get back to him regarding the decision of the Board to his proposition.

Item #2: (OTHER) Chairman McMahon suggested that in the near future the Committee consider establishing an "Ethics Policy" and eliminate the Ethics Law.

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

Chairman McMahon adjourned the Education/Government Committee meeting at 7:15 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - ECONOMIC DEVELOPMENT/PLANNING
7:05 PM, October 6, 2009

COMMITTEE MEETING DISCUSSION

Chairman Baia presided over the meeting commencing at 7:16 p.m.

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

Additional Supervisors present were Supervisors Thomas, Dybas, Quackenbush, Walters and Thayer. Supervisors Greco, Barone, and Stagliano were absent.

Chairman Baia has called a meeting of the Economic Development/Planning Committee for 7:05 p.m. on Tuesday, October 6, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION SUPPORTING TOURISM FUNDING APPLICATION - MONTGOMERY COUNTY CHAMBER OF COMMERCE (TOURISM)
2. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TOURISM PROMOTION AGENCY - MONTGOMERY COUNTY CHAMBER OF COMMERCE (TOURISM)
3. OTHER

Item #1: (RESOLUTION SUPPORTING TOURISM FUNDING APPLICATION - MONTGOMERY COUNTY CHAMBER OF COMMERCE (TOURISM) Supervisors McMahon and Thomas 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: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TOURISM PROMOTION AGENCY - MONTGOMERY COUNTY CHAMBER OF COMMERCE (TOURISM) 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 #3: (OTHER) There were no other items for discussion.

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

Chairman Baia adjourned the Economic Development/Planning Committee meeting at 7:18 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PUBLIC SAFETY
7:10 PM, October 6, 2009

COMMITTEE MEETING DISCUSSION

Chairman Thayer presided over the meeting commencing at 7:18 PM.

Roll call indicated Committee members present included Supervisors Baia, Jonker, Quackenbush, and Strevy. Supervisors Barone and DiMezza were absent.

Additional Supervisors present were McMahon, Paton, Dybas, Thomas and Walters. Absent were Supervisors Johnson, Greco, and Stagliano.

Chairman Thayer has called a meeting of the Public Safety Committee for 7:10 p.m. on Tuesday, October 6, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION ADOPTING 2010 STOP-DWI PLAN (STOP DWI)
2. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT VALUES IMPROVEMENT PROGRAM (STOP-DWI)
3. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT WITH NEW YORK STATE OFFICE OF HOMELAND SECURITY (EMERGENCY MANAGEMENT)
4. DISCUSSION
Establishment of a Local Law to Implement Surcharge for "VOIP" Service (Sheriff)
5. RESOLUTION AMENDING RESOLUTION No. 444 OF 1990 AUTHORIZING INCREASED FEES FOR SERVICES FOR SHERIFF'S OFFICE (SHERIFF)
6. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DOS - LOCAL ENHANCED WIRELESS 911 PROGRAM (SHERIFF)
7. RESOLUTION AMENDING 2009 OPERATING BUDGET (SHERIFF)
8. OTHER

Item #1: (RESOLUTION ADOPTING 2010 STOP-DWI PLAN (STOP DWI) Supervisors Strevy and Quackenbush made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT VALUES IMPROVEMENT PROGRAM (STOP-DWI) 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.

Item #3: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT WITH NEW YORK STATE OFFICE OF HOMELAND SECURITY (EMERGENCY MANAGEMENT) Supervisors Quackenbush and Baia made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #4: (DISCUSSION) Establishment of a Local Law to Implement Surcharge for "VOIP" Service (Sheriff). This was discussed at the end of the meeting.

Item #5: (RESOLUTION AMENDING RESOLUTION No. 444 OF 1990 AUTHORIZING INCREASED FEES FOR SERVICES FOR SHERIFF'S OFFICE (SHERIFF) Supervisors Quackenbush and Strevy made a motion and seconded, respectively, to move the Resolution.

Supervisor Dybas suggested that all previous resolutions dealing with the Sheriff's fees be rescinded and treat the current Resolution as a typo and add the additional Resolutions to be rescinded. The new Resolution would establish a new User Fee Schedule for the Sheriff's Office. The Committee members agreed with Supervisor Dybas.

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

Item #6: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DOS - LOCAL ENHANCED WIRELESS 911 PROGRAM (SHERIFF) Supervisors Dybas and Thomas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were

no objections.

Item #7: (RESOLUTION AMENDING 2009 OPERATING BUDGET (SHERIFF) Supervisors Quackenbush and Baia made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

ADD-ON RESOLUTIONS:

(RESOLUTION FOR PURCHASE OF SCRAM BRACELETS FOR THE MONITORING OF ALCOHOL CONSUMPTION BY PERSON ON PROBATION SUPERVISION (PROBATION) Supervisors Thayer and Baia made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

(RESOLUTION APPROPRIATING RESERVE FUNDS (STOP-DWI) Supervisors Thayer and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

(RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE ASSOCIATION OF COUNTIES (NYSAC) TO PARTICIPATE IN THE NEW YORK SAFETY PROGRAM (BOS) Supervisors Baia and Strevy made a motion and seconded, respectively, to move the Resolution.

The Montgomery County Safety Officer, Richard Przestrzelski, took the floor and explained that this would allow him to become an instructor under New York State to train the County employees in defensive driving.

Supervisor Quackenbush asked if the employees would get a break on their auto insurance and if the County would get any discount on its insurance. Mr. Przestrzelski responded that it would give both the County and the employee a discount on their insurance.

There was some discussion as to whether the program should be offered to all County employees and not just those required to take the course. This would be discussed at a later date.

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

(DISCUSSION) Establishment of a Local Law to Implement Surcharge for VOIP Service (Sheriff) Undersheriff Smith took the floor and explained that a 30 cent surcharge would be added to the VOIP services which will help to support the E-911 System.

A motion was sponsored and seconded by Supervisors Dybas and Jonker, respectively to have the County Attorney write a local law for the implementation of the 30 cent surcharge on the "VOIP" service.

Douglas Landon, County Attorney, stated that a Resolution would need to be done first to establish a Public Hearing regarding the Local Law. He indicated that it could probably be done for the November Board meeting.

Item #*: (OTHER) There was no other discussion.

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

Chairman Thayer adjourned the Public Safety Committee meeting at 7:38 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - HEALTH & HUMAN SERVICES
7:00 PM, October 13, 2009

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Bai a, Dybas, Jonker, Paton and Strevy. Absent was Supervisor Stagliano.

Additional Supervisors present were DiMezza, Quackenbush, , Johnson, Thayer and Thomas. Supervisors Greco, McMahon and Walters were absent.

Chairman Barone has called a meeting of the Health and Human Services Committee for 7:00 p.m. on Tuesday, October 13, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION ACCEPTANCE OF THE PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT FUNDS (PUBLIC HEALTH)
2. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONTRACT - PUBLIC HEALTH 2009 H1N1 INFLUENZA MASS VACCINATION CLINICS (PUBLIC HEALTH)
3. RESOLUTION AUTHORIZING AMENDING THE COUNTY MENTAL HEALTH DEPARTMENT 2009 OPERATING BUDGET (MENTAL HEALTH)
4. OTHER

Item #1: (RESOLUTION ACCEPTANCE OF THE PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT FUNDS) (PUBLIC HEALTH) Supervisors Barone 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 #2: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONTRACT - PUBLIC HEALTH 2009 H1N1 INFLUENZA MASS VACCINATION CLINICS) (PUBLIC HEALTH) Supervisors Barone and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

ITEM #3: (RESOLUTION AUTHORIZING AMENDING THE COUNTY MENTAL HEALTH DEPARTMENT 2009 OPERATING BUDGET) (MENTAL HEALTH) supervisors Barone and Johnson made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

ITEM #4: (OTHER) There were no other items for discussion.

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

Chairman Barone adjourned the Health & Human Services Committee meeting at 7:04 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - PERSONNEL
7:05 PM, October 13, 2009

COMMITTEE MEETING DISCUSSION

Chairman Quackenbush presided over the meeting commencing at 7:05 PM.

Roll call indicated Committee members present were Supervisors Baia, Dybas, Thayer and Walters. Absent were Supervisors McMahon and Stagliano.

Additional Supervisors present were Supervisors DiMezza, Johnson, Paton, Barone, Jonker, Strevy and Thomas. Absent was Supervisor Greco.

Chairman Quackenbush has called a meeting of the Personnel Committee for 7:05 p.m. on Tuesday, October 13, 2009 in the Supervisors' Chambers, County Office Bldg, 64 Broadway, Fonda, NY.

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

1. RESOLUTION AMENDING THE NON-BARGAINING POLICY TO ADVERTISE WHEN A DEPARTMENT HEAD VACANCY OCCURS (NOT FOR ELECTED OFFICIALS) (PERSONNEL)
2. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT (EAP) EMPLOYEE ASSISTANCE PROGRAM ST. MARY'S HOSPITAL (PERSONNEL)
3. OTHER

Item #1: (RESOLUTION AMENDING THE NON-BARGAINING POLICY TO ADVERTISE WHEN A DEPARTMENT HEAD VACANCY OCCURS (NOT FOR ELECTED OFFICIALS) (PERSONNEL) The Resolution was sponsored by Supervisors Baia and Johnson, respectively, to move the Resolution to the full Board.

At the request of Supervisor Greco who could not make the meeting, Supervisor Johnson offered an amendment to the first "WHEREAS" clause, seconded by Supervisor Barone, as follows:

"WHEREAS, when a vacancy occurs for a position of a full-time department head (not for elected officials), the Montgomery County Board of Supervisors is requiring that the Personnel Officer be directed to post said position within the County for all qualified Montgomery County employees to submit an application, resume and request for interview, upon determination that the position cannot be filled from within, advertise and approve qualified applications and set up interviews, and"

Supervisor DiMezza suggested that it should be decided on a case by case basis. He indicated that when the Data Processing Director retires in February it would be in the County's best interest to change the job specification and title for said position. He suggested that the title might be "IT Technician".

Supervisor Baia withdrew his sponsorship of the Resolution. No one else would pick up the sponsorship therefore the Resolution died on the floor.

Item #2: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT (EAP) EMPLOYEE ASSISTANCE PROGRAM ST. MARY'S HOSPITAL) (PERSONNEL) The Resolution was sponsored by Supervisors Dybas and Baia, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: (OTHER) There were no other items for discussion.

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

Chairman Quackenbush adjourned the Personnel Committee meeting at 7:09 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE
2:00 PM, October 14, 2009

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the Finance Committee meeting commencing at 2:00 PM.

Roll call indicated Committee members present were Supervisors Barone, DiMezza, Dybas, Greco and Jonker. Absent was Supervisor Johnson.

Additional Supervisors present were Supervisors McMahon, Paton, Stagliano and Thomas. Absent were Supervisors Quackenbush, Walters, Baia and Thayer.

Chairman Strevy has called a meeting of the Finance Committee for 2:00 p.m. on Wednesday, October 14, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. REVIEW AND DISCUSSION OF THE 2010 TENTATIVE BUDGET

- A. Data Processing
- B. Sheriff
- C. Public Works
- D. Treasurer
- E. Board of Supervisors

2. OTHER

Item #1 (REVIEW AND DISCUSSION OF THE 2010 TENTATIVE BUDGET)

Data Processing - Deborah Bain, Director of Data Processing, took the floor and explained that she has a Principal Account Clerk Typist who is supervising an employee who is making the same salary. She had put in for an upgrade for the Principal Account Clerk Typist, which the Budget Officer cut out. She asked that the increase of \$3,500 be reinstated.

Treasurer Bowerman stated it felt that it is a Union matter and Supervisor Barone agreed with the Treasurer and suggested that Ms. Bain discuss the matter with the Labor Management Committee, which would be meeting the following morning.

Ms. Bain alerted the Board that she would soon be retiring. She pointed out that about half of her time is spent programming. The Data Processing Department has increased its programs from 17,000 to 24,000 in the past four years. She pointed out that by taking her programming knowledge with her the remainder of the staff will be overloaded.

There was discussion of the County's current phone system. Ms. Bain stated that the current system will be obsolete next year. The software version the County is currently running is Version 4 whereas the most current software is Version 6. She indicated that if the County does not upgrade there would be the possibility of no voice mail and other such services.

Supervisor Greco felt that any upgrades should be addressed by the new Director who is hired.

Supervisor Greco stated that it's his intention to maintain the current tax level.

Supervisor DiMezza stated that he was not going to vote for any new positions in anyone's budget for the coming year and any vacant positions should be removed from 2010 Budget.

Supervisor DiMezza went on record to say that the County is headed for some tough fiscal times. Every five years the County has been in a bind where the County ends up with a zero fund balance. Supervisor DiMezza stated that the same thing will happen again 2011/2012 unless the County finds a way to raise revenues.

Sheriff Office - Sheriff Amato took the floor and presented the Board with a memo he prepared showing that his revenue line for E911 software could be reduced by \$771.00 due to an adjusted estimate for software.

The Sheriff noted that his and the Undersheriff's salary should be increased due to the non-bargaining agreement. Treasurer Bowerman stated that he had already found this error and has fixed it.

Sheriff Amato requested an increase of \$25,407 in his Motor Vehicle Equipment line to purchase a new vehicle. His original request was to purchase three new vehicles and the Budget Officer cut one vehicle out. He explained that the vehicles that need replacing have over 200,000 miles on them and he requested that the additional vehicle be put back in the budget.

The Sheriff requested an increase of \$31,540 for two PC's and new software for civil accounts. He pointed out that the Department of Data Processing has been working on his request for this program for several years with no result. He explained the cumbersome way the accounts are currently handled. The new software would not be tied into the AS400.

Supervisor DiMezza indicated that the Sheriff's Office would need its own server for running the software.

Sheriff Amato stated that ideally he would like a IT person on-site to work with the micro-wave system and the camera systems. In order to fund the position, funds could come out of the County budget and some funds can be obtained from the 911 revenues.

There was discussion on the amount of inmates being housed. The amount of federal inmates are down, therefore, the revenues are down. No matter how many inmates are being housed there is still the need for an additional correctional officer due to federal regulations.

Supervisor Barone asked Treasurer Bowerman to prepare a report showing each Departments unexpended appropriations.

Public Works - Commissioner Clayburn took the floor and distributed a handout showing the Departments accounts. The General Fund is up by \$69,907, the D Fund went up about \$90,000 and the DM Fund is down about \$113,000. Commissioner Clayburn stated that he needed \$862.00 to make his budget work. Chairman Strevy indicated that the Finance Committee would find the \$862.00 for the Department of Public Works.

Chairman Strevy asked how the Department is doing with this year's budget. Ms. Larman, Business Manager, for DPW stated that they were staying within the budget established by the Board for 2009. Chairman Strevy stated that it shows a job well done and skill when a department can stay within its budget. He pointed out that most departments are doing a good job this year.

Board of Supervisors - Dennis Heaton, Solid Waste Coordinator, took the floor and stated that he managed to negotiate a 5% reduction in the County's GAT for 2009 and 2010. The level of the subsidy was submitted at \$20.50 per ton for the proposed 2010 budget.

There was no money put in the 2010 budget for demolition projects. Currently there is about \$216,000 left in the 2009 budget for demolition projects. Mr. Heaton stated that there is still several projects that will be done before the end of the year.

Supervisor Stagliano stated that the demolition costs should be in the 2010 budget. He stated that he would rather see the County spending money demolishing buildings rather than pay for a shortfall. Chairman Strevy agreed that an estimate should be put in the budget for demolition projects.

Treasurer Bowerman stated that he highly recommends not appropriating any more fund balance. There are two huge items that will effect the County next year, which is the elimination of the stimulus funds and the raise in pension bills.

Supervisor Barone stated if the budget was passed as presented it would be a 2.74 percent increase County wide and that is with using \$6 million dollars from the Fund Balance. Supervisor Barone pointed out that the City of Amsterdam is looking at a 7 percent increase. He does not want the City's tax to increase by that much.

Supervisor DiMezza stated the County needs to look at new revenue sources. This could be obtained through raising the mortgage tax; add \$10 to motor vehicle registrations; and raise the sales tax by 1/4 percent. By raising the sales tax by 1/4 percent an additional \$2.25 million dollars a year can be generated. The mortgage tax could generate \$500,000 a year. The motor vehicle registration increase could generate \$400,00, which could be dedicated to the road program. The goal is not to increase property tax.

Treasurer Bowerman stated that when looking at the breakdown by municipality of tax rates it is a local issue and is not the County's responsibility. The County cannot try to give every tax payer a tax decrease when the County's equalization rates are all over the place. The County has no control over assessment and equalization rates. He pointed out that the differences range from 9 percent increase to a 36 percent decrease.

Treasurer Bowerman warned against taking the easy way out. He pointed out that the Fund Balance at the end of 2009 will be \$14 million dollars. He recommended using \$5.95 million dollars from the Fund Balance for the 2010 Budget, which would drop the Fund Balance below the \$10 million dollars previously established by the Board.

Supervisor Dybas stated that the County is in good shape for the shape that its in. Supervisor

DiMezza agreed and stated that Montgomery County is in better shape than most other counties.

Supervisor Jonker stated that he is not in favor of appropriating any more of the Fund Balance.

Item #2: (Other) Chairman Strevy stated that the Finance Committee will meet the next day, October 15th at 2:00 p.m. to complete the process of meeting with the Departments and several outside agencies.

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

Chairman Strevy adjourned the Finance Committee meeting at 4:01 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - LABOR MANAGEMENT
10:00 AM, October 15, 2009

COMMITTEE MEETING DISCUSSION

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

1. Discussion - 4-Day Work Week
2. Other

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE
2:00 PM, October 15, 2009

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the Finance Committee meeting commencing at 2:00 PM.

Roll call indicated Committee members present were Supervisors Barone, DiMezza, Dybas and Greco. Absent were Supervisors Johnson and Jonker.

Additional Supervisors present were Paton and Baia. Supervisors Walters, Thayer, Thomas, Quackenbush, McMahon and Stagliano were absent.

Chairman Strevy has called a meeting of the Finance Committee for 2:00 p.m. on Thursday, October 15, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. REVIEW AND DISCUSSION OF THE 2010 TENTATIVE BUDGET

- A. Personnel
- B. Social Services
- C. Office of the Aging
- D. Cornell Cooperative Extension
- E. Soil & Water Conservation

2. OTHER

Item #1: REVIEW AND DISCUSSION OF THE 2010 TENTATIVE BUDGET:

Chairman Strevy indicated that the order of discussion would be changed to accommodate the outside agencies.

Soil & Water Conservation - Corey Nellis, Executive Director, addressed the Board and indicated that he would make the \$70,000 in funding that is proposed work. He expressed concern regarding how long it takes the State to make reimbursements but he would keep the Board apprised during the year.

Cornell Cooperative Extension - Marilyn Smith, Executive Director, addressed the Board and Stated that the need for increased funding is because of several factors. There has been a great increase in the workload this past year because of the tomato blight and milk prices dropping. Cornell now is in a partnership with DSS to promote Eat Smart NY.

Ms. Smith indicated that a 3% increase, which would be \$5,000, is not much money, but it would help and she would appreciate if the Board would consider that.

Supervisor Barone Stated that his first responsibility is to the taxpayers of the County.

Chairman Strevy Stated that his hopes are that the committee can come to a consensus on the budget and then take their recommendations to the full Board.

Supervisor Barone asked Ms. Smith if there were any other options for shared services with other counties. She indicated that the State is working closely with the counties for cross-county arrangements.

Office for the Aging - Clifford Balder, Executive Director, addressed the Board and emphasized that a reduction in funding would be a direct impact to the services that are provided to the elderly in the County. He mentioned that, operationally, as many cuts that can be made have been made.

Supervisor DiMezza asked if there was room in the \$20,000 to be cut. Mr. Balder indicated again that any funds that are cut would be a direct impact to the services provided.

Personnel - Richard Baia, Personnel Director, addressed the Board and indicated that the two most expensive line items in his budget are retirement costs and health insurance. The cost of retirement will be increasing from 1.5 million dollars in 2010 to 2.5 in 2011 and possibly 3.5 in 2012.

He mentioned that in the future the retirees will be mandated to utilize mail order or CanadaRX for their prescription drugs which will be a significant savings to the County.

Supervisor Dybas asked if Personnel Officer Richard Baia is comfortable with the numbers he presented to which he responded, yes.

Chairman Strevy commended Mr. Baia on the great job he is doing to keep the cost of insurance as low as possible.

Department of Social Services - William Cranker, Commissioner addressed the Board to let them know his budget is at bare minimum. He pointed out that the stimulus money will be gone and by 2011 the Social Services budget will be 1.4 million dollars in the hole.

Supervisor Barone inquired as to the impact of the budget regarding the Spanish Interpreter. Commissioner Cranker said there would be a \$26,000 increase for the position.

County Treasurer Shawn Bowerman emphasized to the Board that in order to bring every town and the city to 0%, the Board would need to cut 2.2 million dollars on top of the 5.9 million dollars from the fund balance.

Item #2: (Other) Chairman Strevy informed the committee that a Budget Workshop will be held on Monday, October 19, 2009, at 2:00 p.m., in the Conference Room of the Supervisors Office.

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

Chairman Strevy adjourned the Finance Committee meeting at 3:48 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE
7:00 PM, October 20, 2009

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the Finance Committee meeting commencing at 7:00 PM.

Roll call indicated Committee members present were Supervisors Barone, DiMezza and Dybas, Greco, Johnson and Jonker.

Additional Supervisors present were Supervisors Quackenbush, McMahon, Paton, Bai a, Thayer, Stagliano and Thomas. Absent was Supervisors Walters.

Chairman Strevy has called a meeting of the Finance Committee for 7:00 p.m. on Tuesday, October 20, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. PRESENTATION:
BOLLAM, SHEEDY, TORANI, & CO. - 2008 ANNUAL FINANCIAL COUNTY AUDIT
2. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MILLIMAN, INC. - RETIREE DRUG SUBSIDY ACTUARIAL RENEWAL ATTESTATION (PERSONNEL)
3. BOND RESOLUTION OF MONTGOMERY COUNTY, NY AUTHORIZING REPLACEMENT OF VARIOUS BRIDGES WITHIN THE COUNTY, ESTIMATING AGGREGATE COST TO BE \$2,431,200; APPROPRIATING AMOUNT AND AUTHORIZING ISSUANCE OF \$2,431,200 SERIAL BONDS OF THE COUNTY TO FINANCE SAID COST (TREASURER)
4. RESOLUTION DESIGNATING THE COUNTY OF MONTGOMERY AS A RECOVERY ZONE (TREASURER)
5. RESOLUTION APPROVING AND ACCEPTING POST CLOSURE MONITORING AND MAINTENANCE AGREEMENT REGARDING THE MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA) CLOSED LANDFILLS (SOLID WASTE)
6. RESOLUTION AWARDING BID NUMBER 12-09 NEW COURTHOUSE MANSARD ROOF REPLACEMENT (DPW)
7. RESOLUTION AWARDING BID NUMBER 13-09 DIRECT FIRED GAS THERMIFIC WATER HEATER (DPW)
8. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2010-2011 MASS TRANSPORTATION SERVICES - MONTGOMERY AREA EXPRESS (THE MAX) - (ECONOMIC DEVELOPMENT AND PLANNING)
9. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT NYSDOT SECTION 5316 JARC FUNDS MONTGOMERY MAX OPERATING ASSISTANCE 2010 & 2011 (ECONOMIC DEVELOPMENT AND PLANNING)
10. RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN AGREEMENT-CITY OF AMSTERDAM PLANNING SERVICES (ECONOMIC DEVELOPMENT AND PLANNING)
11. RESOLUTION ESTABLISHING NEGATIVE DECLARATION IN A SEQR DETERMINATION FOR SNOWMOBILE TRAIL (ECONOMIC DEVELOPMENT AND PLANNING)
12. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LOAN AGREEMENT AMENDMENT WITH POWER PALLET INC. IN RELATION TO THE OFFICE OF COMMUNITY RENEWAL PROJECT#748ED604-07 (ECONOMIC DEVELOPMENT AND PLANNING)
13. OTHER

Item #1: Presentation: BOLLAM, SHEEDY, TORANI, & CO. - 2008 ANNUAL FINANCIAL COUNTY AUDIT

Will Reynolds of Bollam, Sheedy, Torani took the floor and reviewed the 2008 Financial Audit. He pointed out that there was an error because of an malfunction with their Excel Program, which carried through on several of the pages. Bollam, Sheedy and Torani will fix the numbers and reissue the Audit.

Item #2: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MILLIMAN, INC. - RETIREE DRUG SUBSIDY ACTUARIAL RENEWAL ATTESTATION) (PERSONNEL) Supervisors DiMezza and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3: (BOND RESOLUTION OF MONTGOMERY COUNTY, NY AUTHORIZING REPLACEMENT OF VARIOUS BRIDGES WITHIN THE COUNTY, ESTIMATING AGGREGATE COST TO BE \$2,431,200; APPROPRIATING AMOUNT AND AUTHORIZING ISSUANCE OF \$2,431,200 SERIAL BONDS OF THE COUNTY TO FINANCE SAID COST) (TREASURER)) Supervisors DiMezza and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Supervisor DiMezza pointed out that the County is playing catch-up with repairing roads and bridges because nothing was done with them for about 10 years.

Item #4: (RESOLUTION DESIGNATING THE COUNTY OF MONTGOMERY AS A RECOVERY ZONE) (TREASURER) Supervisors Strevy and Greco made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #5: (RESOLUTION APPROVING AND ACCEPTING POST CLOSURE MONITORING AND MAINTENANCE AGREEMENT REGARDING THE MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA) CLOSED LANDFILLS) (BOARD OF SUPERVISORS) Supervisors Greco and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Dennis Heaton, Solid Waste Coordinator pointed out that it is the responsibility of three Counties along with MOSA to maintain post closure activities of the closed landfills.

Item #6: (RESOLUTION AWARDED BID NUMBER 12-09 NEW COURTHOUSE MANSARD ROOF REPLACEMENT) (DPW) Supervisors Johnson 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 #7: (RESOLUTION AWARDED BID NUMBER 13-09 DIRECT FIRED GAS THERMIFIC WATER HEATER) (DPW) Supervisors Strevy and Barone made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #8: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2010 - 2011 MASS TRANSPORTATION SERVICES - MONTGOMERY AREA EXPRESS (THE MAX) - (ECONOMIC DEVELOPMENT AND PLANNING) Supervisors Dybas and Baia made a motion and seconded, respectively, to move the Resolution. Supervisors Dybas and Barone made a motion and seconded, respectively, to Table the Resolution. There were no objections.

Item #9: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT NYSDOT SECTION 5316 JARC FUNDS MONTGOMERY MAX OPERATING ASSISTANCE 2010 & 2011 (ECONOMIC DEVELOPMENT AND PLANNING) Supervisors Barone and Greco made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #10: (RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN AGREEMENT-CITY OF AMSTERDAM PLANNING SERVICES) (ECONOMIC DEVELOPMENT AND PLANNING) Supervisors Dybas and Barone made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Supervisor Barone pointed out the Amsterdam City Council wanted \$25,000 more to perform the Zoning Ordinance Update than what the County is going to do it for.

Item #11: (RESOLUTION ESTABLISHING NEGATIVE DECLARATION IN A SEQR DETERMINATION FOR SNOWMOBILE TRAIL) (ECONOMIC DEVELOPMENT AND PLANNING) Supervisors Barone 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 #12: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LOAN AGREEMENT AMENDMENT WITH POWER PALLET INC. IN RELATION TO THE OFFICE OF COMMUNITY RENEWAL PROJECT #748ED604-07 (ECONOMIC DEVELOPMENT AND PLANNING)). The Committee agreed to move this Resolution to end of the meeting because it would require an executive session.

Supervisor Quackenbush exited the Chamber at 7:43 p.m.

ADD-ON RESOLUTIONS:

(RESOLUTION RESCINDING RESOLUTION #220 OF 2009 AND ACKNOWLEDGING MONTGOMERY COUNTY'S FINANCIAL SUPPORT FOR THE MANAGEMENT INFORMATION SYSTEM PROJECT AND THE CLASSROOM BUILDING RENOVATIONS - PHASE II PROJECT) (FUTURE CAPITAL PLAN) (FMCC) Supervisors Dybas and Baia made a motion and seconded, respectively, to move the Resolution.

Supervisor McMahon explained that the State had an issue with some of the wording of Resolution Number 220 of 2009 and he requested that the Clerk of the Board prepare another resolution mirroring Fulton County's Resolution, which was acceptable to the State.

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

Chairman Strevy read the attached "Finance Committee Report of the 2010 Tentative Budget". He presented two add-on resolutions relating to the 2010 Tentative Budget as follows:

(RESOLUTION TO AMEND 2010 TENTATIVE BUDGET - CORRECTIONS) Supervisors DiMezza and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

(RESOLUTION TO AMEND 2010 TENTATIVE BUDGET - FINANCE COMMITTEE RECOMMENDATION) supervisors DiMezza and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

EXECUTIVE SESSION:

Pursuant to Section 105 (H) of the NYS Open Meeting Law, the motion was made and seconded by Supervisor DiMezza and Barone, respectively, to enter into Executive Session to discuss an amendment to a loan agreement.

Supervisor Stagliano exited the Chamber at this point (8:06 p.m.).

Executive Session commenced at 8:06 p.m.

Motion to adjourn the Executive Session was made and seconded by Supervisors Barone and Bai a, respectively.

Executive Session adjourned at 8:15 p.m.

(RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LOAN AGREEMENT AMENDMENT WITH POWER PALLET INC. IN RELATION TO THE OFFICE OF COMMUNITY RENEWAL PROJECT #748ED604-07 (ECONOMIC DEVELOPMENT AND PLANNING). Supervisors DiMezza and Barone made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There was one objection made by Supervisor Jonker.

Item #13: (Other) There was no other business.

Supervisors Barone and 8:16 p.m. made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Strevy adjourned the Finance Committee meeting at 8:16 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, October 27, 2009

CALL TO ORDER

Chairman Thomas called the Regular Meeting of the Montgomery County Board of Supervisors for October 27, 2009 to order at 7:00 PM.

SALUTE TO THE FLAG

Supervisor Paton led the Salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors McMahon, Strevy, Dybas, Thayer, Barone, Thomas, Baia, Greco, Paton, Walters and Quackenbush, Johnson, Jonker, DiMezza and Stagliano were present.

PRIVILEGE OF THE FLOOR

A. Proclamation - Dewey Gerald Bell

Supervisor Walters read and presented Mr. Bell with a proclamation honoring his 60 years of service in the Charleston Fire Department.

B. Proclamation - Eleanor Gargilo Gill

Supervisor Barone read and presented a proclamation to a designee for Eleanor Gargilo Gill for Care Giver of the Year

C. Proclamation - Thomas DiMezza

Supervisor Johnson read and presented a proclamation to Thomas DiMezza honoring his 29 years of service, upon retirement, from the Amsterdam Police Department

D. Public Comment

Lauren Bibby took the floor and expressed her dissatisfaction with the minutes from the June 23rd Board meeting. She pointed out that she had dropped off paper work, for the Ethics Board, at the Board of Supervisors Office that afternoon concerning what she thought was a conflict of interest regarding Vice Chairman Walters who also serves as Chairman of the General Services Committee who oversees solid waste. At the Board meeting she produced documentation from the Department of State regarding violations relative to Mr. Walters property. She stated that she did not say that Vice Chairman Walters was fined by the Department of State for the junk on his property. She also pointed out that the minutes from the June 23rd meeting were not posted to the web site until October. She stated that she submitted a FOIL request for a copy of the audio file of the June 23rd meeting and once she has it she will make it public.

Ms. Bibby said that the State should mandate consolidation of services because there is no consistency in the County.

Cliff Balder, Director of the Montgomery County Office of the Aging, took the floor and stated that the budget request of \$240,000 that was submitted to Montgomery County represents about 12% of their budget. Mr. Balder pointed out that the County's portion of his budget is used for services and by cutting his budget it would mean cutting services. Mr. Balder asked that the Board of Supervisors reconsider making any cuts to his budget request.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (September 22, 2009 - October 20, 2009) by Supervisor Quackenbush, seconded by Supervisor DiMezza, passed with Aye(1868).

APPROVAL OF BUDGETARY TRANSFER

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

UNFINISHED BUSINESS

There was no unfinished business.

SUSPEND RULES

MOTION TO SUSPEND THE RULES by Supervisor Dybas, seconded by Supervisor Greco, to consider Resolution 249 prior to Resolution 225 passed with Aye(1868).

NEW BUSINESS

A. Resolutions

B. Other

RESOLUTION NO. 223 of 2009

DATED: October 27, 2009

RESOLUTION EXPRESSING APPRECIATION FOR THE SERVICES OF RETIRING REAL PROPERTY TAX SERVICE AGENCY DIRECTOR - FLORENCE STANTON

Resolution by Supervisor: Thomas

Seconded by Supervisor: Barone, Sr.

WHEREAS, Florence Stanton, Director of Real Property Tax Service Agency, is retiring from Montgomery County effective October 30, 2009, and

WHEREAS, the successful and efficient conduct of business by the Montgomery County Department of Real Property Tax Service Agency has been due, in large measure, to the guidance of Florence Stanton, and

WHEREAS, Ms. Stanton has been the Director of Real Property Tax Service Agency for thirteen (13) years, but also a long-term County employee with 30 years of dedication and commitment, and

WHEREAS, it is appropriate that the Board of Supervisors express its appreciation to Florence Stanton for her many years of devoted service,

RESOLVED, that the Montgomery County Board of Supervisors hereby commends Florence Stanton for her outstanding leadership and service to the Montgomery County Real Property Tax Service Agency and to the citizens of Montgomery County and wish her well in her future endeavors.

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 224 of 2009

DATED: October 27, 2009

RESOLUTION SUPPORTING TOURISM FUNDING APPLICATION - MONTGOMERY COUNTY CHAMBER OF COMMERCE (TOURISM)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Thomas

WHEREAS, The Montgomery County Chamber of Commerce is applying for New York State "I Love New York" funds for the 2010 tourism year, and

WHEREAS, said Chamber of Commerce has been designated the County's Tourism Promotion Agency, and

WHEREAS, said request for matching funds has been reviewed and approved by the Montgomery County Economic Development/Planning Committee,

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 to matching funds, 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). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 225 of 2009

DATED: October 27, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TOURISM PROMOTION AGENCY - MONTGOMERY COUNTY CHAMBER OF COMMERCE (TOURISM)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Quackenbush

WHEREAS, the Montgomery County Board of Supervisors encourages and supports tourism promotion within Montgomery County, and

WHEREAS, the Montgomery County Chamber of Commerce has requested to renew their designation as the County's Official Tourism Promotion Agency for an administration cost of \$50,000.00, and

WHEREAS, said designation is for a one-year period commencing on January 1, 2010 and ending on December 31, 2010,

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 January 1, 2010 and ending on December 31, 2010, and

FURTHER RESOLVED, that the Chairman of the Board, upon review and approval of the County Attorney, is hereby authorized 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 \$50,000.00.

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 226 of 2009

DATED: October 27, 2009

RESOLUTION ADOPTING 2010 STOP-DWI PLAN (STOP DWI)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Quackenbush

WHEREAS, the Stop DWI Coordinator has submitted the 2010 Stop DWI Plan,

RESOLVED, that the Board of Supervisors hereby adopts said Plan, and

FURTHER RESOLVED, that no funds for said plan should be appropriated from general revenues of the County of Montgomery.

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 227 of 2009

DATED: October 27, 2009

RESOLUTION APPROPRIATING RESERVE FUNDS (STOP-DWI)

Resolution by Supervisor: Thayer

Seconded by Supervisor: Dybas

WHEREAS, the STOP-DWI Coordinator has recommended an allocation of reserve funding for the purchase of Secure Continuous Remote Alcohol Monitoring (SCRAM) bracelets for the monitoring of alcohol consumption by persons on probation supervision, and

WHEREAS, the SCRAM bracelets will be purchased by the Stop-DWI Department for use within the Montgomery County Probation Department at a cost of \$1,500.00 per unit, and

WHEREAS, the Stop-DWI Coordinator is requesting appropriated funds in the amount of \$3,000.00 for

the purchase of two (2) SCRAM bracelets, and

WHEREAS, the Montgomery County District Attorney's Office will also provide necessary funding for the purchase of one (1) additional unit,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE:

A-511	Appropriated Reserve – STOP-DWI	\$ 3,000.00
A-32-4-3315-00 -.2250	Technical Equipment	\$ 3,000.00

, and

FURTHER RESOLVED, that any portion of said allocation not used for the purchase of said SCRAM bracelets shall be returned to the Montgomery county STOP-DWI Reserve Fund.

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 228 of 2009

DATED: October 27, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT VALUES IMPROVEMENT PROGRAM (STOP-DWI)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

WHEREAS, Resolution No. 139 of 2009 endorsed the implementation of the Alive at 25, Younger Driver Education Program and the Values Improvement Program, and

WHEREAS, there is no County cost associated with this program as any expenditures will be covered by a court ordered defendant fee payable to Montgomery County Stop-DWI,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign any and all related agreements and contracts for the Values Improvement Program.

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 229 of 2009

DATED: October 27, 2009

RESOLUTION RESCINDING RESOLUTION NUMBERS 444 OF 1990, 180 OF 2003 AND 266 OF 2004 REGARDING USER FEES FOR THE SHERIFF'S OFFICE AND ESTABLISHING A NEW USER FEE SCHEDULE FOR SHERIFF'S OFFICE (SHERIFF)

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Greco

WHEREAS, there have been several Resolutions over the years to establish and amend the user fees for the Sheriff's Office, and

WHEREAS, the Public Safety Committee, at its meeting on October 6, 2009, recommended that all previous Resolutions associated with the user fees be rescinded and a new User Fee Schedule be established, and

WHEREAS, such user fees are permissible by law and are charged by all county sheriff's departments,

RESOLVED, that Resolution Numbers 444 of 1990, 180 of 2003 and 266 of 2004 are hereby rescinded, and

FURTHER RESOLVED, that effective October 28, 2009, the Montgomery County Board of Supervisors does hereby authorize the County Sheriff to establish fees charged by the Sheriff's Office as follows:

Accident Reports	\$10.00
Investigation Reports	\$10.00
Pistol Permits	\$25.00
Photographs	\$25.00
Fingerprint Services	\$20.00
Vehicle Storage Per Day	\$15.00

RESOLUTION ADOPTED with Aye(1731). Supervisor Bai a voted Nay. (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 230 of 2009

DATED: October 27, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DOS - LOCAL ENHANCED WIRELESS 911 PROGRAM (SHERIFF)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Jonker

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 \$27,003.00,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized to sign a grant agreement with the NYS Department of State in the amount of \$27,003.00 for reimbursement for certain costs associated with the provision of Wireless 911 services.

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 231 of 2009

DATED: October 27, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - SHERIFF

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Bai a

WHEREAS, the Sheriff's Office received \$1,000.00 as a gift from Wal-Mart, and

WHEREAS, the Sheriff's Office received \$2,811.37 for its forfeited share of a closed drug arrest, and

WHEREAS, all funds will be used to purchase equipment to benefit the Sheriff's Office and the taxpayers it serves,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUES:

A-15-3-2705-00	Gifts and Donations	\$1,000.00
A-15-3-2626-00	Forfeiture Criminal Proceeds Restricted	\$2,811.37

INCREASE APPROPRIATIONS:

A-15-4-3110-00.2250	Technical Equipment	\$1,691.16
A-15-4-3110-00.2259	Computer Equipment	\$ 676.98
A-15-4-3110-00.4449	Special Supplies and Materials	\$1,443.23

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 232 of 2009**DATED:** October 27, 2009**RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT WITH NEW YORK STATE OFFICE OF HOMELAND SECURITY (EMERGENCY MANAGEMENT)**

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Bai a

WHEREAS, the County has been notified of the award of a \$208,000 FY08 State Homeland Security Program (SHSP), (SLETPP) & (SLHD) Grant for the Emergency Management Office, the Sheriff's Office and the Public Health Department, and

WHEREAS, the State Homeland Security Program (SHSP) in the amount of \$128,222.00, the State Law Enforcement Prevention Program (SLETPP) in the amount of \$52,000.00 and the State Local Health Department (SLHD) in the amount of \$27,778.00 has a no cost requirement to the County,

RESOLVED, that the Montgomery County Board of Supervisors hereby authorizes acceptance of a \$208,000 State Homeland Security Grant, and

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

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County AttorneyRobin Loske
Clerk, Board of Supervisors**RESOLUTION NO. 233 of 2009****DATED:** October 27, 2009**RESOLUTION FOR PURCHASE OF SCRAM BRACELETS FOR THE MONITORING OF ALCOHOL CONSUMPTION BY PERSONS ON PROBATION SUPERVISION (PROBATION)**

Resolution by Supervisor: Thayer

Seconded by Supervisor: Bai a

WHEREAS, the Montgomery County Probation Department is responsible for the supervision of individuals convicted of "Driving While Intoxicated" in the community, and

WHEREAS, as a condition of their probation supervision these individuals are ordered by the sentencing court to completely discontinue the consumption of alcohol, and

WHEREAS, the Probation Department is charged with monitoring the activities of DWI offenders and close scrutiny of their commitment to sobriety is an important part of their supervision, and

WHEREAS, currently the only method of determining alcohol consumption among this population is through the random use of intoximeters (breathalyzers) and this procedure is limited in scope by constraints of time and personnel, and

WHEREAS, the Secure Continuous Remote Alcohol Monitoring (SCRAM) bracelet, placed on the ankle of the offender, provides a 24/7 continuous reading of the alcohol consumption of the offender, and

WHEREAS, this product is available to Montgomery County in the amount of \$1,500.00 per unit and there are funds available through STOP DWI Reserve funds to purchase two units, and

WHEREAS, an additional fee of \$5.30 per day is charged when the bracelet is attached to an offender and this charge would be the responsibility of the offender,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign an agreement with Alcohol Monitoring Systems, Inc. for a period commencing on January 1, 2010 and ending December 31, 2010 for the provision of an alcohol monitoring system with Montgomery County, and

FURTHER RESOLVED, that this contract is contingent upon the approval of the Board of Supervisors to authorize the purchase of two SCRAM bracelets through STOP DWI Reserve funds for use by the Probation Department to monitor this program in concert with the supervising court.

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County AttorneyRobin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 234 of 2009**DATED:** October 27, 2009

RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE ASSOCIATION OF COUNTIES (NYSAC) TO PARTICIPATE IN THE NEW YORK SAFETY PROGRAM (BOARD OF SUPERVISORS)

Resolution by Supervisor: Bai a

Seconded by Supervisor: Strevy

WHEREAS, to promote safety and cost saving measurers for the County it would be beneficial for the Safety Officer to train County employees in defensive driving, and

WHEREAS, the Safety Officer must be approved by the New York State Department of Motor Vehicles to provide defensive driving courses,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized to sign an agreement with NYSAC to participate in the New York Safety Program at a cost of \$215.00.

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County AttorneyRobin Loske
Clerk, Board of Supervisors**RESOLUTION NO. 235 of 2009****DATED:** October 27, 2009

RESOLUTION ACCEPTANCE OF THE PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT FUNDS (PUBLIC HEALTH)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Strevy

WHEREAS, the Montgomery County Public Health Department has been awarded a Public Health Emergency Preparedness Grant for the period August 10, 2009 through August 09, 2010 in the amount of \$169,781.00,

RESOLVED, that the Board of Supervisor's hereby authorizes acceptance of the Public Health Emergency Preparedness Grant, and

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

FURTHER RESOLVED, that this grant may be renewed without further action of the Board of Supervisors contingent upon the terms therein remain substantially the same, and

FURTHER RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget, as follows:

INCREASE REVENUES:

A-16-3-3401-06	Public Health Grant	\$169,781.00
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INCREASE APPROPRIATIONS:

A-16-4-4010-06	Public Health Grant	
A-16-4-4010-06.1111(320)	Overtime	3,300.00
A-16-4-4010-06.1120(535)	Part-time Employee	32,688.00
A-16-4-4010-06.4408	Office Supplies	2,000.00
A-16-4-4010-06.4411	Telephone Expense	1,630.00
A-16-4-4010-06.4425	Maintenance Agreements	3,800.00
A-16-4-4010-06.4431	Professional Services	108,571.00
A-16-4-4010-06.4438	Misc. Supporting Services	10,292.00
A-16-4-4010-06.4445	Medical Supplies	6,500.00
A-16-4-4010-06.4470	Travel Related Expense	500.00
A-16-4-4010-06.4471	Mileage Expense	500.00

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon

Robin Loske

County Attorney

Clerk, Board of Supervisors

RESOLUTION NO. 236 of 2009

DATED: October 27, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONTRACT - PUBLIC HEALTH 2009 H1N1 INFLUENZA MASS VACCINATION CLINICS (PUBLIC HEALTH)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Dybas

WHEREAS, the Public Health Department has been awarded additional Public Health Emergency Preparedness grant funds from the New York State Department of Health for the purpose of conducting Mass Vaccination Points of Distribution to the residents of Montgomery County identified in priority groups, and

WHEREAS, the Public Health Director has recommended contracting for Mass Vaccination Services, and

WHEREAS, St. Mary's Hospital has agreed to provide said professional services to said population,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign an agreement with St Mary's Hospital for conducting Public Health 2009 H1N1 Influenza Mass Vaccination Clinics in Montgomery County, and

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(1868). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 237 of 2009

DATED: October 27, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET -MENTAL HEALTH

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Johnson

WHEREAS, the Director of Community Services has recommended amending the County Budget for the Mental Health Department to reflect an increase in New York State Mental Health revenue funding for the Mental Health Department revenue account and increasing the Mental Health Programs Community Support Systems appropriation account for the Mental Health Department, and

WHEREAS, the Director of Community Services recommends these changes to allow for changes in New York State funding effecting St. Mary's Hospital Behavioral Healthcare, whereby funds that previously were paid directly to St. Mary's Hospital will now be paid to Montgomery County to funds services at St. Mary's Hospital, and

WHEREAS, said changes require budget amendments to reflect the appropriate amounts in the appropriate lines utilized for these funds,

RESOLVED, the County Treasurer is hereby directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUES:

A-17-3-3490-00	Mental Health	\$1,358,063.00
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INCREASE APPROPRIATIONS:

A-17-4-4320-00-.4565	Community Support System	\$1,358,063.00
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RESOLUTION ADOPTED with Aye(1729). Supervisor Greco abstained. (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 238 of 2009

DATED: October 27, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT (EAP) EMPLOYEE ASSISTANCE PROGRAM ST.

MARY' S HOSPITAL (PERSONNEL)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Bai a

WHEREAS, it has been recommended by the Personnel Officer that Montgomery County continue to participate in the Employee Assistance Program that is currently provided by St. Mary's Hospital,

RESOLVED, that the Chairman of the Board of Supervisors hereby is authorized, 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, 2010 and ending December 31, 2010.

RESOLUTION ADOPTED with Aye(1729). Supervisor Greco abstained. (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 239 of 2009

DATED: October 27, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MILLIMAN, INC. - RETIREE DRUG SUBSIDY ACTUARIAL RENEWAL ATTESTATION (PERSONNEL)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Dybas

WHEREAS, Montgomery County has the opportunity again to apply with the Centers for Medicare and Medicaid Services (CMS) to receive a federal subsidy, the Retiree Drug Subsidy (RDS), for the continued maintenance of its retiree plan, and

WHEREAS, the application process requires an actuarial attestation stating that the Montgomery County plan is at least as good as the standard Medicare Part D benefit, and

WHEREAS, it is again in the best interest of the County to pursue the RDS and the Personnel Officer has recommended utilizing the professional services of Milliman, Inc. to provide said attestation,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized to sign an agreement with Milliman, Inc. for the provision of actuarial attestation stating that the Montgomery County retiree prescription drug plan is at least as good as the standard Medicare Part D benefit in order to apply to the Centers for Medicare and Medicaid to receive the Retiree Drug Subsidy, and

FURTHER RESOLVED, that the total cost of said attestation shall not exceed \$2,750.00, effective January 1, 2010 - December 31, 2010.

RESOLUTION ADOPTED with Aye(1729). Supervisor Greco abstained. (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 240 of 2009

DATED: October 27, 2009

BOND RESOLUTION OF MONTGOMERY COUNTY, NY AUTHORIZING REPLACEMENT OF VARIOUS BRIDGES WITHIN THE COUNTY, ESTIMATING AGGREGATE COST TO BE \$2,431,200; APPROPRIATING AMOUNT AND AUTHORIZING ISSUANCE OF \$2,431,200 SERIAL BONDS OF THE COUNTY TO FINANCE SAID COST

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Dybas

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. 204 of 2009, dated September 22, 2009 (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 following capital improvements and projects (the "Projects"): the replacement of three (3) bridges: (Casler Road B.I.N. 3309430 in the Town of Minden; Round Barn Road B.I.N. 3310060 in the Town of Glen and Cherry Valley Road B.I.N. 3309560 in the Town of Canajoharie (the "BIN Bridges")), the maximum aggregate cost thereof being hereby estimated to be \$2,431,200.00, appropriating said amount therefore and authorizing the issuance of \$2,431,200.00 serial bonds to finance such costs.

SECTION 2

It is determined that the period of probable usefulness of the aforesaid specific objects or purposes are as follows:

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 \$2,431,200.00 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 Projects 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 the Projects.

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(1868). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 241 of 2009

DATED: October 27, 2009

RESOLUTION DESIGNATING THE COUNTY OF MONTGOMERY AS A RECOVERY ZONE (TREASURER)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Greco

WHEREAS, the American Recovery and Reinvestment Act of 2009 ("ARRA") authorizes the County of Montgomery to issue Recovery Zone Economic Development Bonds in an amount up to \$973,000 pursuant to a sub allocation of the national volume cap for Recovery Zone Bonds provided by the Federal Treasury Department, and

WHEREAS, Recovery Zone Economic Development Bonds are entitled to a direct federal subsidy of 45% of the interest thereon, and

WHEREAS, the County of Montgomery is required to designate a recovery zone prior to issuing such bonds, and

WHEREAS, any such bonds must be for expenditures for property located within the recovery zone or otherwise promote economic activity therein, and

WHEREAS, the term recovery zone is defined to mean (1) any area designated by the County as having significant poverty, unemployment, rate of home foreclosures, or general distress; (2) any area designated by the County as economically distressed by reason of the closure or realignment of a military installation pursuant to the Defense Base Closure and Realignment Act of 1990; or (3) any area for which a designation as an empowerment zone or renewal community is in effect as of February 17, 2009, and

WHEREAS, it is now desired to designate the County of Montgomery as a recovery zone under the American Recovery and Reinvestment Act,

RESOLVED, the County of Montgomery is hereby designated as a recovery zone for purposes of the American Recovery and Reinvestment Act as a result of significant unemployment, home foreclosure rates and general distress as the current recession has had and continues to have a significant adverse impact on the County as a whole, and

FURTHER RESOLVED, this Resolution takes effect immediately.

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 242 of 2009

DATED: October 27, 2009

RESOLUTION APPROVING AND ACCEPTING POST CLOSURE MONITORING AND MAINTENANCE AGREEMENT REGARDING THE MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA) CLOSED LANDFILLS (BOARD OF SUPERVISORS)

Resolution by Supervisor: Greco

Seconded by Supervisor: Jonker

WHEREAS, in 1987, Montgomery, Otsego, and Schoharie Counties united to provide solid waste management services through the creation of MOSA, and

WHEREAS, historically MOSA member Counties relied on landfills located within the member Counties for disposal and upon creation of MOSA, title to the landfills were passed from the Counties to MOSA along with the attendant operating, closure, and post closure responsibilities, and

WHEREAS, to date the required post closure maintenance of the subject landfills has been performed by MOSA, with subsequent costs being passed through to MOSA users through the MOSA tip fee, and

WHEREAS, the Counties recognize that regardless of how solid waste issues are managed in the future, either with or without MOSA, the Counties continue to be responsible for the post closure monitoring and maintenance of the closed landfills, and

WHEREAS, a "Post Closure Monitoring and Maintenance Agreement" has been drafted, which defines said responsibilities of the MOSA member Counties regarding post closure management of the closed landfills, and

WHEREAS, each MOSA member County, individually and jointly, have reviewed and are in support of the requirements of the "Post Closure Monitoring and Maintenance Agreement",

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized to sign the "Post Closure Monitoring and Maintenance Agreement", and

FURTHER RESOLVED, the Montgomery County Board of Supervisors acceptance of the "Post Closure Maintenance Agreement" is conditional upon the mutual acceptance of the Agreement from each of the MOSA member Counties, Otsego and Schoharie, as well as acceptance of the Agreement by the

MOSA Governing Board.

MOTION TO TABLE by Supervisor Strevy, seconded by Supervisor Dybas, passed with Aye(1868).
(10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 243 of 2009

DATED: October 27, 2009

RESOLUTION AWARDING BID NUMBER 12-09 NEW COURTHOUSE MANSARD ROOF REPLACEMENT (DPW)

Resolution by Supervisor: Johnson

Seconded by Supervisor: Di Mezza

WHEREAS, the Purchasing Department was authorized to solicit bids for the Mansard Roof Replacement on the New Courthouse, Building No. 6, for the Department of Public Works, and

WHEREAS, said bids were opened on October 26, 2009,

RESOLVED, the Board of Supervisors hereby awards Bid Number 12-09 to _____, of _____ in the amount of \$_____.

MOTION TO AMEND by Supervisor Walters, seconded by Supervisor Dybas, to insert Titan Roofing Inc. of Cohoes, NY in the amount of \$98,500 in the "RESOLVED" clause passed with Aye(1868).
(10/27/2009)

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 244 of 2009

DATED: October 27, 2009

RESOLUTION AWARDING BID NUMBER 13-09 DIRECT FIRED GAS THERMIFIC WATER HEATER (DPW)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Barone, Sr.

WHEREAS, the Purchasing Department was authorized to solicit bids for a Direct Fired Gas Thermific Water Heater in the Public Safety Facility, Building No. 24, for the Department of Public Works, and

WHEREAS, said bids were opened on October 26, 2009,

RESOLVED, the Board of Supervisors hereby awards Bid Number 13-09 to _____, of _____ in the amount of \$_____.

MOTION TO AMEND by Supervisor Walters, seconded by Supervisor Barone, Sr., to insert Johnson Controls of Albany, NY in the amount of \$65,000 in the "RESOLVED" clause passed with Aye(1868).
(10/27/2009)

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 245 of 2009

DATED: October 27, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT NYSDOT SECTION 5316 JARC FUNDS MONTGOMERY MAX OPERATING ASSISTANCE 2010 & 2011 (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Greco

WHEREAS, the U. S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration to support eligible projects under Section 5316 JARC (FTA C

9050.1), and

WHEREAS, NYSDOT has been designated by the Governor of the State of New York to administer Section 5316 Federal formula reimbursement funds for projects designed to increase access for welfare recipients and low income persons to employment, as identified through a coordinated planning process, and consistent with the eligible activities described in the FTA Circular 9050.1, and

WHEREAS, Montgomery County will enter into contract with NYSDOT for Operating Assistance for FTA Section 5316 Federal funds to implement an eligible JARC service in Montgomery County for an awarded Federal Share amount of \$150,000, and including the provision by it of the FTA required Local Share of \$150,000 project costs, and

WHEREAS, Montgomery County has fulfilled the FTA coordinated plan requirements that the project "must be derived from the project area Coordinated Plan",

RESOLVED,

1. The Montgomery County Board of Supervisors, upon review and approval of the County Attorney, does hereby authorize the Chairman of the Board to file and execute applications on behalf of Montgomery County with NYSDOT to aid in the financing of an operating assistance project pursuant to FTA Section 5316 JARC (FTA C 9050.1), as amended;
2. That the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is authorized to execute and file all Annual FTA Certification and Assurances, contract/agreements or any other document required by NYSDOT;
3. That the Chairman of the Board of Supervisors, upon compilation of the County's Mobility Coordinator, is authorized to submit and approve payment requests for reimbursement of Section 5316 Federal funds from the NYSDOT for eligible activities within the FTA Section 5316 JARC project/s;

and,

FURTHER RESOLVED, that the Montgomery County Board of Supervisors hereby accepts and appropriates the above named project, as required by the Grant Agreement.

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 246 of 2009

DATED: October 27, 2009

RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN AGREEMENT-CITY OF AMSTERDAM PLANNING SERVICES (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Barone, Sr.

WHEREAS, the City of Amsterdam has requested the Montgomery County Department of Economic Development and Planning to enter into an agreement to provide planning services to the City of Amsterdam to perform an update of the City's Zoning Ordinance, and

WHEREAS, the Montgomery County Department of Economic Development and Planning submitted a proposal to complete the Zoning Ordinance Update for the lump sum of Twenty Thousand Dollars (\$20,000.00), which was accepted by the Common Council of the City of Amsterdam,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign an agreement with the City of Amsterdam for the Department of Economic Development and Planning to provide said services in the amount of \$20,000.00.

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 247 of 2009

DATED: October 27, 2009

RESOLUTION ESTABLISHING NEGATIVE DECLARATION IN A SEQR DETERMINATION FOR SNOWMOBILE TRAIL (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Jonker

WHEREAS, Montgomery County is the Local Sponsor and Administrator for the NYS OPRHP Snowmobile Trails Grant-In-Aid Program, and

WHEREAS, the Ful-Mont Snow Travelers Club is re-routing approximately 1.8 miles of trail C7B, which is subject to review under State Environmental Quality Review Act (SEQR) and is classified as an Unlisted Action pursuant to the regulations found in §6 NYCRR, Part 617, and

WHEREAS, the Board of Supervisors has designated itself as lead agency, and

WHEREAS, the Board of Supervisors has reviewed all the pertinent information with regard to SEQR, including the Part I of the Short EAF, and

WHEREAS, the Board of Supervisors in completing Part 2 of the Short EAF, as lead agency for the project pursuant to regulations found in 6 NYCRR Part 617, determined that the project will not have a significant effect on the environment,

RESOLVED, that the Montgomery County Board of Supervisors will issue a negative declaration, authorizing the Chairman of the Board of Supervisors, upon review and approval by the County Attorney, to sign the Short EAF indicating this project will not have a significant effect on the environment.

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 248 of 2009

DATED: October 27, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LOAN AGREEMENT AMENDMENT WITH POWER PALLET INC. IN RELATION TO THE OFFICE OF COMMUNITY RENEWAL PROJECT #748ED604-07 (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Barone, Sr.

WHEREAS, Resolution No. 242 of 2008, authorized the Chairman of the Board of Supervisors, of Montgomery County, to sign a loan agreement with Power Pallet, and

WHEREAS, the Office of Community Renewal has authorized an amendment to the original agreement,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, is hereby authorized to sign amendment to the original loan agreement signed on July 29th, 2008.

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 249 of 2009

DATED: October 27, 2009

RESOLUTION RESCINDING RESOLUTION #220 OF 2009 AND ACKNOWLEDGING MONTGOMERY COUNTY'S FINANCIAL SUPPORT FOR THE MANAGEMENT INFORMATION SYSTEM PROJECT AND THE CLASSROOM BUILDING RENOVATIONS PHASE II PROJECT (FUTURE CAPITAL PLAN) (FMCC)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Bai a

WHEREAS, Fulton-Montgomery Community College has presented to the Montgomery County Board of Supervisors its desire to implement the following Capital Projects:

Management Information System	\$ 905,000.00
Classroom Building Renovations: Phase II	\$2,500,000.00

and,

WHEREAS, both projects were identified in FMCC's 2005 Master Plan; and

WHEREAS, the two County Sponsors (Fulton and Montgomery) will contribute 50 percent of the cost for both projects, and

WHEREAS, New York State requires resolutions from both sponsoring Counties acknowledging financial support for these Capital Projects; in order for SUNY to commit to funding 50 percent of the total project cost,

RESOLVED, that the Montgomery County Board of Supervisors commits the resources required to complete the Management Information System and Classroom Building Renovations, Phase II Projects, in accordance with the funding formulas for capital projects for SUNY community colleges, conditional upon a similar resolution by Fulton County and New York State's approval and bonding for its 50 percent of the project cost, and

FURTHER RESOLVED, that certified copies of this resolution be forwarded to the County Treasurer, FMCC Board of Trustees, Fulton County Board of Supervisors, SUNY Board of Trustees, County Auditor, Clerk of the Board, and to each and every other person, institution or agency who will further the purport of this resolution.

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 250 of 2009

DATED: October 27, 2009

RESOLUTION URGING THE GOVERNOR AND THE STATE LEGISLATURE TO REDUCE STATE SPENDING WITHOUT SHIFTING COSTS FOR STATE PROGRAMS TO COUNTY GOVERNMENT

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Thomas

WHEREAS, counties in New York have long served as the principal partner in administering the State's most critical programs in areas such as health and human services and public protection, and

WHEREAS, as part of administering these programs, the State mandates that counties fund a significant portion of these programs through the county budget, and

WHEREAS, these State mandates are the root cause of high property taxes at the county level, and

WHEREAS, the Governor has announced that he intends to call an extraordinary session of the State Legislature to close a current year State Budget Deficit of at least \$2.1 billion, and

WHEREAS, as State policy makers continue to address the looming State budget deficit it's critical that they draw a clear distinction between "cuts" in State funding and simple cost shifting that requires counties to fund a larger share of State mandated services, and

WHEREAS, counties have no capacity to shoulder more of the State's fiscal burden and in fact, a case can be made that the current level of funding the State provides is not sustainable for the work the State expects counties to perform, and

WHEREAS, as experience managers who must balance their own budgets, county officials understand and support the need for spending restraint, especially in difficult times, and

WHEREAS, counties believe that it is preferable to restructure and eliminate unnecessary and wasteful spending than to implement across the board reductions without examining the merits of each program and service,

RESOLVED, that Montgomery County believes that by working together, the State and its counties can fashion program efficiencies and changes that provide a real, timely, and mutual fiscal benefit, while minimizing the impact on taxpayers, and

FURTHER RESOLVED, that Montgomery shall forward copies of this Resolution to Governor David A. Paterson, the New York State Legislature and all others deemed necessary and proper.

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 251 of 2009**DATED:** October 27, 2009**RESOLUTION TO AMEND 2010 TENTATIVE BUDGET DUE TO CORRECTIONS (BOARD OF SUPERVISORS)**

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Dybas

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-02-4-3641-00-4473	Registration Fees, Etc.	\$ 1,500	\$0	(\$ 1,500)
A-02-4-3641-00-4493	Educ. & Train. Publications	\$0	\$ 1,500	\$ 1,500
A-12-4-8160-00-4408	Office Supplies	(\$ 500)	\$ 500	\$ 1,000
A-15-3-1140-14	Public Safety Comm Sys E911	\$155,244	\$156,015	\$ 771
A-15-4-3020-14-4459	Computer Software	\$ 58,610	\$ 59,381	\$ 771
A-15-4-3110-00-1110(419)	Undersheriff	\$ 63,850	\$ 64,850	\$ 1,000
A-15-4-3110-00-1110(509)	Sheriff	\$ 83,013	\$ 84,013	\$ 1,000
A-15-4-3150-00-1110(470)	Corrections Admin.	\$ 52,390	\$ 53,390	\$ 1,000
A-16-3-3401-04	El ARRA Grant	\$0	\$ 21,617	\$21,617
A-16-3-3401-07	Healthy Comm. Grant	\$0	\$ 34,000	\$34,000
A-16-4-4010-04-2259	Computer Equipment	\$0	\$ 13,000	\$13,000
A-16-4-4010-04-4409	Office Furniture	\$0	\$ 3,617	\$ 3,617
A-16-4-4010-04-4459	Computer Software	\$0	\$ 5,000	\$ 5,000
A-16-4-4010-07-4408	Office Supplies	\$0	\$ 1,000	\$ 1,000
A-16-4-4010-07-4438	Misc. Supporting Svcs	\$0	\$ 8,000	\$ 8,000
A-16-4-4010-07-4446	Food Supplies	\$0	\$ 1,000	\$ 1,000
A-16-4-4010-07-4449	Special Supp. & Mat.	\$0	\$ 21,000	\$21,000
A-16-4-4010-07-4470	Travel Related Exps	\$0	\$ 1,500	\$ 1,500
A-16-4-4010-07-4471	Mileage Expenses	\$0	\$ 1,500	\$ 1,500
A-18-4-6010-00-1140(962)	Sick Leave Buyback	\$0	\$ 750	\$ 750
A-25-3-3030	DA Salary	\$52,304	\$ 43,904	(\$ 8,400)
A-31-4-1345-00-1110(701)	Purchasing Agent	\$44,971	\$ 48,034	\$ 3,063

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County AttorneyRobin Loske
Clerk, Board of Supervisors

Discussion Resolution No. 252

Supervisor DiMezza stated that he would support the Resolution. But between now and the adoption of the budget he would be willing to revisit Department Head recommendations prior to deciding on any budget cuts.

Supervisor Dybas agreed that he would revisit Department Head recommendations. He asked if the proposed budget will be discussed at a Special Meeting of the Board. Chairman Thomas replied that would be the case. The Special Board meeting is scheduled for November 16, 2009 at 7:00 p.m.

Supervisor Barone commented that after the Finance Committee made it's budget recommendations it was agreed that they would stand firm. Already he can see that will not be case. Supervisor

Barone indicated that one recommendation he would make at the Special Meeting regarding the budget would be to take \$150,000 out of "Other Services".

Supervisor Walters commented that all the services that his town sees is highway maintenance and the Sheriff's deputies. He indicated that at the Special Board meeting he will have a several proposed changes to the budget, which he will express at that time.

Supervisor Strevy stated that the Board has been down this road before. No one likes to make cuts. Supervisor Strevy stated that either cuts have to be made or taxes have to be raised.

Supervisor Stagliano stated that he had attended one of the budget workshops because he wanted to hear what the Treasurer had to say. He pointed out that he is not afraid to make cuts as he has done it before. This is the first time he remembers that the cuts have been proposed without the Board first discussing them. In a lot of the cases where department cuts have been made the Department Heads had not been consulted. Supervisor Stagliano stated that he would be revisiting the Board of Elections and the Sheriff's Office budgets.

Motion to Table by Supervisor Stagliano, seconded by Supervisor Jonker, was defeated with Aye (435). Supervisors Quackenbush, Jonker, Thayer and Stagliano voted aye.

Supervisor Barone stated that his phone has been ringing off the hook with calls from Department Heads and his response to them was to come before the Board and plead their case. He stated that he felt that the Finance Committee did a good job with it's recommendations and if the cuts are not made this year they will be made next year. The Finance Committee just did the job it was asked to do.

Supervisor Strevy stated that when the Finance Committee first started looking at the budget he was not sure what direction the Committee would take. When the Committee met there was a willingness to make cuts. He stated that if he knew that in advance he would have sent the budget back to the Department Heads and let them make the decisions where to cut and where the money would come from. He apologized if some of the Departments felt that they did not get their just do.

Supervisor McMahon stated that the resolution establishes a bench mark. Now the Board has much more latitude either way. He indicated that it is a reasonable way to approach the process.

Supervisor Quackenbush stated that once the Board passes the Resolution the numbers in the Budget become set in stone. He stated that he cannot support the Resolution because he does agree with the cuts in the Board of Elections and the Sheriff's Office. He felt it would be better to format the Resolution by departments.

Supervisor DiMezza stated if he is on the Finance Committee again next year it would be his recommendation to set an amount that has to be cut out of the budget to sustain or decrease the tax levy. As an example he stated that if the budget needs to be cut by \$5 million it should be sent back to the departments and let them decide where they want to make the cuts.

Supervisor DiMezza indicated that if revenues are not increased in the next year then there will be substantial shortfalls for the next two years and the property taxes will go up. The City of Amsterdam might go up 5% but eight out of ten towns taxes are going down. He pointed out that taxes in 2009 are less than they were five years ago. He stated that Montgomery County is in better shape than most counties.

Supervisor Dybas stated, as member of the Finance Committee, it was not a fun meeting. He implied that 2010 might be the last free ride because 2011 is going to be a very tough year. He indicated that he would like to see the wish list budget cease. Instead of starting with an inflated budget it would be starting with a realistic budget. He indicated it is his intention to vote for the Resolution. He hopes that every Supervisor that comes forth with additions is able to show where the money is coming from.

Supervisor Stagliano reminded Chairman Thomas that there was a time when they worked together to sponsor a local law to change the date of the tentative budget to October 1st. The reason for the change was 2000, 2001 and 2002 were very difficult budgets. The second part of the local law was to give the Finance Committee twenty-days to review the budget and make recommendations. The budget is out and there is time to review it. Supervisor Stagliano agreed with Supervisor Quackenbush that once the amendments are made they are set in stone. He stated that the reason he motioned to the Table the Resolution is because there is time to further discuss and review the budget. He pointed out that he is not afraid of sponsoring cuts and has done so in the past.

Supervisor Stagliano stated that he just received a Sales Tax Report and the County is going to be down by \$1 million. Part of the reason for this is because the County gave the City of Amsterdam extra sales tax money. He indicated that the County has become a taxing entity for the City. Supervisor Stagliano stated that according to the "Business Review" Montgomery and Columbia Counties lost residents from 2000 through 2008. People are moving out of Montgomery County though housing is relatively inexpensive it is heavily taxed.

Supervisor Walters stated that people are moving into his town not out. He pointed out that his town has the lowest tax rate in the County.

Motion to amend by Supervisor DiMezza, seconded by Supervisor Walters, to add another "Further Resolved" clause to read: "FURTHER RESOLVED, that the Board of Supervisors desires that the majority of proposed budget amendments be submitted to the Clerk of the Board, in writing, on or before November 9, 2009" passed with aye (1541). Supervisors Strevy, Quackenbush and Thayer voted nay.

Further discussion pursued relative to making or not making cuts to the budget.

Motion to call the question by Supervisor McMahon, seconded by Supervisor Stagliano passed with aye (1710). Supervisor Quackenbush voted nay.

RESOLUTION NO. 252 of 2009

DATED: October 27, 2009

RESOLUTION TO AMEND 2010 TENTATIVE BUDGET - FINANCE COMMITTEE RECOMMENDATION (BOARD OF SUPERVISORS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Dybas

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-01-4-1990-00-4400	Contingent Account	\$250,000	\$200,000	(\$ 50,000)
A-01-4-3620-00-4470	Travel: Related Expenses	\$ 1,500	\$ 500	(\$ 1,000)
A-01-4-5630-00-4470	Travel: Related Expenses	\$ 1,500	\$ 500	(\$ 1,000)
A-01-4-5630-00-4491	Legal Notice & Advertising	\$ 4,750	\$ 3,750	(\$ 1,000)
A-01-4-8160-00-4439	Other Service Fees	\$ 0	\$300,000	\$300,000
A-02-4-3640-00-4425	Maintenance Agreements	\$ 2,000	\$ 1,000	(\$ 1,000)
A-06-3-2690	Other Compensation Loss	\$925,000	\$950,000	\$ 25,000
A-06-3-2701	Refund of Prior Yrs Expense	\$125,000	\$225,000	\$100,000
A-06-4-9900-00-9901	Trans to County Road Fd	\$5,569,266	\$5,315,266	(\$254,000)
A-06-4-9900-00-9903	Trans to Rd. Mach. Fund	\$ 475,000	\$ 432,500	(\$42,500)
A-07-4-1355-00-1110(1053)	Real Prop Tax Res Tech	\$ 27,916	\$ 0	(\$27,916)
A-08-4-1410-00-4438	Misc. Supporting Svcs	\$ 43,200	\$ 38,200	(\$ 5,000)
A-10-4-1430-00-2250	Technical Equipment	\$ 7,500	\$ 0	(\$ 7,500)
A-11-4-1450-00-1110(568)	Deputy Commissioner	\$ 33,027	\$ 15,914	(\$17,113)
A-11-4-1450-00-1110(736)	Voting Mach/Elect Coord	\$ 29,400	\$ 14,151	(\$15,249)
A-11-4-1450-00-1110(737)	Voting Mach/Elect Coord	\$ 29,400	\$ 14,151	(\$15,249)
A-11-4-1450-00-1110(1134)	Deputy Commissioner	\$ 33,027	\$ 15,914	(\$17,113)
A-11-4-1450-00-4408	Office Supplies	\$ 7,000	\$ 5,000	(\$ 2,000)
A-11-4-1450-00-4421	Property Rent/Lease/Repair	\$ 65,000	\$ 55,000	(\$10,000)
A-11-4-1450-00-4452	Printing/Copying	\$ 40,000	\$ 30,000	\$10,000
A-11-4-1450-00-4491	Legal Notice & Advertising	\$ 7,000	\$ 5,000	(\$ 2,000)
A-12-4-1620-00-4412	Light & Power	\$ 563,000	\$ 535,000	(\$28,000)
A-12-4-1620-00-4414	Natural Gas	\$ 287,000	\$ 262,000	(\$25,000)
A-14-4-1680-00-1111(324)	Overtime Pay	\$ 9,000	\$ 5,000	(\$ 4,000)
A-14-4-1680-00-4459	Computer Software	\$ 115,000	\$ 37,000	(\$78,000)

A-15-4-3020-14-1111(728)	Overtime Pay	\$ 76,000	\$ 65,000	(\$11,000)
A-15-4-3020-14-1120(932)	Dispatcher - PT	\$ 86,525	\$ 76,525	(\$10,000)
A-15-4-3110-00-1111(1212)	Overtime Pay	\$ 95,000	\$ 90,000	(\$ 5,000)
A-15-4-3110-00-1120(145)	Sheriff Deputies - PT	\$ 175,000	\$ 160,000	(\$15,000)
A-15-4-3110-00-2260	Other Equipment	\$ 1,500	\$ 0	(\$ 1,500)
A-15-4-3110-00-4422	Equip Rent/Lease/Repair	\$ 95,831	\$ 90,831	(\$ 5,000)
A-15-4-3110-00-4441	Gasoline, Oil, Diesel Fuel	\$ 95,000	\$ 85,000	(\$10,000)
A-15-4-3150-00-1110(1013)	Correction Officer	\$ 34,810	\$ 0	(\$34,810)
A-15-4-3150-00-1111(1214)	Overtime Pay	\$ 260,000	\$ 210,000	(\$50,000)
A-15-4-3150-00-1113(1176)	Shift Differential	\$ 135,000	\$ 130,000	(\$ 5,000)
A-15-4-3150-00-1120(323)	Correction Officer - PT	\$ 211,600	\$ 180,000	(\$31,600)
A-15-4-3150-00-2260	Other Equipment	\$ 1,500	\$ 0	(\$ 1,500)
A-15-4-3150-00-4441	Gasoline, Oil, Diesel Fuel	\$ 18,000	\$ 15,000	(\$ 3,000)
A-18-4-6010-00-1111(944)	Overtime Pay	\$ 35,000	\$ 30,000	(\$ 5,000)
A-18-4-6010-00-2220	Office Equipment	\$ 11,896	\$ 6,896	(\$ 5,000)
A-18-4-6010-00-4411	Telephone	\$ 39,840	\$ 29,840	(\$10,000)
A-19-4-6510-00-4438	Misc. Supporting Services	\$ 15,000	\$ 10,000	(\$ 5,000)
A-29-4-1185-00-4445	Medical Supplies	\$ 1,200	\$ 2,200	\$ 1,000
D-12-3-5031	Interfund Transfer	\$5,569,266	\$5,315,266	(\$254,000)
D-12-4-3310-00-4465	Road Striping	\$ 115,000	\$ 110,000	(\$5,000)
D-12-4-5110-00-4448	Const. & Maint. Supplies	\$1,269,000	\$1,020,000	(\$249,000)
DM-12-3-5031	Interfund Transfer	\$ 475,000	\$ 432,500	(\$42,500)
DM-12-5130-00-2230	Motor Vehicle Equipment	\$ 80,000	\$ 60,000	(\$20,000)
DM-12-5130-00-2240	Highway & Street Equipment	\$ 30,000	\$ 20,000	(\$10,000)
DM-12-5130-00-4421	Property Rent/Lease/Repair	\$ 29,000	\$ 24,000	(\$ 5,000)
DM-12-5130-00-4422	Equip Rent/Lease/Repair	\$ 187,500	\$ 180,000	(\$ 7,500)

MOTION TO TABLE by Supervisor Stagliano, seconded by Supervisor Jonker, was defeated with Aye(435). Supervisors Quackenbush, Jonker, Thayer and Stagliano voted Aye. (10/27/2009)

MOTION TO CALL THE QUESTION by Supervisor McMahon, seconded by Supervisor Stagliano, passed with Aye(1710). Supervisor Quackenbush voted Nay. (10/27/2009)

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Walters, to add: "FURTHER RESOLVED" that the Board of Supervisors desires that the majority of proposed budget amendments be submitted to the Clerk of the Board, in writing, on or before November 9, 2009 passed with Aye(1541). Supervisors Strevy, Quackenbush and Thayer voted Nay. (10/27/2009)

RESOLUTION ADOPTED with Aye(1296). Supervisors Johnson, Quackenbush, Jonker, Thayer and Stagliano voted Nay. (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 253 of 2009

DATED: October 27, 2009

RESOLUTION ESTABLISHING A PUBLIC HEARING ON THE 2010 TENTATIVE OPERATING BUDGET

Resolution by Supervisor: Strevy

Seconded by Supervisor: Dybas

RESOLVED, that pursuant to Section 359 of County Law, the Montgomery County Board of Supervisors shall hold a Public Hearing on the 2010 Tentative Operating Budget at the Supervisors' Chambers, Montgomery County Office Building, 64 Broadway, Fonda, New York at 6:45 pm on Tuesday, November 24, 2009, 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 2010 are available at her office, where they may be inspected or acquired by interested persons during business hours, and

FURTHER RESOLVED, that said notice shall contain a statement, showing the maximum salaries that may be fixed and payable during the ensuing fiscal year, to members of the Montgomery County Board of Supervisors, including the Chairman, to be published at least once, with at least five days elapsing between publication of such notice and the specified hearing date.

RESOLUTION ADOPTED with Aye(1868). (10/27/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

OTHER

There was no other business for discussion.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Thayer, seconded by Supervisor Barone, Sr., passed with Aye(1868).

Meeting adjourned at 8:28 p.m.

Respectfully submitted,

Robin Loske
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, November 10, 2009

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Baia, Barone, Paton, Stagliano, Strevy and Thayer.

Additional Supervisors present were Supervisors Greco, Quackenbush, Johnson, Walters, Thomas, Jonker and Dybas. Supervisor DiMezza was absent.

Chairman McMahon has called a meeting of the Education/Government Committee for 7:00 p.m. on Tuesday, November 10, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. DISCUSSION:

Voting Machines/Litigation

2. OTHER

Item #1: (Voting Machines/Litigation) Chairman McMahon stated that Andrea Novick, Founder and Legal Counsel for the Election Transparency Coalition (ETC) has contacted all Counties in New York State relative to participating in litigation to stop ERMA from mandating unconstitutional, unfunded and unsecurable voting systems. ETC is currently securing pro bono services of a law firm to commence the litigation to stop ERMA.

Supervisor Dybas asked if it is a law that lever voting machines be replaced. Chairman McMahon stated that it is not a law. There was a federal court order to comply with ERMA but not a ruling determining lever machines must be replaced. Mr. Dybas stated that he would support it as long as there was no law.

Supervisors Baia and Barone made a motion and seconded, respectively, to move a Resolution of support to the full Board with a positive recommendation. There were no objections.

Item #2: (OTHER)

Village of Nelliston Polling Place:

Chairman McMahon presented a letter to the Committee from the Mayor of Nelliston on behalf of the Nelliston Board of Trustees. Two years ago the Montgomery County Board of Elections consolidated the Village of Nelliston with the Village of Palatine Bridge for voting purposes because of Montgomery County having to purchase new voting machines that include handicapped voters and a more modern voting machine. By doing so, it has discouraged the Village of Nelliston residents from voting and they are asking that their voting place be returned to the Village of Nelliston.

Some Supervisors questioned whether the Board of Elections has the right to make such changes. Chairman McMahon stated that Election Commissioners would be asked to attend an upcoming meeting to address the situation.

Ethics Law:

Chairman McMahon suggested that the Board of Supervisors might want to change the "Ethics Law" to an "Ethics Policy". He pointed out that it is not necessary for the County to have the law. He felt that if it were a policy, changes could be made as appropriately needed.

Chairman McMahon asked that the members send him an email with their thoughts and if they would support the change or not.

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

Chairman McMahon adjourned the Education/Government Committee meeting at 7:20 PM.

Respectfully submitted,

Robin Loske
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, November 10, 2009

COMMITTEE MEETING DISCUSSION

Chairman Thayer presided over the meeting commencing at 7:21 PM.

Roll call indicated Committee members present included Supervisors Bai a, Barone, Jonker, Quackenbush, and Strevy. Supervisor Di Mezza was absent.

Additional Supervisors present were Greco, Johnson, McMahon, Paton, Dybas, Thomas and Walters.

Chairman Thayer has called a meeting of the Public Safety Committee for 7:05 p.m. on Tuesday, November 10, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AMENDING 2009 OPERATING BUDGET (SHERIFF)
2. RESOLUTION AUTHORIZING THE IMPLEMENTATION OF VOICE OVER INTERNET PROVIDERS (VOIP) SURCHARGE IN MONTGOMERY COUNTY (SHERIFF)
3. OTHER

Item #1: (RESOLUTION AMENDING 2009 OPERATING BUDGET (SHERIFF) Supervisors Walters and Quackenbush made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION AUTHORIZING THE IMPLEMENTATION OF VOICE OVER INTERNET PROVIDERS (VOIP) SURCHARGE IN MONTGOMERY COUNTY (SHERIFF) Supervisors Dybas and Johnson made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. Supervisor Bai a objected.

Add-On Resolution:

(RESOLUTION AUTHORIZING AMENDMENT TO BUSINESS EQUIPMENT RENTAL AGREEMENT BETWEEN FRONTIER AND MONTGOMERY COUNTY SHERIFF'S OFFICE (SHERIFF) Supervisors Barone and Quackenbush made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Sheriff Amato stated that the payment for the rental is paid from 911 revenues.

Item #3: (OTHER) There was no other discussion.

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

Chairman Thayer adjourned the Public Safety Committee meeting at 7:24 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - GENERAL SERVICES
7:10 PM, November 10, 2009

COMMITTEE MEETING DISCUSSION

Chairman Walters presided over the meeting commencing at 7:24 p.m.

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

Additional Supervisors present were Supervisors Greco, Quackenbush, Barone, Dybas, Walters, Thomas, McMahon, Baia and Stagliano.

Chairman Walters has called a meeting of the General Services Committee for 7:10 p.m. on Tuesday, November 10, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION REAPPOINTING MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA BOARD) REPRESENTATIVE
2. OTHER

Item #1: (RESOLUTION REAPPOINTING MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA BOARD) REPRESENTATIVE) Supervisors Walters and Strevy made a motion and seconded, respectively to move the Resolution.

The Resolution named Olga Podmajersky for reappointment to the MOSA Board for a four-year term.

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

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

Chairman Walters adjourned the General Services Committee meeting at 7:26 p.m.

Respectfully submitted,

Robin Loske
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, November 10, 2009

COMMITTEE MEETING DISCUSSION

Chairman Barone presided over the meeting commencing at 7:27 PM.

Roll call indicated Committee members present included Supervisors Bai a, Dybas, Jonker, Paton, Stagliano and Strevy.

Additional Supervisors present were Greco, Quackenbush, Johnson, McMahon, Walters, Thayer and Thomas. Supervisor DiMezza was absent.

Chairman Barone has called a meeting of the Health and Human Services Committee for 7:15 p.m. on Tuesday, November 10, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT-COMMUNITY SERVICES/MENTAL HEALTH DEPARTMENT-SERVICE PROVIDER CONTRACTS (MENTAL HEALTH)
2. RESOLUTION APPOINTING MEMBERS COMMUNITY SERVICE BOARD (MENTAL HEALTH)
3. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - LEGISLATIVE GRANT - VAN PURCHASE AND RELATED EQUIPMENT AND RESCINDING RESOLUTION 215 OF 2008 (VETERANS SERVICE)
4. OTHER

Item #1: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT-COMMUNITY SERVICES/MENTAL HEALTH DEPARTMENT-SERVICE PROVIDER CONTRACTS (MENTAL HEALTH) Supervisors Barone 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 #2: (RESOLUTION APPOINTING MEMBERS COMMUNITY SERVICE BOARD (MENTAL HEALTH) Supervisors Barone and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

ITEM #3: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - LEGISLATIVE GRANT - VAN PURCHASE AND RELATED EQUIPMENT AND RESCINDING RESOLUTION 215 OF 2008 (VETERANS SERVICE) Supervisors Barone and Johnson made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Add-On Resolution:

(RESOLUTION AUTHORIZING AMENDING THE COUNTY MENTAL HEALTH DEPARTMENT BUDGET) Supervisors Barone and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

ITEM #4: (OTHER) There were no other items for discussion.

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

Chairman Barone adjourned the Health & Human Services Committee meeting at 7:29 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
 SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
 SPECIAL MEETING
 7:00 PM, November 16, 2009

CALL TO ORDER

The Special Meeting of the Montgomery County Board of Supervisors for November 16, 2009, was called to order at 7:00 PM by Chairman John Thomas.

SALUTE TO THE FLAG

Supervisor McMahon led the salute to the flag.

ROLL CALL

Roll call indicated that Supervisors Barone, Quackenbush, Greco, Strevy, Dybas, Thayer, DiMezza, Thomas, Jonker, Johnson, Paton, McMahon, Baia and Walters were present. Absent were Supervisors Strevy and Stagliano.

STATEMENT OF PURPOSE OF MEETING

IV. Statement of Purpose of Meeting

A. RESOLUTIONS AMENDING THE 2010 TENTATIVE OPERATING BUDGET -

1. RESOLUTION(S) SUBMITTED BY SUPERVISOR DYBAS
2. RESOLUTION(S) SUBMITTED BY SUPERVISOR STREVEY
3. RESOLUTION(S) SUBMITTED BY SUPERVISOR DIMENZA
4. RESOLUTION(S) SUBMITTED BY SUPERVISOR THAYER
5. RESOLUTION(S) SUBMITTED BY SUPERVISOR WALTERS
6. RESOLUTION(S) SUBMITTED BY SUPERVISOR JOHNSON

B. RESOLUTIONS AMENDING THE 2010 TENTATIVE OPERATING BUDGET - RESOLUTIONS DRAWN ON THE FLOOR

C. OTHER

Discussion Resolution No. 254:

Supervisors DiMezza and Quackenbush made a motion and seconded, respectively to amend the Resolution by deleting Account #A-01-4-8160-00-4439 "Other Services" and replace it with the "Fund Balance".

Supervisor Barone asked why not wait until the end of the meeting to decide how much to use from the "Fund Balance" so as not to delay any of the resolutions.

Supervisor Walters stated that he did not agree with using all of the funds in the "Other Services" account that is to be used for demolition projects. He agreed it should come from the Fund Balance. Supervisor Walters went on to say that the City of Amsterdam has created its own problems by not performing a revaluation of properties. The County always ends up bringing the City to zero. If the City would fix its assessments the County would have an honest budget.

Supervisor Greco stated that the Tentative Budget should be sent back to the Department Heads and let them make the decision where to cut 5% from the budget to recoup \$2 million. He stated that if services are cut they should be cut from all departments, not just a few.

Supervisor Greco indicated that he would be sponsoring a Resolution to use more money from the Fund Balance to reduce the City and Towns down to zero.

Supervisor Thayer stated that the Board should readdress why the demolition fund was created. He indicated that the demolition fund should be reduced to \$150,000.

Supervisor Barone stated the Finance Committee met and decided on what cuts to make. Now four of the members are sponsoring resolutions to put items back in that were cut. He would not vote in favor of any resolution to increase spending.

Chairman Thomas asked the Treasurer to keep track of the expenditures from the "General Services" account until it gets down to \$150,000 and after that no further monies will be used from that fund.

Supervisor Quackenbush suggested that for now all increases to the budget come from the Fund

Balance until the end of the meeting and then decide how much needs to be restored to the "Other Services" fund.

After further discussion Supervisor Thayer called the question.

Supervisor Baia stated that the Board should not be looking at putting any of the cuts back into the budget. He agreed with Supervisor Greco's suggestion to send it back to the Department Heads.

Supervisor DiMezza withdrew his amendment.

RESOLUTION NO. 254 of 2009

DATED: November 16, 2009

RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - OUTSIDE AGENCIES (DYBAS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Johnson

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-01-4-6989-00-4578	Office for Aging, Inc.	\$ 220,000	\$ 227,000	\$ 7,000
A-01-4-8751-00-4575	Operational (Coop Ext)	\$ 173,000	\$ 178,210	\$ 5,210
A-01-4-8160-00-4439	Other Service Fees	\$ 300,000	\$ 287,790	(\$12,210)

RESOLUTION DEFEATED with Aye(765). Supervisors Johnson, Dybas, DiMezza, Quackenbush and Jonker voted Aye. Supervisors Strevy and Stagliano were absent. (11/16/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 255 of 2009

DATED: November 16, 2009

RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - REAL PROPERTY (STREVEY#1)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Jonker

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-07-4-1355-00-1110(1053)	Real Prop Tax Res Tech	\$ -0-	\$ 27,916	\$27,916
A-01-4-8160-00-4439	Other Service Fees	\$	\$	(\$27,916)

RESOLUTION DEFEATED with Aye(744). Supervisors Johnson, DiMezza, Walters, Quackenbush, Jonker and Thayer voted Aye. Supervisors Strevy and Stagliano were absent. (11/16/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 256 of 2009

DATED: November 16, 2009

RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF ELECTIONS (STREVEY#2)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Quackenbush

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-11-4-1450-00-1110(568)	Deputy Commissioner	\$ 15,914	\$ 33,027	\$17,113

A-11-4-1450-00-1110(1134) Deputy Commissioner \$ 15,914 \$ 33,027 \$17,113
 A-01-4-8160-00-4439 Other Service Fees \$ \$ (\$34,226)

RESOLUTION ADOPTED with Aye(1017). Supervisors Greco, Barone, Sr., McMahon, Thomas and Paton voted Nay. Supervisors Strevy and Stagliano were absent. (11/16/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Discussion on Resolution No. 257:

Treasurer Bowerman explained that the monies are tied through grant funding from the State. If you eliminate these funds then 80% of the revenue is cut.

RESOLUTION NO. 257 of 2009

DATED: November 16, 2009

RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - TRANSPORTATION(STREVEY#3)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Quackenbush

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-01-4-5630-00-4470	Travel: Related Expenses	\$ 500	\$ 1,500	\$ 1,000
A-01-4-5630-00-4491	Legal Notice & Advert	\$ 3,750	\$ 4,750	\$ 1,000
A-01-4-5630-00-4408	Office Supplies	\$ 300	\$ 500	\$ 200

MOTION TO AMEND the Resolution to reduce the A-01-3-3589 Revenue line under the Board of Supervisor to \$1,750, passed with Aye(1511). Supervisor Quackenbush voted Nay. Supervisors Strevy and Stagliano were absent. (11/16/2009)

RESOLUTION DEFEATED with Aye(377). Supervisors DiMezza and Quackenbush voted Aye. Supervisors Strevy and Stagliano were absent. (11/16/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 258 of 2009

DATED: November 16, 2009

RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - DISTRICT ATTORNEY (STREVEY#4)

Resolution by Supervisor: Strevy

Seconded by Supervisor: DiMezza

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-25-3-2626	Forfeited Crime Proceeds-Rest	\$2,500	\$16,892	\$14,392
A-25-4-1165-00-4522	D.A./Law Enforcement Programs	\$ -0-	\$14,392	\$14,392

RESOLUTION ADOPTED with Aye(1118). Supervisors Greco, Barone, Sr., Dybas and Bai a voted Nay. Supervisors Strevy and Stagliano were absent. (11/16/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 259 of 2009

DATED: November 16, 2009

RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - PUBLIC HEALTH (STREVEY#5)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Dybas

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-16-3-3401-08	Car Seat Grant	\$3,000	\$1,050	(\$1,950)
A-16-4-4010-08-4408	Office Supplies	\$0	\$ 80	\$ 80
A-16-4-4010-08-4445	Medical Supplies	\$0	\$ 224	\$ 224
A-16-4-4010-08-4446	Food Supplies	\$0	\$ 150	\$ 150
A-16-4-4010-08-4449	Special Suppl & Materials	\$3,000	\$ 356	(\$2,644)
A-16-4-4010-08-4470	Travel: Related Expenses	\$0	\$ 200	\$ 200
A-16-4-4010-08-4471	Mileage Expenses	\$0	\$ 40	40

RESOLUTION ADOPTED with Aye(1530). Supervisor Barone, Sr. voted Nay. Supervisors Strevy and Stagliano were absent. (11/16/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 260 of 2009

DATED: November 16, 2009

RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - SHERIFF'S OFFICE (DI MEZZA)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Johnson

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-15-4-3150-00-1110(1013)	Correction Officer	\$0	\$34,810	\$34,810
A-15-4-3150-00-1110(new)	Correction Officer	\$0	\$34,810	\$34,810

RESOLUTION ADOPTED with Aye(1118). Supervisors Greco, Barone, Sr., Dybas and Bai a voted Nay. Supervisors Strevy and Stagliano were absent. (11/16/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Discussion Resolution No. 261:

Supervisor Thayer stated that he would vote in favor the Resolution because the Sheriff has already gone through his overtime budget for this year.

Supervisor DiMezza stated that he would support this Resolution but will not support any further changes for the Sheriff's Office. He indicated that the Sheriff needs to live within his budget.

RESOLUTION NO. 261 of 2009

DATED: November 16, 2009

RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - SHERIFF'S OFFICE (THAYER)

Resolution by Supervisor: Thayer

Seconded by Supervisor: McMahon

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-15-4-3150-00-1111(1214)	Overtime Pay	\$210,000	\$230,000	\$20,000

A-15-4-3150-00-1113(1176)	Shift Differential	\$130,000	\$132,000	\$ 2,000
A-15-4-3110-00-1120(145)	Sheriff Deputy PT	\$160,000	\$175,000	\$15,000
A-15-4-3020-14-1120(932)	Dispatcher PT	\$ 76,525	\$ 86,525	\$10,000
A-01-4-8160-00-4439	Other Service Fees	\$	\$	(\$47,000)

RESOLUTION ADOPTED with Aye(971). Supervisors Greco, Barone, Sr., Dybas, Bai a and Paton voted Nay. Supervisors Strevy and Stagliano were absent. (11/16/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Discussion Resolution No. 262:

Treasurer Bowerman pointed out that if this Resolution passes other amendments to the budget would need to be done.

The Supervisors agreed that all amendments to reflect changes made in the budget will be dealt with at end of the meeting.

Supervisor Walters stated that if this Resolution passes he will withdraw his sponsorship on the next Resolution.

RESOLUTION NO. 262 of 2009

DATED: November 16, 2009

RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET-DPW (WALTERS#1)

Resolution by Supervisor: Walters

Seconded by Supervisor: Thayer

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-01-4-8160-00-4439	Other Service Fees	\$300,000	\$0	(\$300,000)
A-12-4-8160-00-1125	Other Compensation	\$ 20,000	\$0	(\$ 20,000)
A-12-4-8160-00-2250	Technical Equip	\$ 6,000	\$0	(\$ 6,000)
A-12-4-8160-00-4408	Office Supplies	\$ 500	\$0	(\$ 500)
A-12-4-8160-00-4448	Const & Maint Supp	\$ 5,000	\$0	(\$ 5,000)
				(\$331,500)
A-12-4-1620.00.4412	Light & Power	\$ 535,000	\$ 559,000	\$ 24,000
A-12-4-1620.00-4414	Natural Gas	\$ 262,000	\$ 283,000	\$ 21,000
D-12-3-5031	Interfund Transfer	\$5,315,266	\$5,564,266	\$249,000
D-12-4-5110-00.4448	Const & Maint Supp	\$1,020,000	\$1,269,000	\$249,000
DM-12-3-5031	Interfund Transfer	\$ 432,500	\$ 470,000	\$ 37,500
DM-12-4-5130-00.2230	Motor Vehicle Equip.	\$ 60,000	\$ 80,000	\$ 20,000
DM-12-4-5130-00.2240	Highway/Street Equip.	\$ 20,000	\$ 30,000	\$ 10,000
DM-12-4-5130-00.4422	Equip Rent/Lease/Repair	\$ 180,000	\$ 187,500	\$ 7,500
				\$331,500

RESOLUTION ADOPTED with Aye(971). Supervisors Greco, Barone, Sr., Dybas, Bai a and Paton voted Nay. Supervisors Strevy and Stagliano were absent. (11/16/2009)

Douglas Landon

Robin Loske

County Attorney

Clerk, Board of Supervisors

Supervisor Walters withdrew his sponsorship from Resolution No. 263.

RESOLUTION NO. 263 of 2009

DATED: November 16, 2009

RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF SUPERVISORS/DPW (WALTERS#2)

Resolution by Supervisor: Walters

Seconded by Supervisor:

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-01-4-1010-00-1110 (142)	Solid Waste Coord	\$ 58,850	\$0	(\$ 58,850)
A-01-4-8160-00-4439	Other Service Fees	\$300,000	\$ 150,000	(\$150,000)
				(\$208,850)
D-12-3-5031	Interfund Transfer	\$5,315,266	\$5,524,116	\$208,850
D-12-4-5110-00.4448	Const & Maint Supp	\$1,020,000	\$1,228,850	\$208,850
				\$208,850

RESOLUTION WITHDRAWN BY SPONSOR (11/16/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 264 of 2009

DATED: November 16, 2009

RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - COUNTY CLERK (JOHNSON#1)

Resolution by Supervisor: Johnson

Seconded by Supervisor: Quackenbush

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-08-4-1410-00-4438	Misc Supporting Svcs	\$38,200	\$54,000	\$15,800
A-08-4-1410-00-2259	Computer Equipment	\$ 2,000	\$0	(\$ 2,000)
A-08-4-1410-00-4459	Computer Software	\$ 100	\$0	(\$ 100)

RESOLUTION DEFEATED with Aye(828). Supervisors Johnson, DiMezza, Walters, Thomas, Quackenbush, Jonker and Thayer voted Aye. Supervisors Strevy and Stagliano were absent. (11/16/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 265 of 2009

DATED: November 16, 2009

RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF ELECTIONS (JOHNSON#2)

Resolution by Supervisor: Johnson

Seconded by Supervisor: Dybas

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-11-4-1450-00-1110(736)	Voting Mach/Elect Coord	\$14,151	\$29,400	\$15,249
A-11-4-1450-00-1110(737)	Voting Mach/Elect Coord	\$14,151	\$29,400	\$15,249

RESOLUTION ADOPTED with Aye(1023). Supervisors Greco, Barone, Sr., Bai a, Thomas and Paton voted Nay. Supervisors Strevy and Stagliano were absent. (11/16/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 266 of 2009

DATED: November 16, 2009

RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF SUPERVISORS

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Quackenbush

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

INCREASE APPROPRIATIONS:

Account	Description	Amount
A-01-4-8160-00-4439	Other Services Fees	\$231,226

RESOLUTION ADOPTED with Aye(1669). Supervisors Strevy and Stagliano were absent. (11/16/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 267 of 2009

DATED: November 16, 2009

RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF SUPERVISORS

Resolution by Supervisor: Quackenbush

Seconded by Supervisor: Jonker

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

DECREASE REVENUE:

Account	Description	Amount
A-01-3-3589	Transportation	(\$1,760)

RESOLUTION ADOPTED with Aye(1335). Supervisors Di Mezza and Jonker voted Nay. Supervisors Strevy and Stagliano were absent. (11/16/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 268 of 2009

DATED: November 16, 2009

RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - DEPARTMENT OF PUBLIC WORKS

Resolution by Supervisor: Thayer

Seconded by Supervisor: Johnson

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

INCREASE APPROPRIATIONS:

Account	Description	Amount
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A-12-4-8160-00-1125	Other Compensation	\$20,000
A-12-4-8160-00-2250	Technical Equipment	\$ 6,000
A-12-4-8160-00-4408	Office Supplies	\$ 500
A-12-4-8160-00-4448	Const. & Maint. Supplies	\$ 5,000

RESOLUTION ADOPTED with Aye(1669). Supervisors Strevy and Stagliano were absent. (11/16/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 269 of 2009

DATED: November 16, 2009

RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - DEPARTMENT OF PUBLIC WORKS

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Walters

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

INCREASE APPROPRIATIONS:

Account	Description	Amount
A-06-4-9900-00-9901	Transfer to Co. Rd. Fund	\$249,000
A-06-4-9900-00-9903	Transfer to Rd. Mach. Fund	\$ 37,500

RESOLUTION ADOPTED with Aye(1530). Supervisor Barone, Sr. voted Nay. Supervisors Strevy and Stagliano were absent. (11/16/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 270 of 2009

DATED: November 16, 2009

RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF SUPERVISORS

Resolution by Supervisor: Greco

Seconded by Supervisor: Barone, Sr.

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

ACCOUNT	DESCRIPTION	FROM	TO	INCREASED (DECREASED)
APPROP. FUND BALANCE	General Fund	\$5,953,700	\$7,478,700	\$1,525,000

RESOLUTION DEFEATED with Aye(688). Supervisors Greco, Johnson, Barone, Sr., Dybas and Bai a voted Aye. Supervisors Strevy and Stagliano were absent. (11/16/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

ADJOURNMENT

Chairman Thomas adjourned the Special Meeting at 8:38 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
 SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
 COMMITTEE MEETING - FINANCE
 7:00 PM, November 17, 2009

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the Finance Committee meeting commencing at 7:00 PM.

Roll call indicated Committee members present were Supervisors Barone, DiMezza and Dybas, Greco, Johnson. Absent was Supervisor Jonker.

Additional Supervisors present were Supervisors Paton, Baia, and Thomas. Absent were Supervisors Quackenbush, McMahon, Walters, Thayer and Stagliano.

Chairman Strevy has called a meeting of the Finance Committee for 7:00 p.m. on Tuesday, November 17, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2010-2011 MASS TRANSPORTATION SERVICES - MONTGOMERY AREA EXPRESS (THE MAX) - (ECONOMIC DEVELOPMENT AND PLANNING)
2. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ADMINISTRATIVE AND STAFF SUPPORT SERVICES AGREEMENT - MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECONOMIC DEVELOPMENT AND PLANNING)
3. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - EMPLOYEE PHYSICAL EXAMINATIONS EASTERN MEDICAL SUPPORT (PERSONNEL)
4. RESOLUTION TRANSFERRING FUNDS TO PURCHASE NEW TIME CLOCKS (DATA PROCESSING/PRINTING)
5. OTHER

Item #1: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2010 - 2011 MASS TRANSPORTATION SERVICES - MONTGOMERY AREA EXPRESS (THE MAX) - (ECONOMIC DEVELOPMENT AND PLANNING) Supervisors Dybas and Baia made a motion and seconded, respectively, to move the Resolution to the full Board.

Supervisors Barone and DiMezza made a motion and seconded, respectively, to amend the Resolution to fill in the blanks as follows:

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney is hereby authorized to sign an agreement with Brown Coach to manage and maintain the Montgomery County Area Express (The MAX) from January 1, 2010 through December 31, 2011, and

FURTHER RESOLVED, that said contract shall be at rate of \$3.23 per mile for the period January 1, 2010 through December 31, 2010, and at rate of \$3.41 per mile for the period January 1, 2011 through December 31, 2011, when using County-owned buses or a spare bus provided by NYS DOT, and

FURTHER RESOLVED, that said contract shall be at a rate of \$5.06 per mile for the period January 1, 2010 through December 31, 2010, and at a rate of \$5.11 per mile for the period January 1, 2011 through December 31, 2011 when the provider must use its own buses for the operation of services.

The Resolution as amended was moved with a positive recommendation. There were no objections.

Item #2: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ADMINISTRATIVE AND STAFF SUPPORT SERVICES AGREEMENT - MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECONOMIC DEVELOPMENT AND PLANNING) Supervisors Baia and Johnson made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - EMPLOYEE PHYSICAL EXAMINATIONS EASTERN MEDICAL SUPPORT (PERSONNEL) Supervisors Baia and Barone made a motion and seconded, respectively, to move the Resolution.

Supervisor DiMezza stated that the an RFP should be prepared for the medical services and should be awarded to someone within Montgomery County.

Supervisor Baia withdrew his sponsorship from the Resolution and no else picked it up.

Supervisors DiMezza and Baia made a motion and seconded, respectively, to prepare a new Resolution to go out with an RFP for the medical services. The Resolution was moved to the full Board with a positive recommendation. There were no objections.

Item #4: (RESOLUTION TRANSFERRING FUNDS TO PURCHASE NEW TIME CLOCKS (DATA PROCESSING/PRINTING) Supervisors DiMezza and Barone 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)

Add-on Resolutions:

(RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MVEDD (ECONOMIC DEVELOPMENT/PLANNING) Supervisors DiMezza and Baia made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

(RESOLUTION AUTHORIZING ACCOUNTS PAYABLE YEAR-END ADJUSTMENTS - 2009 OPERATING BUDGET) Supervisors Strevy and Greco made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

(RESOLUTION AMENDING 2009 OPERATING BUDGET - ASSIGNED COUNSEL (PUBLIC DEFENDER) Supervisors Strevy and Johnson made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

(RESOLUTION DELEGATING AUTHORITY TO AMEND 2009 OPERATING BUDGET) Supervisors Strevy and DiMezza made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

(RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY) Supervisors DiMezza and Barone made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

(RESOLUTION AMENDING 2009 - CORRECTIONS OFFICERS SALARIES (SHERIFF/JAIL) Supervisors Strevy and DiMezza made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

(RESOLUTION RESCHEDULING DECEMBER BOARD OF SUPERVISORS MEETING (BOS) Supervisors Strevy and Barone made a motion and seconded, respectively, to move the Resolution.

Supervisor Barone suggested that the establishment of the Organizational Meeting be added to the Resolution. The other members agreed. The Resolution was moved to the full Board with a positive recommendation. There were no objections.

(RESOLUTION AMENDING 2009 - SHERIFF) Supervisors Dybas and Johnson made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

(RESOLUTION ADOPTING 2010 OPERATING BUDGET) Supervisors DiMezza and Barone made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. Supervisor Greco objected.

Supervisor Johnson asked Treasurer Bowerman what the tax increase would be if the 2010 Budget stands as it is. Treasurer Bowerman responded that the average County increase would be 1.7%. The Town of Mohawk would have an increase of 8% and the City of Amsterdam would face an increase of 6.5%

(RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET) Supervisors Greco and Baia made a motion and seconded, respectively, to amend the 2010 Tentative Operating Budget to utilize \$1.525 million from the Fund Balance.

Treasurer Bowerman stated that amount would bring the tax levy to a point where every municipality would see a decrease in taxes, except for the Town of Mohawk, which would stay the same.

Supervisor DiMezza stated that he would support the Resolution only if the City Supervisors would support his proposal to increase the County sales tax by .5% to generate revenues for future years. He stated that the County needs to increase revenues if it hopes to avoid a financial shortfall as soon as 2011. Without the revenue increase the County will be looking at massive layoffs and cuts in the future.

Most Supervisors expressed concern about the County losing business by increasing the sales tax. Supervisor DiMezza stated that people will not travel elsewhere for .5 cent on a dollar with the price of gas being what it is.

The Resolution was moved to the full Board with a positive recommendation. Chairman Strevy objected.

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

Chairman Strevy adjourned the Finance Committee meeting at 7:43 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
PUBLIC HEARING
6:45 PM, November 24, 2009

2010 Tentative Operating Budget

PUBLIC HEARING DISCUSSION

Chairman Thomas called the public hearing to order at 6:45 p.m. in the Supervisors Chambers.

Present were Supervisors Quackenbush, Paton, McMahon, Strevy, Dybas, Johnson, Stagliano, Barone, Walters, DiMezza, Thomas, Baia, Jonker, and Thayer. Absent was Supervisor Greco.

The following notice was read:

NOTICE OF PUBLIC HEARING

2010 TENTATIVE OPERATING BUDGET

NOTICE IS HEREBY GIVEN, that the Board of Supervisors of the County of Montgomery will meet in the Montgomery County Supervisors' Chambers, Montgomery County Office Building, Route 30A (64 Broadway), Fonda, New York at 6:45 p.m. on Tuesday, November 24, 2009 for the purpose of holding a public hearing on the Tentative Budget for the fiscal year beginning January 1, 2010, as required by County Law of the State of New York.

FURTHER NOTICE is hereby given that copies of said 2010 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.

Robin L. Loske
Clerk of the Board
DATED: November 6, 2009

Chairman Thomas asked if anyone wished to speak.

Evelyn Lindley of Sparkers, NY, took the floor and expressed her concern with the amount of money proposed to be used from the Fund Balance.

Helen Bartone, County Clerk, took the floor and asked that the Supervisors reconsider her request for computer equipment to manage the County Clerk's Records Management System.

She explained that the current equipment is outdated and no enhancements or upgrades can be purchased to bring it up to date.

Sandra Fraiser, Director of Real Property Tax Services, took the floor and asked the Supervisors to reconsider putting back in the vacant position they cut from her 2010 Budget request.

There were no other speakers.

Chairman Thomas adjourned the public hearing at 6:50 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, November 24, 2009

CALL TO ORDER

Chairman Thomas called the Regular Meeting of the Montgomery County Board of Supervisors for November 24, 2009 to order at 7:00 PM.

SALUTE TO THE FLAG

Supervisor Barone led the Salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors McMahon, Strevy, Dybas, Thayer, Barone, Thomas, Baia, Paton, Walters and Quackenbush, Johnson, Jonker, DiMezza and Stagliano were present. Absent was Supervisor Greco.

PRIVILEGE OF THE FLOOR

A. Public Comment - Treasurer Bowerman took the floor and warned the Supervisors that applying too much fund balance to the 2010 Operating Budget will leave the County with little help in 2011 and none for 2012. By doing so would put the burden on the shoulders of the taxpayers for what could be an exorbitant increase.

Treasurer Bowerman stated that some big things are going to hit the County in a couple of years. If action is not taken, the County is going to be in serious financial condition.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (October 27, 2009 - November 17, 2009) by Supervisor Barone, Sr., seconded by Supervisor Quackenbush, passed with Aye(1729). Supervisor Greco was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor DiMezza, seconded by Supervisor Barone, Sr., passed with Aye(1729). Supervisor Greco was absent.

UNFINISHED BUSINESS

(RESOLUTION APPROVING AND ACCEPTING POST CLOSURE MONITORING AND MAINTENANCE AGREEMENT REGARDING THE MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA) CLOSED LANDFILLS (BOARD OF SUPERVISORS) MOTION TO REMOVE FROM THE TABLE by Supervisor Strevy seconded by Supervisor Dybas passed with Aye (1663). Supervisor Thayer abstained and Supervisor Greco was absent.

Dennis Heaton, Solid Waste Coordinator, took the floor proposed an amendment to the Resolution to state that funding for the post closure maintenance be funded through the tip fee so that adjustments can be made on annual basis if need be.

MOTION TO AMEND by Supervisor Walters, seconded by Supervisor Strevy, to add another "FURTHER RESOLVED" clause as follows:

"FURTHER RESOLVED" the Montgomery County Board of Supervisors has determined that the method of funding the post closure maintenance of the subject landfills shall be through the Tip Fee Method as identified under "7.B Tip Fee Method of the Post Closure Monitoring and Maintenance Agreement".

The MOTION TO AMEND passed with Aye (1729), Supervisor Greco was absent.

RESOLUTION NO. 242 of 2009

DATED: October 27, 2009

RESOLUTION APPROVING AND ACCEPTING POST CLOSURE MONITORING AND MAINTENANCE AGREEMENT REGARDING THE MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA) CLOSED LANDFILLS (BOARD OF SUPERVISORS)

Resolution by Supervisor: Greco

Seconded by Supervisor: Jonker

WHEREAS, in 1987, Montgomery, Otsego, and Schoharie Counties united to provide solid waste management services through the creation of MOSA, and

WHEREAS, historically MOSA member Counties relied on landfills located within the member Counties for disposal and upon creation of MOSA, title to the landfills were passed from the Counties to MOSA along with the attendant operating, closure, and post closure responsibilities, and

WHEREAS, to date the required post closure maintenance of the subject landfills has been performed by MOSA, with subsequent costs being passed through to MOSA users through the MOSA tip fee, and

WHEREAS, the Counties recognize that regardless of how solid waste issues are managed in the future, either with or without MOSA, the Counties continue to be responsible for the post closure monitoring and maintenance of the closed landfills, and

WHEREAS, a "Post Closure Monitoring and Maintenance Agreement" has been drafted, which defines said responsibilities of the MOSA member Counties regarding post closure management of the closed landfills, and

WHEREAS, each MOSA member County, individually and jointly, have reviewed and are in support of the requirements of the "Post Closure Monitoring and Maintenance Agreement",

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized to sign the "Post Closure Monitoring and Maintenance Agreement", and

FURTHER RESOLVED, the Montgomery County Board of Supervisors acceptance of the "Post Closure Maintenance Agreement" is conditional upon the mutual acceptance of the Agreement from each of the MOSA member Counties, Otsego and Schoharie, as well as acceptance of the Agreement by the MOSA Governing Board.

MOTION TO TABLE by Supervisor Strevy, seconded by Supervisor Dybas, passed with Aye(1868). (10/27/2009)

MOTION TO REMOVE FROM TABLE by Supervisor Strevy, seconded by Supervisor Dybas, passed with Aye(1663). Supervisor Thayer abstained. Supervisor Greco was absent. (11/24/2009)

MOTION TO AMEND by Supervisor Walters, seconded by Supervisor Strevy, to add another "FURTHER RESOLVED" as follows:

"FURTHER RESOLVED, the Montgomery County Board of Supervisors has determined that the method of funding the post closure maintenance of the subject landfills shall be through the Tip Fee Method as identified under "7.B. Tip Fee Method of the Post Closure Monitoring and Maintenance Agreement".

MOTION TO AMEND passed with Aye(1729). Supervisor Greco was absent. (11/24/2009)

RESOLUTION ADOPTED with Aye(1663). Supervisor Thayer abstained. Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

SUSPEND RULES

MOTION TO SUSPEND THE RULES by Supervisor Johnson, seconded by Supervisor Barone, to consider adding Resolutions for the County Clerk and Board of Elections relative to the proposed 2010 Operating Budget passed with Aye(1614). Supervisors Walters and Thayer voted Nay. Supervisor Greco was absent.

NEW BUSINESS

A. Resolutions

B. Other

RESOLUTION NO. 271 of 2009

DATED: November 24, 2009

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

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Strevy

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

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

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

1) Resource Center for Independent Living, Inc. 347 West Main Street, Amsterdam, N.Y. 12010 for the provision of On-going Independent Supported Employment Services through the NYS Office of Mental Health for five (5) opportunities for calendar year 2010 not to exceed \$ 15,000.

RESOLUTION ADOPTED with Aye(1729). Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 272 of 2009

DATED: November 24, 2009

RESOLUTION APPOINTING MEMBERS COMMUNITY SERVICE BOARD (MENTAL HEALTH)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Dybas

WHEREAS, Section 41.11 of Mental Hygiene Law provides for the appointment of members by the Board of Supervisors to the Local Community Service Board, and

WHEREAS, currently several vacancies exist due to expired terms,

RESOLVED, the following appointments are hereby made to the Montgomery County Community Services Board for a four-year term:

NAME	TERM
James Clauson	01/01/2007-12/31/2010
Donald Adamowski	01/01/2007-12/31/2010
Jan Tucci	01/01/2007-12/31/2010
Holly Dargush	01/01/2007-12/31/2010
Jackson Douglas	01/01/2009-12/31/2012
Lucille Sitterly	01/01/2009-12/31/2012
Jeff Smith	01/01/2009-12/31/2012
William Cranker	01/01/2009-12/31/2012
Frederick Dailey	01/01/2010-12/31/2013
Grace McKeone	01/01/2010-12/31/2013
Linda Burns	01/01/2010-12/31/2013
Melodie Swanson	01/01/2010-12/31/2013
Robin Crosier	01/01/2010-12/31/2013
Deborah Ski vington	01/01/2010-12/31/2013

RESOLUTION ADOPTED with Aye(1729). Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 273 of 2009

DATED: November 24, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET (MENTAL HEALTH)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Dybas

WHEREAS, the Director of Community Services has recommended amending the County Budget for the Mental Health Department to reflect an increase in the New York State Office of Alcoholism and Substance Abuse Services (OASAS) funding for the Mental Health Department revenue account and increasing the Drug Abuse Prevention appropriation account for the Mental Health Department, and

WHEREAS, the Director of Community Services recommends these changes to allow for changes in New York State funding effecting Catholic Charities of Fulton and Montgomery Counties to fund that organization to provide Gambling Prevention Services in Montgomery County schools, and

WHEREAS, said changes require budget amendments to reflect the appropriate amounts in the appropriate lines utilized for these funds,

RESOLVED, the County Treasurer is hereby directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUES:

A-17-3-3472	Special Health Programs OASAS	\$30,000
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INCREASE APPROPRIATIONS:

A-17-4-4230-00-.4555	Drug Abuse Prevention	\$30,000
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MOTION TO AMEND by Supervisor Dybas, seconded by Supervisor Strevy, to delete the "RESOLVED" clause and replace with the following:

RESOLVED, the County Treasurer is hereby directed to amend the 2009 Operating Budget as follows:

INCREASE REVENUES:

A-17-3-3472	Special Health Programs OASAS	\$38,693
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INCREASE APPROPRIATIONS:

A-17-4-4230-00-.4555	Drug Abuse Prevention	\$30,000
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A-17-4-4250-00-.4565	Community Support System	\$ 8,693
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MOTION TO AMEND passed with Aye(1729). Supervisor Greco was absent. (11/24/2009)

RESOLUTION ADOPTED with Aye(1729). Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 274 of 2009

DATED: November 24, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET (SHERIFF)

Resolution by Supervisor: Walters

Seconded by Supervisor: Quackenbush

WHEREAS, the Sheriff has requested a budget amendment to provide funds for acquisition of a vehicle and needed equipment for the Sheriff's Office,

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget as follows:

TRANSFER FROM:

A-15-4-3110-00.4441	Gasoline, oil, diesel fuel	\$25,000
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TRANSFER TO:

A-15-4-3110-00.2230	Motor vehicle equipment	\$25,000
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RESOLUTION ADOPTED with Aye(1729). Supervisor Greco was absent. (11/24/2009)

Douglas Landon

Robin Loske

County Attorney

Clerk, Board of Supervisors

RESOLUTION NO. 275 of 2009**DATED:** November 24, 2009**RESOLUTION AMENDING 2009 OPERATING BUDGET (SHERIFF)**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Johnson

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

TRANSFER FROM:

A-15-4-3150-00. 4438	Misc Supporting Services	\$10,000
A-15-4-3150-00. 4441	Gasoline, Oil, Diesel Fuel	\$ 3,000
A-15-4-3150-00. 4445	Medical Supplies	\$20,000
A-15-4-3150-00. 4446	Food Supplies	\$20,000

TRANSFER TO:

A-15-4-3150-00. 1111(1214)	Overtime Pay	\$53,000
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RESOLUTION ADOPTED with Aye(1729). Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 276 of 2009**DATED:** November 24, 2009**RESOLUTION AUTHORIZING THE IMPLEMENTATION OF VOICE OVER INTERNET PROVIDERS (VOIP) SURCHARGE IN MONTGOMERY COUNTY (SHERIFF)**

Resolution by Supervisor: Dybas

Seconded by Supervisor: Johnson

WHEREAS, effective January 1, 2010, Section 1. Subdivision 7 of section 301 of the County Law imparts that a provider of VOIP services be deemed a service supplier for purposes of enhanced emergency telephone system surcharges, and

WHEREAS, VOIP services shall mean any service that (i) enables real-time, two-way voice communications; (ii) requires a broadband connection from the user's location; (iii) requires internet protocol compatible customer premises equipment (CPE); (iv) permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network, and

WHEREAS, it is the Sheriff's recommendation that a \$0.30 per month surcharge be imposed by Voice Over Internet Providers to help offset E911 services,

RESOLVED, that the Board of Supervisors hereby authorizes and approves the implementation of a VOIP Surcharge of \$0.30 per month effective January 1, 2010.

RESOLUTION ADOPTED with Aye(1592). Supervisor Bai voted Nay. Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 277 of 2009**DATED:** November 24, 2009**RESOLUTION AUTHORIZING AMENDMENT TO BUSINESS EQUIPMENT RENTAL AGREEMENT BETWEEN FRONTIER AND MONTGOMERY COUNTY SHERIFF'S OFFICE (SHERIFF)**

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Quackenbush

WHEREAS, Frontier and the Sheriff's Office entered into the Business Equipment Rental Agreement, effective on December 22, 1999 (the "Rental Agreement"), and

WHEREAS, Frontier and the Sheriff's Office desire to extend the term of the Rental Agreement,

RESOLVED, the term of this Business Equipment Rental Agreement is hereby extended so that it will now expire on July 1, 2010, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, is hereby authorized to sign an amendment to the original Agreement signed on December 22, 1999.

RESOLUTION ADOPTED with Aye(1729). Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 278 of 2009

DATED: November 24, 2009

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

Resolution by Supervisor: Bai a

Seconded by Supervisor: Johnson

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign an agreement for provision of administrative and staff support services to the Montgomery County Industrial Development Agency, and

FURTHER RESOLVED, that said agreement shall be for a period commencing on January 1, 2010 and ending on December 31, 2010 for an amount not to exceed \$17,500.

RESOLUTION ADOPTED with Aye(1729). Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 279 of 2009

DATED: November 24, 2009

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

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Bai a

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized 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, 2010 and ending on December 31, 2010.

RESOLUTION ADOPTED with Aye(1729). Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 280 of 2009

DATED: November 24, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2010 - 2011 MASS TRANSPORTATION SERVICES - MONTGOMERY AREA EXPRESS (THE MAX) - (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Bai a

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 182 of 2009 authorized an RFP to solicit a bus operator for the established bus system for 2010 and 2011, and

WHEREAS, bids have been received and accepted and reviewed by the Purchasing Agent and the Economic Development/Planning Department and recommendations have been made,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney is hereby authorized to sign an agreement with Brown Coach to manage and maintain the Montgomery County Area Express (The MAX) from January 1, 2010 through December 31, 2011, and

FURTHER RESOLVED, that said contract shall be at rate of \$3.23 per mile for the period January 1, 2010 through December 31, 2010, and at rate of \$3.41 per mile for the period January 1, 2011 through December 31, 2011, when using County-owned buses or a spare bus provided by NYS DOT, and

FURTHER RESOLVED, that said contract shall be at a rate of \$5.06 per mile for the period January 1, 2010 through December 31, 2010, and at a rate of \$5.11 per mile for the period January 1, 2011 through December 31, 2011 when the provider must use its own buses for the operation of services, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized to sign a Lease Agreement with Brown Coach for the use of two (2) County-owned buses to provide said operations to the citizens of Montgomery County for this contract period.

RESOLUTION ADOPTED with Aye(1592). Supervisor Johnson voted Nay. Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 281 of 2009

DATED: November 24, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - LEGISLATIVE GRANT - VAN PURCHASE AND RELATED EQUIPMENT AND RESCINDING RESOLUTION 215 OF 2008 (VETERANS SERVICE)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Johnson

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 and related equipment to transport veterans to health facilities,

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized 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.

MOTION TO AMEND by Supervisor Barone, Sr., seconded by Supervisor Thayer, to insert a RESOLVED" clause before the "FURTHER RESOLVED" clause as follows:

"RESOLVED that Resolution Number 215 of 2008 is hereby rescinded, and"

MOTION TO AMEND passed with Aye(1729). Supervisor Greco was absent. (11/24/2009)

RESOLUTION ADOPTED with Aye(1729). Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 282 of 2009

DATED: November 24, 2009

RESOLUTION REAPPOINTING MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA BOARD) REPRESENTATIVE

Resolution by Supervisor: Walters

Seconded by Supervisor: Strevy

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

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

WHEREAS, the Chairman of the Board of Supervisors has reappointed Olga Podmajersky of Fonda as a Montgomery County Representative to the Board of the Montgomery-Otsego-Schoharie Solid Waste Authority for a four-year term ending December 31, 2013,

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

RESOLUTION ADOPTED with Aye(1729). Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 283 of 2009

DATED: November 24, 2009

RESOLUTION AUTHORIZING DISTRIBUTION OF REQUEST FOR PROPOSALS EMPLOYEE PHYSICAL EXAMINATIONS (PERSONNEL)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Walters

WHEREAS, the Personnel Officer has recommended that the County seek proposals for medical services for the performance of employee physical examinations,

RESOLVED, that the Purchasing Agent, in cooperation with the Personnel Department, is hereby authorized and directed to solicit proposals for medical services for the performance of employee physical examinations as outlined in the attached RFP.

MOTION TO AMEND by Supervisor Johnson, seconded by Supervisor Baia, to strike the Resolution in its entirety and replace it with the following Resolution:

"RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - EMPLOYEE PHYSICAL EXAMINATIONS EASTERN MEDICAL SUPPORT (PERSONNEL)

WHEREAS, the Personnel Officer has recommended renewal of an agreement for provision of employee physical examinations,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign a renewal agreement with Eastern Medical Support for provision of employee physical examinations, with no increase in rates, and

FURTHER RESOLVED, that said agreement shall be renewed commencing on January 1, 2010 and ending on December 31, 2012."

MOTION TO AMEND was defeated with Aye(707). Supervisors Johnson, Barone, Sr., Dybas, Baia and Quackenbush voted Aye. Supervisor Greco was absent. (11/24/2009)

RESOLUTION ADOPTED with Aye(1295). Supervisors Johnson, Barone, Sr. and Quackenbush voted Nay. Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 284 of 2009

DATED: November 24, 2009

RESOLUTION TRANSFERRING FUNDS TO PURCHASE NEW TIME CLOCKS (DATA PROCESSING/PRINTING)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Barone, Sr.

WHEREAS, the current county time clocks have met their life expectancy, and

WHEREAS, parts are hard to come by, and

WHEREAS, the clocks need to be on a reliable connection, and

WHEREAS, these clocks are needed for input to County payroll,

RESOLVED, that the Montgomery County Board of Supervisors does hereby approve the purchase of six (6) new time clocks that better meet the current needs of the county at a cost not to exceed \$15,270, and

FURTHER RESOLVED, that the county Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

TRANSFER FROM:

A-14-4-1680-00.4438	Misc. Supporting Services	\$2,500.00
A-14-4-1680-00.4459	Software	\$1,270.00

TRANSFER TO:

A-14-4-1680-00-.2259	Computer Equipment	\$3,770.00
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RESOLUTION ADOPTED with Aye(1729). Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 285 of 2009

DATED: November 24, 2009

RESOLUTION AUTHORIZING ACCOUNTS PAYABLE YEAR-END ADJUSTMENTS - 2009 OPERATING BUDGET (TREASURER)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Greco

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 2009, 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(1518). Supervisors Jonker and Stagliano voted Nay. Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 286 of 2009

DATED: November 24, 2009

RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY (TREASURER)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Barone, Sr.

RESOLVED, that the Board of Supervisors hereby authorizes the County Treasurer to disburse Mortgage Tax money for the period from April 1, 2009 through September 30, 2009, and

FURTHER RESOLVED, that said Treasurer is directed to take all necessary steps, under proper accounting procedure, to adjust the books of his office, effective immediately.

RESOLUTION ADOPTED with Aye(1729). Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 287 of 2009

DATED: November 24, 2009

RESOLUTION DELEGATING AUTHORITY TO AMEND 2009 OPERATING BUDGET (TREASURER)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Di Mezza

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 2009 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 25, 2009 and ending on December 31, 2009.

RESOLUTION ADOPTED with Aye(1518). Supervisors Jonker and Stagliano voted Nay. Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 288 of 2009

DATED: November 24, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - ASSIGNED COUNSEL (PUBLIC DEFENDER)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Johnson

WHEREAS, it is necessary to transfer funds into the professional services appropriation line to cover expenses for assigned counsel in the Public Defender's Budget for the remainder of the fiscal year,

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE:

A-599	Appropriated Fund Balance	\$30,000
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INCREASE APPROPRIATIONS:

A-28-4-1170-00-.4431	Professional Services	\$30,000
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MOTION TO AMEND by Supervisor Strevy, seconded by Supervisor Barone, Sr., to delete the the "RESOLVED" clause and replace with the following:

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE:

A-599	Appropriated Fund Balance	\$60,000
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INCREASE APPROPRIATIONS:

A-28-4-1170-00-4431	Professional Services	\$60,000
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MOTION TO AMEND passed with Aye(1663). Supervisor Thayer abstained. Supervisor Greco was absent. (11/24/2009)

RESOLUTION ADOPTED with Aye(1663). Supervisor Thayer abstained. Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 289 of 2009

DATED: November 24, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET - CORRECTION OFFICERS SALARIES (SHERIFF/JAIL)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Di Mezza

WHEREAS, pursuant to Resolution No. 164 of 2009 the Board of Supervisors ratified and approved a full-time Memorandum of Agreement between Montgomery County and the Montgomery County Local 294 of International Brotherhood of Teamsters for Correction Officers, and

WHEREAS, the funding of the salary changes were not included in the 2009 Operating Budget.

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2009 Operating Budget as follows:

INCREASE:

A-599	Appropriated Fund Balance	\$76,860
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INCREASE:

A-15-4-3150-00-.1110	(64)	Correction Officer	\$2,639
A-15-4-3150-00-.1110	(65)	Correction Officer	\$2,117
A-15-4-3150-00-.1110	(69)	Correction Officer	\$2,117
A-15-4-3150-00-.1110	(70)	Correction Officer	\$2,117
A-15-4-3150-00-.1110	(74)	Correction Officer	\$ 724
A-15-4-3150-00-.1110	(76)	Correction Officer	\$1,194
A-15-4-3150-00-.1110	(146)	Correction Officer	\$1,093
A-15-4-3150-00-.1110	(154)	Correction Officer	\$2,378
A-15-4-3150-00-.1110	(156)	Correction Officer	\$2,117
A-15-4-3150-00-.1110	(174)	Correction Officer	\$2,117
A-15-4-3150-00-.1110	(182)	Correction Officer	\$2,649
A-15-4-3150-00-.1110	(188)	Correction Officer	\$2,378
A-15-4-3150-00-.1110	(190)	Correction Officer	\$2,117
A-15-4-3150-00-.1110	(196)	Correction Officer	\$2,378
A-15-4-3150-00-.1110	(198)	Correction Officer	\$2,378
A-15-4-3150-00-.1110	(295)	Correction Officer	\$2,378
A-15-4-3150-00-.1110	(389)	Correction Officer	\$1,199
A-15-4-3150-00-.1110	(411)	Correction Officer	\$2,378
A-15-4-3150-00-.1110	(414)	Correction Officer	\$1,369
A-15-4-3150-00-.1110	(415)	Correction Officer	\$ 972
A-15-4-3150-00-.1110	(416)	Correction Officer	\$2,639
A-15-4-3150-00-.1110	(499)	Correction Officer	\$2,066
A-15-4-3150-00-.1110	(500)	Correction Officer	\$2,639
A-15-4-3150-00-.1110	(506)	Correction Officer	\$2,117
A-15-4-3150-00-.1110	(508)	Correction Officer	\$2,117
A-15-4-3150-00-.1110	(643)	Correction Officer	\$2,378
A-15-4-3150-00-.1110	(683)	Correction Officer	\$2,117
A-15-4-3150-00-.1110	(753)	Correction Officer	\$ 965
A-15-4-3150-00-.1110	(845)	Correction Officer	\$1,032
A-15-4-3150-00-.1110	(855)	Correction Officer	\$1,002
A-15-4-3150-00-.1110	(1059)	Correction Officer	\$2,649
A-15-4-3150-00-.1110	(1074)	Correction Officer	\$2,200
A-15-4-3150-00-.1110	(1075)	Correction Officer	\$2,378
A-15-4-3150-00-.1110	(1076)	Correction Officer	\$2,639
A-15-4-3150-00-.1110	(1077)	Correction Officer	\$2,173
A-15-4-3150-00-.1110	(1079)	Correction Officer	\$ 758
A-15-4-3150-00-.1110	(1084)	Correction Officer	\$1,212
A-15-4-3150-00-.1110	(1104)	Correction Officer	\$ 857
A-15-4-3150-00-.1110	(1105)	Correction Officer	\$ 61
A-15-4-3150-00-.1110	(1180)	Correction Officer	\$1,424
A-15-4-3150-00-.1110	(1317)	Correction Officer	\$2,628

RESOLUTION ADOPTED with Aye(1729). Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 290 of 2009**DATED:** November 24, 2009**RESOLUTION RESCHEDULING DECEMBER BOARD OF SUPERVISORS MEETING AND SETTING ORGANIZATIONAL MEETING (BOS)**

Resolution by Supervisor: Strevy

Seconded by Supervisor: Barone, Sr.

RESOLVED, that the Regular Meeting of the Montgomery County Board of Supervisors, originally scheduled for 7:00 p.m., Tuesday, December 22, 2009 is hereby rescheduled to 7:00 p.m., December 15, 2009, and

FURTHER RESOLVED, that the Organizational Meeting is hereby scheduled for January 4, 2010 at 7:00 p.m.

RESOLUTION ADOPTED with Aye(1729). Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 291 of 2009**DATED:** November 24, 2009**RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - REAL PROPERTY/BOARD OF SUPERVISORS**

Resolution by Supervisor: Johnson

Seconded by Supervisor: Strevy

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-07-4-1355-00-1110(1053)	Real Prop Tax Res Tech	\$ -0-	\$ 27,916	\$27,916
A-01-4-1010-00-1110(142)	Solid Waste Coordinator	\$ 58,850	\$ -0-	(\$58,850)

RESOLUTION ADOPTED with Aye(1260). Supervisors Dybas, Bai a, Walters and Paton voted Nay. Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 292 of 2009**DATED:** November 24, 2009**RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - COUNTY CLERK**

Resolution by Supervisor: Johnson

Seconded by Supervisor: Quackenbush

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-08-4-1410-00-. 4438	Misc Supporting Svcs	\$38,200	\$54,000	\$ 15,800
A-08-4-1410-00-. 2259	Computer Equipment	\$ 2,000	\$0	(\$ 2,000)
A-08-4-1410-00-. 4422	Equipment/Repair	\$ 400	\$0	(\$ 400)
A-08-4-1410-00-. 4425	Maint. Agree (FAX)	\$ 300	\$0	(\$ 300)
A-08-4-1410-00-. 4459	Computer Software	\$ 400	\$0	(\$ 400)
A-08-4-1410-00-. 4455	Training	\$ 100	\$0	(\$ 100)
A-08-4-1410-00-. 4499	Legal Reference	\$ 1,000	\$0	(\$ 1,000)

RESOLUTION ADOPTED with Aye(1021). Supervisors Dybas, Baia, McMahon, Walters, Paton and Stagliano voted Nay. Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 293 of 2009

DATED: November 24, 2009

RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF ELECTIONS

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Baia

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

Account	Description	Amount	Change To:	Increase (Decreased)
A-11-4-1450-00-1110(736)	Voting Mach/Elect Coord	\$14,151	\$29,400	(\$15,249)
A-11-4-1450-00-1110(737)	Voting Mach/Elect Coord	\$14,151	\$29,400	(\$15,249)

RESOLUTION DEFEATED with Aye(507). Supervisors Barone, Sr., Baia, Thomas and Paton voted Aye. Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Discussion Resolution No. 294

Supervisor Walters stated that the County is shooting itself in the foot by dwindling down the fund balance. He indicated that it was plain foolishness and stupidity to use so much of the fund balance. He recommended that the Board listen to what the County Treasurer had to say in the beginning of the meeting.

Supervisor Baia stated that a week before the election the Finance Committee agreed to cut \$950,000 from the proposed 2010 Budget. A week after the election the Board is ready to put \$350,000 back in the budget.

Other Supervisors agreed that a little pain now is better than a lot of pain in the next few years.

RESOLUTION NO. 294 of 2009

DATED: November 24, 2009

RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF SUPERVISORS

Resolution by Supervisor: Greco

Seconded by Supervisor: Baia

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

ACCOUNT	DESCRIPTION	FROM	TO	INCREASED (DECREASED)
APPROP. FUND BALANCE	General Fund	\$5,953,700	\$7,478,700	\$1,525,000

MOTION TO AMEND by Supervisor Quackenbush, seconded by Supervisor Johnson, to delete the "RESOLVED" clause and insert the following:

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

ACCOUNT	DESCRIPTION	FROM	TO	INCREASED (DECREASED)
APPROP. FUND BALANCE	General Fund	\$5,953,700	\$7,841,568	\$1,887,868

MOTION TO AMEND was defeated with Aye(854). Supervisors Johnson, Barone, Sr., Dybas, Baia, Quackenbush and Paton voted Aye. Supervisor Greco was absent. (11/24/2009)

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Strevy, to delete the "RESOLVED"

clause and insert the following:

RESOLVED, that the 2010 Tentative Operating Budget is amended as follows:

ACCOUNT	DESCRIPTION	FROM	TO	INCREASED (DECREASED)
APPROP. FUND BALANCE	General Fund	\$5,953,700	\$6,953,700	\$1,000,000

MOTION TO AMEND was defeated with Aye(685). Supervisors Dybas, DiMezza, McMahon, Strevy and Thomas voted Aye. Supervisor Greco was absent. (11/24/2009)

RESOLUTION ADOPTED with Aye(1073). Supervisors McMahon, Walters, Strevy, Thomas, Jonker, Thayer and Stagliano voted Nay. Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 295 of 2009

DATED: November 24, 2009

RESOLUTION ADOPTING MONTGOMERY COUNTY 2010 OPERATING BUDGET

Resolution by Supervisor: DiMezza

Seconded by Supervisor: Barone, Sr.

WHEREAS, the Montgomery County Board of Supervisors has met and considered the 2010 Tentative Operating Budget and has conducted a public hearing thereon, as required by County Law,

RESOLVED, that in accordance with County Law, the 2010 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, 2010.

RESOLUTION ADOPTED with Aye(936). Supervisors Bai a, McMahon, Walters, Strevy, Thomas, Jonker, Thayer and Stagliano voted Nay. Supervisor Greco was absent. (11/24/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

OTHER

There was no other business for discussion.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Dybas, seconded by Supervisor Barone, Sr., passed with Aye(1729). Supervisor Greco was absent.

Meeting adjourned at 8:42 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - ECONOMIC DEVELOPMENT/PLANNING
7:00 PM, December 1, 2009

COMMITTEE MEETING DISCUSSION

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

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

Additional Supervisors present were Supervisors Dybas, thayer and Thomas. Supervisors Greco, Quackenbush, Barone, Walter Stagliano were absent.

Chairman Baia has called a meeting of the Economic Development/Planning Committee for 7:00 p.m. on Tuesday, December 1, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION REAPPOINTING MEMBERS - FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD (ECONOMIC DEVELOPMENT/PLANNING)
2. RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN GRANT APPLICATION TO UPDATE THE COUNTY'S AGRICULTURAL AND FARMLAND PROTECTION PLAN (ECONOMIC DEVELOPMENT AND PLANNING)
3. OTHER

Item #1: (RESOLUTION REAPPOINTING MEMBERS - FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD (ECONOMIC DEVELOPMENT/PLANNING) Supervisors Paton 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 #2: (RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN GRANT APPLICATION TO UPDATE THE COUNTY'S AGRICULTURAL AND FARMLAND PROTECTION PLAN (ECONOMIC DEVELOPMENT AND PLANNING) 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: (OTHER) There were no other items for discussion.

Supervisors DiMezza and Strevy made a motion and seconded, respectively, to adjourn the Committee meeting.

Chairman Baia adjourned the Economic Development/Planning Committee meeting at 7:01 PM.

Respectfully submitted,

Robin Loske
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, December 1, 2009

COMMITTEE MEETING DISCUSSION

Chairman Thayer presided over the meeting commencing at 7:05 PM.

Roll call indicated Committee members present included Supervisors Wheeler, Coddington, Rajkowski and Sweet. Supervisors Johnson and Stagliano were absent.

Additional Supervisors present were Greco, McMahon, DiMezza, Quackenbush, Walters, Barone and Baia. Supervisor Strevy was absent.

Chairman Thayer has called a meeting of the Public Safety Committee for 7:05 p.m. on Tuesday, December 1, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION FOR APPROVAL OF A LEASE AGREEMENT WITH CENTRO CIVICO OF AMSTERDAM, INC. FOR A PROBATION SATELLITE OFFICE (PROBATION)
2. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ALIVE AT 25, YOUNGER DRIVER EDUCATION PROGRAM (STOP-DWI)
3. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - VALUES IMPROVEMENT PROGRAM (STOP-DWI)
4. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PRE-TRIAL RELEASE COORDINATOR - LESLIE NICHOLAS (YOUTH BUREAU/ALTERNATIVE COMMUNITY SERVICES DEPARTMENT)
5. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2010 ANNUAL ALTERNATIVES TO INCARCERATION PERFORMANCE - BASED SERVICE PLAN (YOUTH BUREAU/ACSD)
6. OTHER

Item #1: (RESOLUTION FOR APPROVAL OF A LEASE AGREEMENT WITH CENTRO CIVICO OF AMSTERDAM, INC. FOR A PROBATION SATELLITE OFFICE (PROBATION) Supervisors Greco and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ALIVE AT 25, YOUNGER DRIVER EDUCATION PROGRAM (STOP-DWI)) SURCHARGE IN MONTGOMERY COUNTY (SHERIFF) Supervisors Baia and Greco made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. Supervisor Baia objected.

Item #3: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - VALUES IMPROVEMENT PROGRAM (STOP-DWI) Supervisors Baia and Strevy made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #4: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PRE-TRIAL RELEASE COORDINATOR - LESLIE NICHOLAS (YOUTH BUREAU/ALTERNATIVE COMMUNITY SERVICES DEPARTMENT) Supervisors Barone 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: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2010 ANNUAL ALTERNATIVES TO INCARCERATION PERFORMANCE - BASED SERVICE PLAN (YOUTH BUREAU/ACSD) Supervisors Baia and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

(OTHER) There was no other discussion.

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

Chairman Thayer adjourned the Public Safety Committee meeting at 7:07 PM.

Respectfully submitted,

Robin Loske
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, December 8, 2009

COMMITTEE MEETING DISCUSSION

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

Roll call indicated Committee members present included Supervisors Di Mezza, Johnson, Jonker, Paton, Strevy and Thayer.

Additional Supervisors present were Supervisors Greco, Quackenbush, Barone, Dybas, Walters, Thomas, McMahon and Baia. Supervisor Stagliano was absent.

Chairman Walters has called a meeting of the General Services Committee for 7:00 p.m. on Tuesday, December 8, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AWARDDING BID 14-09 - DETACHABLE LOADER MOUNTED SNOW BLOWER(DPW)
2. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ENGINEERING SERVICES
2009 BRIDGE PROGRAM (PUBLIC WORKS)
3. OTHER

Item #1: (RESOLUTION AWARDDING BID 14-09 - DETACHABLE LOADER MOUNTED SNOW BLOWER(DPW) Supervisors Walters and Quackenbush made a motion and seconded, respectively to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ENGINEERING SERVICES -2009 BRIDGE PROGRAM (PUBLIC WORKS) Supervisors Walters 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 #3: (OTHER) There were no other items for discussion.

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

Chairman Walters adjourned the General Services Committee meeting at 7:04 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - HEALTH & HUMAN SERVICES
7:05 PM, December 8, 2009

COMMITTEE MEETING DISCUSSION

Chairman Barone presided over the meeting commencing at 7:05 PM.

Roll call indicated Committee members present included Supervisors Bai a, Dybas, Jonker, Paton and Strevy. Supervisor Stagliano was absent.

Additional Supervisors present were Greco, DiMezza, Quackenbush, Johnson, McMahon, Walters, Thayer and Thomas.

Chairman Barone has called a meeting of the Health and Human Services Committee for 7:05 p.m. on Tuesday, December 8, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - COMMUNITY SERVICES/MENTAL HEALTH DEPARTMENT SERVICE PROVIDER CONTRACTS (MENTAL HEALTH)
2. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS FOR SERVICES APPROVED BY 2010 SOCIAL SERVICES OPERATING BUDGET (SOCIAL SERVICES)
3. OTHER

Item #1: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - COMMUNITY SERVICES/MENTAL HEALTH DEPARTMENT SERVICE PROVIDER CONTRACTS (MENTAL HEALTH) Supervisors Barone and Paton made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS FOR SERVICES APPROVED BY 2010 SOCIAL SERVICES OPERATING BUDGET (SOCIAL SERVICES) Supervisors Barone and Strevy made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Add-On Resolution:

(RESOLUTION ADOPTING A MONTGOMERY COUNTY MANDATORY MEDICAID COMPLIANCE POLICY (BOARD OF SUPERVISORS) Supervisors Barone 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 #3: (OTHER) There were no other items for discussion.

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

Chairman Barone adjourned the Health & Human Services Committee meeting at 7:13 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
COMMITTEE MEETING - FINANCE
7:10 PM, December 8, 2009

COMMITTEE MEETING DISCUSSION

Chairman Strevy presided over the Finance Committee meeting commencing at 7:14 PM.

Roll call indicated Committee members present were Supervisors Barone, DiMezza and Dybas, Greco, Johnson and Jonker.

Additional Supervisors present were Supervisors Quackenbush, McMahon, Paton, Baia, Thayer, Walters and Thomas. Absent was Supervisor Stagliano.

Chairman Strevy has called a meeting of the Finance Committee for 7:10 p.m. on Tuesday, December 8, 2009 in the Supervisors' Chambers, County Office Building, 64 Broadway, Fonda, New York.

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

1. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AN AGREEMENT FOR EMPLOYEE PHYSICAL EXAMINATIONS (PERSONNEL)
2. RESOLUTION AMENDING 2009 OPERATING BUDGET FOR EQUIPMENT REPAIRS - DPW (PURCHASING)
3. RESOLUTION AWARDING BID 15-09 - SALE OF SURPLUS VEHICLES AND EQUIPMENT (PURCHASING)
4. RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GENERAL LIABILITY AND OTHER PERTINENT INSURANCE COVERAGE (BOARD OF SUPERVISORS)
5. OTHER

Item #1: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AN AGREEMENT FOR EMPLOYEE PHYSICAL EXAMINATIONS (PERSONNEL) Supervisors DiMezza and Baia made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #2: (RESOLUTION AMENDING 2009 OPERATING BUDGET FOR EQUIPMENT REPAIRS - DPW (PURCHASING) Supervisors Walters and Johnson made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #3: (RESOLUTION AWARDING BID 15-09 - SALE OF SURPLUS VEHICLES AND EQUIPMENT (PURCHASING) Supervisors Strevy and DiMezza made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Item #4: (RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GENERAL LIABILITY AND OTHER PERTINENT INSURANCE COVERAGE (BOARD OF SUPERVISORS) Supervisors DiMezza and Barone made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

Add-On Resolutions:

(RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - MIDWEST EMPLOYERS REINSURANCE CORPORATION, EXCESS WORKERS COMPENSATION COVERAGE (PERSONNEL) Supervisors Barone and Quackenbush made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

(RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GAT SUBSIDY - MOSA (BOARD OF SUPERVISORS) Supervisors Jonker and Dybas made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

(RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONTGOMERY COUNTY OFFICE FOR THE AGING (BOARD OF SUPERVISORS) Supervisors Barone and McMahon made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

(RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - CORNELL COOPERATIVE EXTENSION SERVICES (BOARD OF SUPERVISORS) Supervisors Dybas and Greco made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

(RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT- MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT (BOARD OF SUPERVISORS) Supervisors Strevy and Jonker made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

(RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - INFO QUICK SOLUTIONS, INC. FOR A RECORD MANAGEMENT SYSTEM (COUNTY CLERK) Supervisors DiMezza and Johnson made a motion and seconded, respectively, to move the Resolution to the full Board with a positive recommendation. There were no objections.

(RESOLUTION AUTHORIZING FULTON MONTGOMERY COMMUNITY COLLEGE MANAGEMENT INFORMATION SYSTEM REVISION (FMCC) Supervisors Dybas and Baia made a motion and seconded, respectively, to move the Resolution to the full Board.

Supervisor McMahon explained that Fulton County withdrew their \$100,000 commitment during its budget process for a Management Information System (MIS).

President Dustin Swanger of FMCC explained that it was critically important to the college's operations for the new MIS because the current system that handles all of the colleges finances, purchasing, student records, course records and the master schedule is 20 years old. The college cannot get any support on the old system because the company that provided the original software has gone out of business.

Fulton County's \$100,000 donation would be made up for by an increase in the commitment by the FMCC Foundation to \$150,000 and the college would come up with the remaining \$45,000.

Supervisor Barone stated that Fulton County has done the same thing in the past and Montgomery County has picked up the slack. He questioned why the County was partners with Fulton County because they have a habit of backing out.

Supervisor Jonker expressed concern as to the signal the County was sending Fulton County. The County is starting to set a precedent that if Fulton County backs out Montgomery County will be pick up the slack.

Supervisor McMahon stated that the Committee should consider their support based on the needs of the college and not actions of Fulton County. Montgomery County should not have to rely on anyone else's decision.

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

(RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT- MH STALLMAN COMPANY, INC. (ECONOMIC DEVELOPMENT AND PLANNING) Supervisors Dybas and Baia made a motion and seconded, respectively, to move the Resolution.

Ken Rose suggested that the Committee go into executive session to discuss the loan.

Pursuant to Section 105 (f) of the NYS Open Meeting Law, the motion was made and seconded by Supervisors Barone and DiMezza, respectively, to enter into Executive Session to discuss financial and personnel matters. Executive Session commenced at 7:50 p.m.

Motion was made and seconded by Supervisors Dybas and Walters, respectively, to adjourn the Executive Session. Executive Session adjourned at 8:09 p.m.

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

Item #5: (Other) Chairman Strevy expressed his concern about paying an extra \$30 per ton for demolition projects that contain asbestos or are considered hot projects. Supervisor DiMezza responded that no matter what the project is when the money is gone it is gone.

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

Chairman Strevy adjourned the Finance Committee meeting at 8:12 PM.

Respectfully submitted,

Robin Loske
Clerk of the Board

PROCEEDINGS OF THE BOARD OF SUPERVISORS
SUPERVISORS' CHAMBERS, MONTGOMERY COUNTY OFFICE BLDG, 64 BROADWAY, FONDA, NY
REGULAR MEETING
7:00 PM, December 15, 2009

CALL TO ORDER

Chairman Thomas called the Regular Meeting of the Montgomery County Board of Supervisors for December 15, 2009 to order at 7:00 PM.

SALUTE TO THE FLAG

Attorney Douglas Landon led the Salute to the Flag.

ROLL CALL

Roll Call indicated Supervisors McMahon, Strevy, Dybas, Thayer, Barone, Thomas, Baia, Greco, Paton, Walters and Quackenbush, Johnson, Jonker, Di Mezza. Absent was Supervisor Stagliano.

PRIVILEGE OF THE FLOOR

A. Presentation for Departing Supervisors

David Dybas, Supervisor City of Amsterdam 4th Ward
Ed Paton, Supervisor Town of Mohawk
Sieds Jonker, Supervisor Town of Palatine
John Thomas, Supervisor Town of Glen

Chairman Thomas presented Supervisors Dybas, Paton and Jonker plaques honoring their years of service with the County.

Clerk of the Board, Robin Loske, presented the Chairman Thomas with a plaque honoring his years of service with the County and acknowledging his Chairmanship for 2009.

B. Public Comment

County Clerk, Helen Bartone, informed the Board that the new camera and computer system had been delivered to the Department of Motor Vehicle and everything is up and running. She stated that it is business as usual.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION (November 24, 2009 - November 17, 2009 - December 1, 2009) by Supervisor Greco, seconded by Supervisor Johnson, passed with Aye(1772). Supervisor Stagliano was absent.

APPROVAL OF BUDGETARY TRANSFER

MOTION TO ACCEPT BUDGETARY TRANSFERS by Supervisor Di Mezza, seconded by Supervisor Thayer, passed with Aye(1772). Supervisor Stagliano was absent.

UNFINISHED BUSINESS

There was no unfinished business

NEW BUSINESS

A. Resolutions

B. Other

RESOLUTION NO. 296 of 2009

DATED: December 15, 2009

RESOLUTION EXPRESSING APPRECIATION OF THE BOARD OF SUPERVISORS FOR THE SERVICES OF THE 2009 CHAIRMAN OF THE BOARD - JOHN B. THOMAS

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, John B. Thomas, has presided over said matters in a judicious manner, providing for the successful conduct of business of this Board, and

WHEREAS, the Board of Supervisors desires to express its appreciation for the work of the Chairman of Board during 2009,

RESOLVED, that the Montgomery County Board of Supervisors hereby expresses its appreciation to Supervisor John B. Thomas for his invaluable services as Chairman of the Board during 2009.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 297 of 2009

DATED: December 15, 2009

RESOLUTION EXPRESSING APPRECIATION FOR SERVICES OF DEPARTING SUPERVISORS

Resolution by Supervisor: Full Board

Seconded by Supervisor:

WHEREAS, our esteemed colleagues, Fourth Ward Supervisor David J. Dybas, Town of Glen Supervisor John B. Thomas, Town of Mohawk Supervisor Edward R. Paton and Town of Palatine Supervisor Sieds Jonker are leaving the Board of Supervisors, effective December 31, 2009, and

WHEREAS, these Supervisors have served with honor and dignity, and

WHEREAS, they have earned the respect of their fellow Supervisors and County employees,

RESOLVED, that the Board of Supervisors of the County of Montgomery hereby honors Supervisors David J. Dybas, John B. Thomas, Edward R. Paton and Sieds Jonker for their outstanding accomplishments while serving on this Board and wishes them well in their future endeavors.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 298 of 2009

DATED: December 15, 2009

RESOLUTION REAPPOINTING MEMBERS - FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD (ECONOMIC DEVELOPMENT/PLANNING)

Resolution by Supervisor: Paton

Seconded by Supervisor: Strevy

WHEREAS, Resolution 237 of 2008 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, - Montgomery County's public sector appointments include the Department of Labor, Organized Labor, Vocational Rehabilitation, and two Community-Based Organizations, and

WHEREAS, the Board which currently consists of the following:

Appointment	Representing	Term
Pat Baia	Private Sector Appointment	10/27/08 - 12/31/10
Tom Pasquarelli	Private Sector Appointment	10/27/08 - 12/31/10
Kristin Pasquarelli	Private Sector Appointment	10/27/08 - 12/31/10
Amy McGrath	Private Sector Appointment	10/27/08 - 12/31/11
Delores Z. Caruso	Public Sector Appointment	05/29/08 - 12/31/10
Dustin Swanger	Public Sector Appointment	10/27/08 - 12/31/10

Jeffrey Stark	Public Sector Appointment	10/27/08 - 12/31/11
Ramon Rodriguez	Public Sector Appointment	10/27/08 - 12/31/10
Julia Caro	Public Sector Appointment	10/27/08 - 12/31/11
_____	Private Sector Appointment	_____
_____	Private Sector Appointment	_____

, and

WHEREAS, Kristin Pasquarelli who currently sits on the FMS Workforce Development Board has resigned, and

WHEREAS, two vacant private sector appointments still remain unfilled,

RESOLVED, that the Montgomery County Board of Supervisors hereby appoints the following individual(s) to the Fulton-Montgomery-Schoharie Workforce Development Board as follows:

Appointment	Representing	Term
Art Lupe	Private Sector Appointment	12/15/09-12/31/10
_____	Private Sector Appointment	_____
_____	Private Sector Appointment	_____

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 299 of 2009

DATED: December 15, 2009

RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN GRANT APPLICATION TO UPDATE THE COUNTY'S AGRICULTURAL AND FARMLAND PROTECTION PLAN (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Strevy

Seconded by Supervisor: Dybas

WHEREAS, Section 324 and Article 25-AAA of the New York State Department of Agriculture and Markets Law promotes initiatives for farmland protection, and

WHEREAS, the New York State Department of Agriculture and Markets provide financial and technical assistance to update existing County Agricultural Protection Plans, and

WHEREAS, the County's Agricultural and Farmland Protection Plan approved on January 14, 2000 will be 10 years old and eligible to apply for grant funding to update the plan on January 14, 2010, and

WHEREAS, the application for the County Agricultural and Farmland Protection Planning Grant will request \$25,000 of State funding (50%) and require a local match of \$25,000 (50%), of which \$10,000 will be cash and \$15,000 will be in-kind services, and

WHEREAS, the County Agricultural and Farmland Protection Board will assist in the preparation of the Plan,

RESOLVED, that the Montgomery County Department of Economic Development and Planning and County Agricultural and Farmland Protection Board are 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 update of the Montgomery County Agricultural and Farmland Protection Plan.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 300 of 2009

DATED: December 15, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT- MH STALLMAN COMPANY, INC. (ECONOMIC DEVELOPMENT AND PLANNING)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Bai a

WHEREAS, Montgomery County administers an Economic Development Program for the purpose of creating and retaining jobs, and

WHEREAS, the Montgomery Industrial Development Agency (MCIDA) has reviewed and recommended approval of a business loan application from MH Stallman Company, Inc, and

WHEREAS, said applicant has requested a loan from the Economic Development Program for the purpose of purchasing machinery and equipment, and

WHEREAS, said applicant has agreed to create 50 full time 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 to sign an agreement, and any other legal documents necessary to process an economic development loan in a principal amount not to exceed \$400,000 to MH Stallman Company, 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 equal monthly installments, with an interest of 2% (percent), 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(1772). Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Discussion of Resolution No. 301

Supervisor Barone stated that the Resolution should be tabled until communication is made with Fulton County to see if they will consider splitting the \$100,000, which would cut each county's initial commitment in half. He indicated that Montgomery County would be sending the wrong message to partner, Fulton County, by committing to the \$100,000 without Fulton County doing the same. Supervisor Barone's motion to Table failed.

Supervisor DiMezza proposed an amendment to commit the \$100,000 but still approach Fulton County to see if they would be willing to split the cost.

Both Supervisor Jonker and Baia both felt the proposal would be a waste of time because once Montgomery County commits to the \$100,000 Fulton County will not move forward with sharing the cost.

Supervisor DiMezza's proposed amendment failed.

Supervisor Greco stated that he had spoke with Jack Callery, Chairman of the Fulton County Board of Supervisors, who indicated that it would be unlikely that the County would agree to any contribution.

Supervisor McMahon explained that there was a real need for the college to replace its current computer system because the old one could not be updated and business at the college must continue. If the current system fails there would be a real crises.

Supervisor Walters felt the County should not shirk its responsibility to the college. He indicated that Montgomery County should not be the one to drop the educational ball.

Supervisor Thayer made a motion to reduce Montgomery County's share to \$50,000, which passed.

The Resolution as amended failed.

RESOLUTION NO. 301 of 2009

DATED: December 15, 2009

RESOLUTION AUTHORIZING FULTON MONTGOMERY COMMUNITY COLLEGE MANAGEMENT INFORMATION SYSTEM, REVISION (FMCC)

Resolution by Supervisor: McMahon

Seconded by Supervisor: Greco

WHEREAS, Fulton County has deferred a commitment to proceed at this time with an essential upgrade to the Management Information System (MIS) at FMCC, and

WHEREAS, such upgrade is essential because of the following:

- * The current system is eight years old
- * Updates are not available
- * Support is no longer available

, and

WHEREAS, the MIS system is the source of essential data required on a continuous basis to enable timely executive decisions on every topic involving the efficient management of the college,

RESOLVED, the Montgomery County Board of Supervisors supports and approves of the alternate funding as follows:

- * Total Upgrade cost is \$900,000
- * FMCC will provide \$459,000
- * The FMCC Foundation has increased their commitment to \$150,000
- * New York State will contribute \$155,000
- * Montgomery County has committed \$100,000
- * FMCC will make an appropriate budget change to identify the last \$45,000

MOTION TO TABLE by Supervisor Barone, Sr., seconded by Supervisor Baia, was defeated with Aye(867). Supervisors Barone, Sr., Dybas, Baia, DiMezza, Walters, Strevy and Thomas voted Aye. Supervisor Stagliano was absent. (12/15/2009)

MOTION TO AMEND by Supervisor DiMezza, seconded by Supervisor Barone, Sr., to add a Further Resolved to read as follows: "FURTHER RESOLVED, that Montgomery County will seek a Resolution from Fulton County to share the expenses." was defeated with Aye(915). Supervisors Johnson, Barone, Sr., DiMezza, Walters, Quackenbush, Paton and Thayer voted Aye. Supervisor Stagliano was absent. (12/15/2009)

MOTION TO AMEND by Supervisor Thayer, seconded by Supervisor Baia, to reduce Montgomery County's share from \$100,000 to \$50,000 passed with Aye(947). Supervisors Greco, Johnson, McMahon, Walters, Thomas, Quackenbush and Jonker voted Nay. Supervisor Stagliano was absent. (12/15/2009)

RESOLUTION DEFEATED with Aye(860). Supervisors Barone, Sr., Baia, DiMezza, Walters, Strevy, Paton and Thayer voted Aye. Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 302 of 2009

DATED: December 15, 2009

RESOLUTION FOR APPROVAL OF A LEASE AGREEMENT WITH CENTRO CIVICO OF AMSTERDAM, INC. FOR A PROBATION SATELLITE OFFICE (PROBATION)

Resolution by Supervisor: Greco

Seconded by Supervisor: Dybas

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 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, 2010 and ending on December 31, 2010, at a rental rate of \$425.00 per month.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 303 of 2009

DATED: December 15, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - VALUES IMPROVEMENT PROGRAM (STOP-

DWI)

Resolution by Supervisor: Bai a

Seconded by Supervisor: Strevy

WHEREAS, Resolution No. 139 of 2009 endorsing the implementation of the Alive at 25, Younger Driver Education Program and the Values Improvement Program was passed on June 23, 2009,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign any and all related agreements and contracts for the Values Improvement Program.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 304 of 2009

DATED: December 15, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ALIVE AT 25, YOUNGER DRIVER EDUCATION PROGRAM (STOP-DWI)

Resolution by Supervisor: Bai a

Seconded by Supervisor: Greco

WHEREAS, a Resolution endorsing the implementation of the Alive at 25, Younger Driver Education Program was passed on June 23, 2009,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign any and all related agreements and contracts for the Alive At 25, Younger Driver Education Program.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 305 of 2009

DATED: December 15, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PRE-TRIAL RELEASE COORDINATOR - LESLIE NICHOLAS (YOUTH BUREAU/ALTERNATIVE COMMUNITY SERVICES DEPARTMENT)

Resolution by Supervisor: Greco

Seconded by Supervisor: Di Mezza

WHEREAS, the Director of the Youth Bureau/Alternative Community Services Department has requested the renewal of the contract for services with the Pre-Trial Release Coordinator for 2010,

RESOLVED, the Chairman of the Board of Supervisors, upon review and approval of the County Attorney, is hereby authorized to sign an agreement with Leslie Nicholas for the provision of Pre-Trial Release Services for the period of January 1, 2010 through December 31, 2010 at an amount not to exceed \$28,500 plus allowable reimbursable expenses.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 306 of 2009

DATED: December 15, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2010 ANNUAL ALTERNATIVES TO INCARCERATION PERFORMANCE - BASED SERVICE PLAN (YOUTH BUREAU/ACSD)

Resolution by Supervisor: Bai a

Seconded by Supervisor: Dybas

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 Thousand Five Hundred Sixty-Nine dollars (\$20,569),

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, 2010 and ending on December 31, 2010, and

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

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 307 of 2009

DATED: December 15, 2009

RESOLUTION AWARDING BID 14-09 - DETACHABLE LOADER MOUNTED SNOW BLOWER(DPW)

Resolution by Supervisor: Walters

Seconded by Supervisor: Quackenbush

WHEREAS, the Purchasing Department was authorized to solicit bids for a detachable loader mounted snow blower for the Public Works Department, and

WHEREAS, said bids were opened on November 9, 2009,

RESOLVED, that the Board of Supervisors hereby awards Bid No. 14-09 to Monroe Tractor of Latham, NY, in the amount of \$116,000.00.

RESOLUTION ADOPTED with Aye(1669). Supervisor Strevy voted Nay. Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

Discussion of Resolution No. 308

Supervisor Jonker stated that the County should move forward with repairing the bridges.

Supervisor DiMezza stated that the County is almost broke and should reconsider the real need before repairing the bridges.

Treasurer Bowerman confirmed that there is no stimulus money to put toward the bridge repairs.

Supervisor Walters stated the taxpayers need to see services, which they pay taxes dollars for. By fixing roads and bridges taxpayers can see where their money is going.

RESOLUTION NO. 308 of 2009

DATED: December 15, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ENGINEERING SERVICES - 2009 BRIDGE PROGRAM (PUBLIC WORKS)

Resolution by Supervisor: Walters

Seconded by Supervisor: Johnson

WHEREAS, the Board of Supervisors, by adoption of Resolution No. 204 of 2009 has approved the 2009 Bridge Program, including engineering services, and

WHEREAS, the funding for said program was approved by adoption of Resolution No. 240 of 2009,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign an agreement with AECOM Technical Services Northeast, Inc., of Latham, NY, for provision of engineering services for the 2009 Bridge Program, and

FURTHER RESOLVED, that said services shall be provided at a cost not to exceed \$246,200.00.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 309 of 2009

DATED: December 15, 2009

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

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Paton

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

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

RESOLVED, that following review and approval of the County Attorney the Chairman of the Board of Supervisors is hereby authorized to sign and execute any and all prospective agreement documents entered into between the County and agencies providing mental health, mental retardation, alcoholism and substance abuse services for calendar year 2010 as listed below:

1. St. Mary's Hospital Community Mental Health and Alcoholism Center for community mental health services, not to exceed \$1,600,000;
2. St. Mary's Hospital Community Mental Health and Alcoholism Center for alcoholism services, not to exceed \$242,000;
3. Montgomery Transitional Services Inc. (MTS) for mental health services, not to exceed \$380,000;
4. Ms. JoAnn Clear, Accountant for accounting services related to the operation of the Mental Health Department, not to exceed \$16,000.

RESOLUTION ADOPTED with Aye(1633). Supervisor Greco abstained. Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 310 of 2009

DATED: December 15, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS FOR SERVICES APPROVED BY 2010 SOCIAL SERVICES OPERATING BUDGET (SOCIAL SERVICES)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Strevy

WHEREAS, the Commissioner of Social Services, upon the approval of budgeted items in the 2010 Operating Budget, desires to enter into agreements with various contractors to provide needed services, and

WHEREAS, the Commissioner of Social Services has made recommendations to enter into such agreements upon approval of funding by the Board of Supervisors,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval of the County Attorney, is hereby authorized to sign agreements for services funded in the 2010 Operating Budget with the following providers:

Amsterdam Transit
(Community Solutions for Transportation)

Berkshire Farm Center and Services for Youth
(Stepping Stones Program – Intensive Crisis Intervention and Support
Services to Avert Placement of Detention)

Berkshire Farm Center and Services for Youth
(Vision Prevention Program)

Catholic Charities of Montgomery County
(Court-ordered Supervised Visitations)

Catholic Charities of Montgomery County
(Non-Residential Domestic Violence 24-Hour Hotline Service)

Catholic Charities of Montgomery County
(Domestic Violence Assessment and Counseling)

Catholic Charities of Montgomery County
(Non-Residential Special Needs Domestic Violence – For Cases with Acute Mental Health Issues – Physical and Psychological Disabilities)

Catholic Charities of Montgomery County
(Intensive Case Management for Temporary Assistance Long-Term Recipients)

Cornell Cooperative Extension of Fulton & Montgomery Counties
(Food Stamp Nutrition Education Program)

Employment Resources
(Food Stamp Clients to Seek Employment)

Employment Resources
(New York Works Block Grant Project)

Fonda-Fultonville School District
(Preventive Services)

Fulton-Montgomery Community College
(BRIDGE Program)

Greater Amsterdam School District
(Preventive Services) (Contract #1)

Greater Amsterdam School District
(Preventive Services) (Contract #2)

Hispanic Outreach Services
(Translation/Interpretation Services – In-House)

Hispanic Outreach Services
(Translation/Interpretation Services – Field Work)

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

Montgomery County Data Processing Department
(Systems Support Services)

Montgomery County Mobility Coordinator
(Community Solutions for Transportation)

Montgomery County Sheriff's Department
(Security Guard – To Provide Security at County Office Building)

Montgomery County Office for Aging, Inc.
(NY Connects)

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

Rev. Bonnie M. Orth
(Managed Care Services)

St. Mary's Hospital at Amsterdam
(Drug and Alcohol Core Assessment and Training, Abuse Screening, Additional Related Drug and Alcohol Counseling/Vocational Counseling)

St. Mary's Hospital at Amsterdam
(One (1) – Clinical Social Worker – Assessment and Treatment Plan for Children)

St. Mary's Hospital

(Employability Physicals for Temporary Assistance Clients)

RESOLUTION ADOPTED with Aye(1633). Supervisor Greco abstained. Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 311 of 2009

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

DATED: December 15, 2009

RESOLUTION ADOPTING A MONTGOMERY COUNTY MANDATORY MEDICAID COMPLIANCE POLICY (BOARD OF SUPERVISORS)

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Di Mezza

WHEREAS, Section 6032 of 109 P.L. 171 (42 USCS Section 1396(a)-(c) (hereinafter the "Deficit Reduction Act of 2005" or "DRA") requires compliance with DRA requirements from any private or public entities receiving or making annual payments under the State Medicaid Plan of at least \$5,000,000 per ("Entity"), and

WHEREAS, the DRA requires each Entity to establish written policies regarding false claims laws and whistleblower protections, which policies shall provide for detecting and preventing fraud, waste and abuse, and which policies must be distributed and included in relevant employee handbooks and/or made available to all employees, contractors and agents, and

WHEREAS, Chapter 442 of the laws of 2006, which established the New York State Office of the Medicaid Inspector General (hereinafter the "OMIG"), created a new Social Services Law 363-d which requires Medicaid providers develop, adopt and implement effective compliance programs aimed at detecting fraud, waste, and abuse in the Medicaid program. Compliance is required from any Medicaid providers operating under Articles 28 or 36 of the Public Health Law, Articles 16 or 31 of the Mental Hygiene Law and those providers providing, billing or claiming \$500,000 or more from Medicaid in a 12-month period, and

WHEREAS, the OMIG requires such Medicaid providers to establish written policies regarding false claims laws and whistleblower protections, which policies shall provide for detecting and preventing fraud, waste and abuse, and which policies must be distributed and included in relevant employee handbooks and/or made available to all employees, contractors and agents, and

WHEREAS, such Medicaid providers, in New York, must annually certify to the NYS OMIG that it is and remains compliant with OMIG mandatory Medicaid compliance requirements, and

WHEREAS, the County of Montgomery (the "County") must comply with OMIG mandatory Medicaid compliance requirements since the County receives payments under the State Medicaid Plan, through the activities of its various departments operating under Articles 28 or 36 of the Public Health Law, Articles 16 or 31 of the Mental Hygiene Law and/or receives payments in excess of \$500,000 each year and shall continue to do so into the foreseeable future,

RESOLVED, that the Montgomery County Board of Supervisors, in light of the aforementioned and in accordance with its statutory duties, do hereby order that the attached Policies and Procedures concerning false claims and whistleblower protections be and are adopted and apply to the entire County, and

FURTHER RESOLVED, each head of each County department shall be responsible for educating all employees of his/her respective department, and any contractors, vendors, agents or assigns with access to information concerning County Medicaid transactions of this Executive Order and the attached Policy and Procedures by directing those individuals to the designated County intranet or internet site, by providing a paper copy of such or by any other manner of professional communication, and a representative of each County department must certify to the County Compliance Officer, described below, that such information has been distributed to all appropriate individuals, and

FURTHER RESOLVED, any new employee of the County shall receive the attached Policies and Procedures in a handbook, a paper copy or by being directed to the appropriate internet or intranet site, and

FURTHER RESOLVED, that the Montgomery County Board of Supervisors hereby appoints the County Auditor as the Compliance Officer responsible for annually submitting the Certification of Compliance regarding mandatory Medicaid compliance, false claims and whistleblower requirements, to proper State authorities. All County departments that have information relevant to this annual certification are responsible for regularly communicating such information to the Compliance Officer.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 312 of 2009

DATED: December 15, 2009

RESOLUTION AMENDING 2009 OPERATING BUDGET FOR EQUIPMENT REPAIRS - DPW (PURCHASING)

Resolution by Supervisor: Walters

Seconded by Supervisor: Johnson

WHEREAS, Montgomery County has received a large claim check from our insurance company, Travelers, 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 2009 Operating Budget as follows:

INCREASE:

A-599 Appropriated Fund Balance \$10,000.00

A-31-3-2680 Insurance Recoveries \$25,000.00

A-31-1345-4422 Equipment Repairs \$35,000.00

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 313 of 2009

DATED: December 15, 2009

RESOLUTION AWARDING BID 15-09 - SALE OF SURPLUS VEHICLES AND EQUIPMENT (PURCHASING)

Resolution by Supervisor: Strevy

Seconded by Supervisor: DiMezza

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 November 30, 2009, and

WHEREAS, the Purchasing Agent, Commissioner of Department of Public Works, Sheriff, Commissioner of Social Services and Director of Veterans 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 15-09 as follows:

Awarded to Dado's Inc. of Broadalbin:

Item #5 - 1993 Ford F-350 Crew Cab for \$126.00
Vin #2FTJW35H2PCA16383

Item #49 - Plate Tamper for \$26.00

Awarded to Burton Wilson of Caroga Lake:

Item #7 - Husqvarna 225R Weedeater for \$1.50

Item #8 - Homelite ST155 Weedeater for \$1.50

Item #11 - Homelite HB390B Leafblower for \$1.50

Item #12 - Craftsman Leafblower for \$1.50

Items #35, 37, 39, 41, 43, 44, 45, 46, 47, 48 - Bicycles for \$1.00 each

Awarded to Michael Taberski of Pattersonville:

Item #4 - 1986 International 1654 w/stake body for \$260.00
Vin #1HTLAHGM3GHA36865

Item #13 - Craftsman Leafblower for \$10.00

Item #52 - Industrial Shredder for \$10.00

Awarded to Corey Nellis of Fonda:

Item #14 - Bolens 624 Snowblower for \$67.00

Awarded to David Soulia of Amsterdam:

Item #3 - 1994 Chevy 4x4 w/stake body, lift gate and plow for \$1,100.00
Vin #1GBHK34KXRE279018

Awarded to Anthony Banewicz of Amsterdam:

Item #6 - 1993 International 6 Wheel Dump for \$1,200.00
Vin #1HTSDN2R2PH493958

Item #15 - Generator for \$50.00

Item #16 - Generator for \$50.00

Item #51 - Ariens Snowblower for \$57.00

Awarded to Rick Rickard of Sprakers:

Items #34, 36, 40, 42 - Bicycles for \$2.00 each

Item #56 - 3 Laundry Carts for 8.00

Awarded to James Vitus of Amsterdam:

Item #1 - 1998 Ford Club Wagon w/Wheelchair Lift for \$310.00
Vin #1FBSS31L5WHC10329

Item #2 - 2000 Chevy Venture Van for \$210.00
Vin #1GNDU23E1YD341170

Awarded to Kevin Phelps of Amsterdam:

Item #19 - Streethawk Lightbar for \$5.00

Awarded to Gary Oeser:

Item #50 - 2 Air Compressors for \$32.77

FURTHER RESOLVED, that New York State sales tax of 8% will be collected on all taxable items sold.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 314 of 2009

DATED: December 15, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GENERAL LIABILITY AND OTHER PERTINENT INSURANCE COVERAGE (BOARD OF SUPERVISORS)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Barone, Sr.

WHEREAS, it is the desire of the County to maintain Property, General Liability and Flood Insurance with Hays & Wormuth Inc. through Travelers, and

WHEREAS, per Resolution No. 397 of 2008 awarded RFP #02-08 for a period of three years,

RESOLVED, that the Montgomery County Board of Supervisors authorizes the renewal of Property, General Liability and Flood Insurance policies with Hays & Wormuth Inc. through Travelers, and

FURTHER RESOLVED, that said policies shall be effective January 1, 2010 through December 31, 2010 at a cost not to exceed \$386,871.00, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, is hereby authorized to sign appropriate agreements with Hays & Wormuth Inc. for the provision of Insurances to Montgomery County.

RESOLUTION ADOPTED with Aye(1521). Supervisors Dybas and Jonker voted Nay. Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 315 of 2009

DATED: December 15, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GAT SUBSIDY - MOSA (BOARD OF SUPERVISORS)

Resolution by Supervisor: Jonker

Seconded by Supervisor: Dybas

WHEREAS, the Montgomery-Otsego-Schoharie Solid Waste Management Authority (MOSA) has established Montgomery County's 2010 Guaranteed Annual Tonnage (GAT) at 40,913 tons, and

WHEREAS, MOSA has established its 2010 Official Tipping Fee at \$106.00 per ton,

WHEREAS, it has been recommended that the Board of Supervisors authorize a per-ton subsidization of the tipping fee to a reasonable market rate to ensure delivery of waste to the MOSA system,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized 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 \$20.50 per ton for said one-year period, pursuant to an appropriation in the 2010 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(1706). Supervisor Thayer abstained. Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 316 of 2009

DATED: December 15, 2009

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

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: McMahon

WHEREAS, the 2010 Operating Budget includes appropriations of \$220,000 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 \$220,000.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 317 of 2009

DATED: December 15, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - CORNELL COOPERATIVE EXTENSION

SERVICES (BOARD OF SUPERVISORS)

Resolution by Supervisor: Dybas

Seconded by Supervisor: Greco

WHEREAS, the 2010 Operating Budget includes appropriations of \$200,000 for the Cornell Cooperative Extension of Fulton and Montgomery Counties to provide funds to assist said agency in maintaining programs to benefit Montgomery County residents which also includes funding to maintain an active Agriculture Economic Development Program,

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 \$173,000, and

FURTHER RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized and directed to execute an agreement with Cornell Cooperative Extension for provision of agriculture economic development services for 2010, in an amount not to exceed \$27,000, 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. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 318 of 2009

DATED: December 15, 2009

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

Resolution by Supervisor: Strevy

Seconded by Supervisor: Jonker

WHEREAS, the 2010 Operating Budget includes appropriations of \$70,000 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 \$70,000.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 319 of 2009

DATED: December 15, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - INFO QUICK SOLUTIONS, INC. FOR A RECORD MANAGEMENT SYSTEM (COUNTY CLERK)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Johnson

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign an agreement with Info Quick Solutions, Inc. (IQS) for an Integrated County Clerk Record Management System, at a cost not to exceed Fifty-Four Thousand Dollars (\$54,000) per year, for a period of five years commencing January 1, 2010.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 320 of 2009

DATED: December 15, 2009

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

Resolution by Supervisor: Barone, Sr.

Seconded by Supervisor: Quackenbush

WHEREAS, the current policy will expire on December 31, 2009 for Excess Workers Compensation coverage,

RESOLVED, that the Chairman of the Board of Supervisors, upon review and approval by the County Attorney, is hereby authorized sign an agreement with Midwest for the provision of Excess Workers Compensation coverage for the period commencing on January 1, 2010 and ending on December 31, 2010 at a cost not to exceed \$90,829.00 utilizing Option #3.

RESOLUTION ADOPTED with Aye(1772). Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

RESOLUTION NO. 321 of 2009

DATED: December 15, 2009

RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AN AGREEMENT FOR EMPLOYEE PHYSICAL EXAMINATIONS (PERSONNEL)

Resolution by Supervisor: Di Mezza

Seconded by Supervisor: Bai a

WHEREAS, the Personnel Officer has recommended a 3-year agreement for provision of employee physical examinations,

RESOLVED, that the Chairman of the Board of Supervisors, following review and approval by the County Attorney, hereby is authorized to sign an agreement with _____ for provision of employee physical examinations, and

FURTHER RESOLVED, that said agreement shall be effective commencing on January 1, 2010 and ending on December 31, 2012.

MOTION TO AMEND by Supervisor Barone, Sr., seconded by Supervisor Dybas, to insert "Eastern Medical Support" in the first "RESOLVED" clause passed with Aye(1414). Supervisors Greco and Di Mezza abstained. Supervisor Stagliano was absent. (12/15/2009)

RESOLUTION ADOPTED with Aye(1414). Supervisors Greco and Di Mezza abstained. Supervisor Stagliano was absent. (12/15/2009)

Douglas Landon
County Attorney

Robin Loske
Clerk, Board of Supervisors

OTHER

There was no other business for discussion.

SUSPEND RULES

SUSPEND THE RULES by Supervisor Barone, Sr., seconded by Supervisor Greco, to add an Executive Session to address a personnel issue passed with Aye(1772). Supervisor Stagliano was absent.

EXECUTIVE SESSION

MOTION TO ENTER EXECUTIVE SESSION by Supervisor Quackenbush, seconded by Supervisor Barone, Sr., pursuant to Section 105 (f) of the NYS Open Meeting Law to discuss a personnel matter passed with Aye(1772). Supervisor Stagliano was absent.

Executive Session commenced at 8:02 p.m.

MOTION TO EXIT EXECUTIVE SESSION at 8:14 p.m. by Supervisor Dybas, seconded by Supervisor Strevy, passed with Aye(1772). Supervisor Stagliano was absent.

ADJOURNMENT

MOTION TO ADJOURN by Supervisor Barone, Sr., seconded by Supervisor Thayer, passed with Aye(1772). Supervisor Stagliano was absent.

Meeting adjourned at 8:14 p.m.

Respectfully submitted,

Robin Loske
Clerk of the Board

**CERTIFICATION OF PUBLICATION
CLERK OF THE BOARD**

I, Robin L. Loske, 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 2009, and the same is hereby printed in the volume by authorization of the said Montgomery County Board of Supervisors.

Robin L. Loske, CLERK
Board of Supervisors

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
911	
RESOLUTION URGING NEW YORK STATE TO STOP PILLAGING 9-1-1 FUNDS (SHERIFF)	208
ADVISORY BOARD	
RESOLUTION UPDATING REAPPOINTMENTS AND APPOINTING MEMBERS FOR AGRICULTURAL AND FARMLAND PROTECTION BOARD (ECONOMIC DEVELOPMENT AND PLANNING)	206
RESOLUTION APPOINTING MONTGOMERY COUNTY ETHICS BOARD MEMBER (BOARD OF SUPERVISORS)	183
RESOLUTION APPOINTING MEMBER - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE - AGRICULTURE (ECONOMIC DEVELOPMENT/PLANNING)	117
RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY EMS ADVISORY BOARD (EMERGENCY MANAGEMENT)	64, 81
AGREEMENT	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - ALIVE AT 25 YOUNGER DRIVER EDUCATION PROGRAM (STOP-DWI)	192
RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD TO EXECUTE AGREEMENT WITH JEROME H. O'MARA, P.E. TO SERVE AS CLERK OF THE WORKS FOR THE FMCC CRITICAL MAINTENANCE PROJECT	92
RESOLUTION AUTHORIZING AMENDMENT TO BUSINESS EQUIPMENT RENTAL AGREEMENT BETWEEN FRONTIER AND MONTGOMERY COUNTY SHERIFF'S OFFICE (SHERIFF)	294
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MVEDD (ECONOMIC DEVELOPMENT/PLANNING)	295
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2010 - 2011 MASS TRANSPORTATION SERVICES - MONTGOMERY AREA EXPRESS (THE MAX) - (ECONOMIC DEVELOPMENT AND PLANNING)	295
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SPARE BUS PROGRAM - CITY OF GLOVERSVILLE/GLOVERSVILLE TRANSIT (BOARD OF SUPERVISORS)	59
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT VALUES IMPROVEMENT PROGRAM (STOP-DWI)	255
RESOLUTION ACCEPTANCE OF THE PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT FUNDS (PUBLIC HEALTH)	258
RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE MEMORANDUM OF UNDERSTANDING BETWEEN MONTGOMERY COUNTY AND THE NEW YORK STATE DIVISION OF VETERANS' AFFAIRS (VETERANS)	192
RESOLUTION AUTHORIZING CONTRACT WITH PHILLIPS ASSOICATES FOR CONSTRUCTION INSPECTION SERVICES FOR THE FMCC CRITICAL MAINTENANCE PROJECT - 2009 CAPITAL PLAN (FMCC)	91
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT- MOHAWK VALLEY SNOWMOBILE CLUBS, INC. - SNOWMOBILE TRAIL MAINTENANCE (ECONOMIC DEVELOPMENT AND PLANNING)	205
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - C.T. MALE ASSOCIATES - ASBESTOS ABATEMENT PROJECT MONITORING SERVICES - FMCC CRITICAL MAINTENANCE PROJECTS (FMCC)	91

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - RESOURCE ALLOCATION PLAN (YOUTH BUREAU)	189
RESOLUTION RATIFYING MEMORANDUM OF AGREEMENT BETWEEN THE CO. OF MONTGOMERY & MONTGOMERY COUNTY LOCAL 294 OF INTERNATIONAL BROTHERHOOD OF TEAMSTERS FOR CORRECTION OFFICERS & AUTH CHAIRMAN TO SIGN CONTRACT FOR THE PERIOD OF 1/1/2009 - 12/31/2012 (PERSONNEL)	186
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - BARTON & LOGUIDICE, INC. - ENGINEERING SERVICES - 2009 FEDERAL TRANSPORTATION BILL FUNDING AND AUTHORIZING TREASURER TO AMEND 2009 OPERATING BUDGET (PUBLIC WORKS)	119
RESOLUTION APPROVING AND ACCEPTING POST CLOSURE MONITORING AND MAINTENANCE AGREEMENT REGARDING THE MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA) CLOSED LANDFILLS (BOARD OF SUPERVISORS)	263, 290
RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM GRANT CONTRACT (PUBLIC HEALTH)	187
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT FOR CRYSTAL BAR, INC. (ECONOMIC DEVELOPMENT/PLANNING)	117
RESOLUTION FOR PURCHASE OF SCRAM BRACELETS FOR THE MONITORING OF ALCOHOL CONSUMPTION BY PERSONS ON PROBATION SUPERVISION (PROBATION)	257
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT (EAP) EMPLOYEE ASSISTANCE PROGRAM ST. MARY'S HOSPITAL (PERSONNEL)	259
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS YOUTH OUTREACH PROGRAMS (YOUTH BUREAU/ACSD)	85
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT M.M. HAYES - ID BADGE SYSTEM MAINTENANCE AGREEMENT (PERSONNEL)	212
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONTRACT - PUBLIC HEALTH 2009 H1N1 INFLUENZA MASS VACCINATION CLINICS (PUBLIC HEALTH)	259
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROGRAM AGREEMENTS - SPECIAL DELINQUENCY PREVENTION PROGRAM (YOUTH BUREAU)	189
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROGRAM AGREEMENTS - YOUTH INITIATIVE PROGRAM AND YOUTH DEVELOPMENT/DELINQUENCY PREVENTION (YOUTH BUREAU)	190
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT- MH STALLMAN COMPANY, INC. (ECONOMIC DEVELOPMENT AND PLANNING)	313
RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE ASSOCIATION OF COUNTIES (NYSAC) TO PARTICIPATE IN THE NEW YORK SAFETY PROGRAM (BOARD OF SUPERVISORS)	257
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MILLIMAN, INC. - RETIREE DRUG SUBSIDY ACTUARIAL RENEWAL ATTESTATION (PERSONNEL)	260
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS FOR SERVICES APPROVED BY 2010 SOCIAL SERVICES OPERATING BUDGET (SOCIAL SERVICES)	318
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - LABOR RELATIONS SERVICES ROEMER, WALLENS & MINEAUX, LLP (PERSONNEL)	212
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AN AGREEMENT FOR EMPLOYEE PHYSICAL EXAMINATIONS (PERSONNEL)	325

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION-LOCAL WATERFRONT REVITALIZATION PROGRAM (SOIL AND WATER CONSERVATION DISTRICT)	213
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - MIDWEST EMPLOYERS REINSURANCE CORPORATION, EXCESS WORKERS COMPENSATION COVERAGE (PERSONNEL)	324
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT	
FULTON-MONTGOMERY COMMUNITY COLLEGE (DATA PROCESSING)	224
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - INFO QUICK SOLUTIONS, INC. FOR A RECORD MANAGEMENT SYSTEM (COUNTY CLERK)	324
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT- MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT (BOARD OF SUPERVISORS)	324
RESOLUTION AUTHORIZING MONTGOMERY COUNTY SANITARY DISTRICT TO ENTER INTO AGREEMENT - LITIGATION DEFENSE (SANITARY DISTRICT)	62
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CORNING DATA/IBM MAINFRAME/BACKUP COMPUTER LEASING (DATA PROCESSING)	225
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - CORNELL COOPERATIVE EXTENSION SERVICES (BOARD OF SUPERVISORS)	323
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - NATIONAL ALLIANCE FOR THE MENTALLY ILL MONTGOMERY-FULTON-HAMILTON COUNTY CHAPTER (MENTAL HEALTH)	226
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONTGOMERY COUNTY OFFICE FOR THE AGING (BOARD OF SUPERVISORS)	323
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RESOLUTION AGREEMENT BETWEEN U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES OFFICE FOR CIVIL RIGHTS AND MONTGOMERY COUNTY DEPARTMENT OF SOCIAL SERVICES (SOCIAL SERVICES)	227
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - PSYCHIATRIC SERVICES - ST. MARY'S HOSPITAL (MENTAL HEALTH)	84
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ONEIDA COUNTY SHERIFF - SECURITY SERVICES FOR MONTGOMERY COUNTY INMATES AT CENTRAL NY PSYCHIATRIC CENTER - (SHERIFF)	230
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONITORING OF SEX OFFENDERS COMPUTER USAGE - INTERNET PROBATION AND PAROLE CONTROL, INC. (PROBATION)	83
RESOLUTION AUTHORIZING PAYMENT OF INVOICE - BROWN COACH, INC. - MONTGOMERY AREA XPRESS OPERATION SERVICES (TRANSPORTATION)	114
RESOLUTION FOR APPROVAL OF A LEASE AGREEMENT WITH CENTRO CIVICO OF AMSTERDAM, INC. FOR A PROBATION SATELLITE OFFICE (PROBATION)	315
RESOLUTION AMENDING 2009 OPERATING BUDGET - COMMUNITY SOLUTIONS FOR TRANSPORTATION (SOCIAL SERVICES)	231
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - VALUES IMPROVEMENT PROGRAM (STOP-DWI)	315
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GAT SUBSIDY - MOSA (BOARD OF SUPERVISORS)	323

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PRE-TRIAL RELEASE COORDINATOR - LESLIE NICHOLAS (YOUTH BUREAU/ALTERNATIVE COMMUNITY SERVICES DEPARTMENT)	316
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GENERAL LIABILITY AND OTHER PERTINENT INSURANCE COVERAGE (BOARD OF SUPERVISORS)	322
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2010 ANNUAL ALTERNATIVES TO INCARCERATION PERFORMANCE - BASED SERVICE PLAN (YOUTH BUREAU/ACSD)	316
RESOLUTION SUPPORTING CONTRACT EXTENSION FOR TOURISM FUNDING- MONTGOMERY COUNTY CHAMBER OF COMMERCE (ECONOMIC DEVELOPMENT/PLANNING)	208
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - HYPER-REACH NOTIFICATION SYSTEM - SAM ASHER COMPUTING SERVICES, INC. (SHERIFF)	208
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ENGINEERING SERVICES - 2009 BRIDGE PROGRAM (PUBLIC WORKS)	317
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - COMMUNITY SERVICES/MENTAL HEALTH DEPARTMENT SERVICE PROVIDER CONTRACTS (MENTAL HEALTH)	318
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MOHAWK VALLEY ECONOMIC DEVELOPMENT DISTRICT (ECONOMIC DEVELOPMENT AND PLANNING)	29
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - COMMUNITY SOLUTIONS FOR TRANSPORTATION PROGRAM - MENTAL HEALTH ASSOCIATION OF FULTON AND MONTGOMERY COUNTIES (SOCIAL SERVICES)	70
RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE AN AGREEMENT WITH GERHARDT, LLC FOR PREPARATION OF A SOLID WASTE SERVICES AGREEMENT (BOARD OF SUPERVISORS)	163
RESOLUTION ESTABLISHING STANDARDIZATION FOR E-911 PSAP CONTROLLER EQUIPMENT (SHERIFF)	151
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN VARIOUS AGREEMENTS-ADVERTISING CONTRACTS-MONTGOMERY AREA XPRESS (TRANSPORTATION)	151
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONSERVATION EASEMENT MODIFICATION AND SPREADER AGREEMENT-FLORIDA BUSINESS PARK (ECONOMIC DEVELOPMENT AND PLANNING)	29
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2009 MASS TRANSPORTATION SERVICES - MONTGOMERY AREA EXPRESS -THE MAX (BOARD OF SUPERVISORS)	36
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 1998 (BOS)	184
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CITY OF AMSTERDAM - PURCHASING SERVICES (PURCHASING)	157
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FBI ANTENNA SITE LICENSE RENEWAL - OAK RIDGE SITE (SHERIFF)	184
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - NYS OFFICE OF HOMELAND SECURITY CASE GRANT (EMERGENCY MANAGEMENT)	185

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION TERMINATING CAREMARK PRESCRIPTION DRUG CARD AGREEMENT AND AUTHORIZING CHAIRMAN TO SIGN AGREEMENT WITH MATRIX FOR COUNTY-WIDE DISCOUNT PRESCRIPTION DRUG CARD PROGRAM (PERSONNEL)	122
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - LONG TERM CARE POINT OF ENTRY PROGRAM (SOCIAL SERVICES)	121, 230
RESOLUTION ENDORSING A GEODIVERSE DEPLOYMENT MODEL FOR THE E-911 DISPATCH SYSTEM (SHERIFF)	152
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVISED CHANGE ORDER #1 and #2 AND TO CLOSE OUT CONTRACT – TRANE U.S. INC. - CLASSROOM BUILDING RENOVATION - PHASE I - MECHANICAL SYSTEM UPGRADE PROJECT (FMCC)	147, 148
RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN ASSIGNMENT CONSENT TO TRANSFER ANTENNAE SPACE CONTRACT FROM AMSTERDAM MEMORIAL HOSPITAL TO ST. MARY'S HOSPITAL (BOARD OF SUPERVISORS)	161
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - EARLY INTERVENTION (EI) ADMINISTRATION (PUBLIC HEALTH)	25
RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN AGREEMENT-CITY OF AMSTERDAM PLANNING SERVICES (ECONOMIC DEVELOPMENT AND PLANNING)	265
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT WITH NATIONAL EMPLOYERS COUNCIL, INC. (PERSONNEL)	185
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - COMMUNITY SERVICES/MENTAL HEALTH DEPARTMENT - SERVICE PROVIDER CONTRACTS (MENTAL HEALTH)	291
RESOLUTION ADOPTING THE MONTGOMERY AREA XPRESS ADVERTISING POLICY (TRANSPORTATION)	150
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES - CITY OF AMSTERDAM (DATA PROCESSING)	153
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ADMINISTRATIVE AND STAFF SUPPORT SERVICES AGREEMENT - MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECONOMIC DEVELOPMENT AND PLANNING)	28, 295
RESOLUTION AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENTS - MOWING (PUBLIC WORKS)	153
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER #2 and #3 AND TO CLOSE OUT CONTRACT - WJV MECHANICAL, INC. - CLASSROOM BUILDING RENOVATION - PHASE I - MECHANICAL SYSTEM UPGRADE PROJECT (FMCC)	148
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT- CAROLINA CLUBS, INC. (ECONOMIC DEVELOPMENT AND PLANNING)	28
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS FOR SERVICES APPROVED BY 2009 SOCIAL SERVICES OPERATING BUDGET (SOCIAL SERVICES)	25
AGRI CULTURE	
RESOLUTION UPDATING REAPPOINTMENTS AND APPOINTING MEMBERS FOR AGRICULTURAL AND FARMLAND PROTECTION BOARD (ECONOMIC DEVELOPMENT AND PLANNING)	206
RESOLUTION SUPPORTING FEDERAL SENATE BILL S.889, THE FEDERAL MILK MARKETING IMPROVEMENT ACT (BOARD OF SUPERVISORS)	158

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION MODIFYING MONTGOMERY COUNTY AGRICULTURAL DISTRICT NO. 2 (ECONOMIC DEVELOPMENT AND PLANNING)	54
RESOLUTION SCHEDULING PUBLIC HEARING-REVIEW OF AGRICULTURAL DISTRICT NO. 2	35
ALTERNATIVES TO INCARCERATION	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PRE-TRIAL RELEASE COORDINATOR - LESLIE NICHOLAS (YOUTH BUREAU/ALTERNATIVE COMMUNITY SERVICES DEPARTMENT)	316
AMEND OPERATING BUDGET	
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - DISTRICT ATTORNEY (STREVEY#4)	280
RESOLUTION AMENDING 2009 OPERATING BUDGET - HEAP (SOCIAL SERVICES)	70
RESOLUTION DELEGATING AUTHORITY TO AMEND 2009 OPERATING BUDGET (TREASURER)	299
RESOLUTION AMENDING 2009 OPERATING BUDGET - ASSIGNED COUNSEL (PUBLIC DEFENDER)	299
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET-DPW (WALTERS#1)	282
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - REAL PROPERTY (STREVEY#1)	279
RESOLUTION APPROPRIATING RESERVE FUNDS (STOP-DWI)	71
RESOLUTION AMENDING 2009 OPERATING BUDGET - NYS HOUSING TRUST FUND CORPORATION (HTFC) GRANT - GREATER CATSKILL FLOOD REMEDIATION PROGRAM (EMERGENCY MANAGEMENT)	65
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - SHERIFF'S OFFICE (DIMEZZA)	281
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - TRANSPORTATION(STREVEY#3)	280
RESOLUTION AMENDING 2009 OPERATING BUDGET NYS OFFICE OF HOMELAND SECURITY (SHSP) GRANT (EMERGENCY MANAGEMENT)	65
RESOLUTION AMENDING 2009 OPERATING BUDGET- RETAINED COUNSEL FOR DEFENSE LITIGATION-HERO/BEECH NUT PROJECT (BOARD OF SUPERVISORS)	133
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - PUBLIC HEALTH (STREVEY#5)	280
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - COMMUNITY SOLUTIONS FOR TRANSPORTATION PROGRAM - MENTAL HEALTH ASSOCIATION OF FULTON AND MONTGOMERY COUNTIES (SOCIAL SERVICES)	70
RESOLUTION AMENDING 2009 OPERATING BUDGET - BYRNE GRANT EXTENSION (DISTRICT ATTORNEY)	129
RESOLUTION AMENDING 2009 OPERATING BUDGET NYS OFFICE OF HOMELAND SECURITY (SHSP) GRANT (EMERGENCY MANAGEMENT)	64
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - OUTSIDE AGENCIES (DYBAS)	278
RESOLUTION AMENDING 2009 BUDGET - INVESTIGATIVE SERVICES (SOCIAL SERVICES)	211

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AMENDING 2009 OPERATING BUDGET DETENTION PREVENTION (SOCIAL SERVICES)	211
RESOLUTION AMENDING 2009 OPERATING BUDGET - ENGINEERING SERVICES (SANITARY DISTRICT #1)	187
RESOLUTION AMENDING 2009 OPERATING BUDGET FOR EQUIPMENT REPAIRS - DPW (PURCHASING)	120
RESOLUTION AMENDING 2009 OPERATING BUDGET - DEMOLITION TIP FEE EXPENSES (BOARD OF SUPERVISORS)	62
RESOLUTION AMENDING 2009 OPERATING BUDGET COUNTY-WIDE DEMOLITION TEAM (PUBLIC WORKS)	36
RESOLUTION TO AMEND 2010 TENTATIVE BUDGET DUE TO CORRECTIONS (BOARD OF SUPERVISORS)	267
RESOLUTION TO AMEND 2010 TENTATIVE BUDGET - FINANCE COMMITTEE RECOMMENDATION (BOARD OF SUPERVISORS)	268
RESOLUTION AMENDING 2009 OPERATING BUDGET - CONTRIBUTION OF FUNDS TO HAMILTON, FULTON, MONTGOMERY (HFM) BOCES LPN PROGRAM (BOARD OF SUPERVISORS)	183
RESOLUTION AMENDING 2009 OPERATING BUDGET - GRANT AWARD (YOUTH BUREAU/ACSD)	191
RESOLUTION AMENDING 2009 OPERATING BUDGET (SHERIFF)	130
RESOLUTION ACCEPTING NYS DOT RTAP GRANT FUNDING AND AMENDING 2009 OPERATING BUDGET -MOBILITY COORDINATION (BOARD OF SUPERVISORS)	63
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - SHERIFF'S OFFICE (THAYER)	281
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF ELECTIONS (STREVEY#2)	279
RESOLUTION AMENDING 2009 OPERATING BUDGET (YOUTH BUREAU/ACSD)	191
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - COUNTY CLERK (JOHNSON#1)	283
RESOLUTION AMENDING 2009 OPERATING BUDGET SENIOR MEDICAL AUDIT CLERK - SOCIAL SERVICES (PERSONNEL)	123
RESOLUTION AMENDING THE 2009 OPERATING BUDGET- PROFESSIONAL SERVICES - MULTI-JURISDICTIONAL ALL-HAZARD MITIGATION PLAN (ECONOMIC DEVELOPMENT)	58
APPOINTEE	
RESOLUTION APPOINTING MONTGOMERY COUNTY ETHICS BOARD MEMBER (BOARD OF SUPERVISORS)	183
RESOLUTION REAPPOINTING MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA BOARD) REPRESENTATIVE	296
RESOLUTION REAPPOINTING MEMBERS - FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD (ECONOMIC DEVELOPMENT/PLANNING)	312
APPOINTMENTS	
RESOLUTION APPOINTING DEMOCRATIC ELECTION COMMISSIONER TO FILL UNEXPIRED TERM - BOARD OF ELECTIONS (PERSONNEL)	123

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION APPOINTING MEMBER OF MONTGOMERY COUNTY SANITARY SEWER DISTRICT # 1 BOARD OF DIRECTORS	23
RESOLUTION REAPPOINTING MEMBERS - FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD	150
Auction	
RESOLUTION ACCEPTING BIDS - 2009 AUCTION (TREASURER)	131
AUDITOR	
RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL AUTHORITY TO COUNTY AUDITOR (REAL PROPERTY)	32
BIDS	
RESOLUTION ESTABLISHING STANDARDIZATION FOR E-911 PSAP CONTROLLER EQUIPMENT (SHERIFF)	151
RESOLUTION AUTHORIZING RFP - BUS SYSTEMS OPERATOR - MONTGOMERY AREA XPRESS (ECONOMIC DEVELOPMENT AND PLANNING)	205
RESOLUTION AWARDDING BID 10-09 - SALE OF SURPLUS VEHICLES AND EQUIPMENT (PURCHASING)	212
RESOLUTION AWARDDING FOOD SERVICE & CLEANING SUPPLY BID 09-09 (PURCHASING)	157
RESOLUTION AWARDDING BID 11-09 - WHEEL LOADER (PUBLIC WORKS)	210
RESOLUTION AWARDDING BID 15-09 - SALE OF SURPLUS VEHICLES AND EQUIPMENT (PURCHASING)	321
RESOLUTION AWARDDING BID NUMBER 13-09 DIRECT FIRED GAS THERMIFIC WATER HEATER (DPW)	264
RESOLUTION AWARDDING BID NUMBER 12-09 NEW COURTHOUSE MANSARD ROOF REPLACEMENT (DPW)	264
RESOLUTION AWARDDING BID NO. 02-09 DIGITAL RECORDING CAMERA SYSTEM - MONTGOMERY COUNTY PUBLIC SAFETY FACILITY (SHERIFF)	69
RESOLUTION AWARDDING BID NUMBER 09-09 MULTI-PURPOSE EXCAVATOR (PUBLIC WORKS)	119
RESOLUTION AUTHORIZING TREASURER TO AMEND 2009 OPERATING BUDGET FOR STATE LAW ENFORCEMENT PREVENTION PROGRAM (SLETPP) GRANT FUNDS (SHERIFF)	118
RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR FMCC CRITICAL MAINTENANCE PROJECT	20
RESOLUTION AWARDDING RFP #01-09 -MICROWAVE SYSTEM - MONTGOMERY COUNTY	130
RESOLUTION AWARDDING BID NO. 01-09 (PUBLIC WORKS)	87
RESOLUTION AWARDDING BRIDGE REPLACEMENT CONTRACT - PICKLE HILL ROAD, B.I.N. 3309580 (PUBLIC WORKS)	89
RESOLUTION AWARDDING BID FOR OFFICE SUPPLIES (PURCHASING)	120
RESOLUTION AWARDDING BRIDGE REPLACEMENT CONTRACT - SPRING STREET, B.I.N. 3309680 (PUBLIC WORKS)	90

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AWARDING TRANSPORTATION SERVICES BID #08-09 (PUBLIC HEALTH)	188
RESOLUTION AWARDING BID 14-09 - DETACHABLE LOADER MOUNTED SNOW BLOWER(DPW)	317
BOARD OF ELECTIONS	
RESOLUTION APPOINTING DEMOCRATIC ELECTION COMMISSIONER TO FILL UNEXPIRED TERM - BOARD OF ELECTIONS (PERSONNEL)	123
RESOLUTION SELECTION TEMPORARY CHAIRMAN FOR 2009 ORGANIZATIONAL MEETING OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS	1
RESOLUTION TO JOIN THE NEW YORK STATE ASSOCIATION OF TOWNS AND OTHER COUNTIES IN SEEKING COUNTY LEADERSHIP AND SUPPORT FOR FISCAL RESPONSIBILITY BY STAYING WITH LEVER VOTING MACHINES (BOARD OF SUPERVISORS)	159
RESOLUTION DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR 2009	2
BOARD OF SUPERVISORS	
RESOLUTION ELECTING VICE-CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR THE YEAR 2009	2
RESOLUTION CORRECTING 2009 TOWN AND COUNTY TAX ROLLS - VARIOUS PARCELS (REAL PROPERTY)	32
RESOLUTION ELECTING CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR THE YEAR 2009	1
RESOLUTION REQUESTING THE NYS LEGISLATURE TO REAUTHORIZE LEGISLATION WHICH INCREASES SALES TAX IN THE COUNTY OF MONTGOMERY	134
RESOLUTION AMENDING 2009 OPERATING BUDGET - CLERK OF THE BOARD OF SUPERVISORS SALARY (BOARD OF SUPERVISORS)	34
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. A OF 2009 - A LOCAL LAW PROHIBITING TEXT MESSAGING WHILE DRIVING	56
RESOLUTION SUPPORTING U.S. SENATOR KIRSTEN GILLIBRAND'S EFFORTS TO INCREASE THE MILK INCOME LOSS CONTRACT (BOARD OF SUPERVISORS)	181
RESOLUTION AMENDING THE STANDING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS	63
RESOLUTION APPOINTING BUDGET OFFICER	4
RESOLUTION AMENDING 2009 OPERATING BUDGET - DEMOLITION TIP FEE EXPENSES (BOARD OF SUPERVISORS)	62
RESOLUTION ADOPTING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS	2
RESOLUTION RESCHEDULING DECEMBER BOARD OF SUPERVISORS MEETING AND SETTING ORGANIZATIONAL MEETING (BOS)	301
RESOLUTION AMENDING 2009 OPERATING BUDGET - DEPUTY BUDGET OFFICER COMPENSATION (BOARD OF SUPERVISORS)	35
BOARDS	
RESOLUTION REAPPOINTING MEMBERS - FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD	150

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION APPOINTING MEMBERS COMMUNITY SERVICE BOARD (MENTAL HEALTH)	292
RESOLUTION REAPPOINTING MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA BOARD) REPRESENTATIVE	296
RESOLUTION APPOINTING REGION IV FISH AND WILDLIFE MANAGEMENT BOARD MEMBERS	22
RESOLUTION APPOINTING MEMBERS – MONTGOMERY COUNTY FIRE ADVISORY BOARD (EMERGENCY MANAGEMENT)	21
RESOLUTION APPOINTING SUPERVISOR - MONTGOMERY COUNTY RECORDS MANAGEMENT ADVISORY BOARD (HISTORY & ARCHIVES)	18
RESOLUTION REAPPOINTING AND APPOINTING MEMBERS OF MONTGOMERY COUNTY PLANNING BOARD (ECONOMIC DEVELOPMENT AND PLANNING)	228
RESOLUTION APPOINTING MEMBER OF MONTGOMERY COUNTY SANITARY SEWER DISTRICT # 1 BOARD OF DIRECTORS	23
BONDS	
RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE AN AGREEMENT WITH GERHARDT, LLC FOR PREPARATION OF A SOLID WASTE SERVICES AGREEMENT (BOARD OF SUPERVISORS)	163
RESOLUTION DESIGNATING THE COUNTY OF MONTGOMERY AS A RECOVERY ZONE (TREASURER)	262
RESOLUTION RECOMMENDING ACTION TO DEFEASE THE REMAINING BONDS OF MOSA THROUGH THE USE OF MOSA RESERVES, AND TO THEREBY ELIMINATE THE ANNUAL DEBT SERVICE EXPENSE AND LOWER MOSA TIP FEES (BOARD OF SUPERVISORS)	118
BOND RESOLUTION OF MONTGOMERY COUNTY, NY AUTHORIZING REPLACEMENT OF VARIOUS BRIDGES WITHIN THE COUNTY, ESTIMATING AGGREGATE COST TO BE \$2,431,200; APPROPRIATING AMOUNT AND AUTHORIZING ISSUANCE OF \$2,431,200 SERIAL BONDS OF THE COUNTY TO FINANCE SAID COST	260
BOND RESOLUTION OF THE COUNTY OF MONTGOMERY - 3/24/09, AUTHORIZING THE RESURFACING OF VARIOUS COUNTY ROADS; ESTIMATED AGGREGATE COST TO BE \$1,757,150; APPROPRIATING SAID AMOUNT AND AUTHORIZING THE ISSUANCE OF \$1,757,150 BONDS TO FINANCE SAID COST	96
BOND RESOLUTION OF THE COUNTY OF MONTGOMERY - 3/24/09, AUTHORIZING THE REPLACEMENT OF VARIOUS EQUIPMENT & VEHICLES; ESTIMATED AGGREGATE COST-\$1,006,000.00; APPROPRIATING SAID AMOUNT & AUTHORIZING THE ISSUANCE OF \$1,006,000.00 BONDS TO FINANCE SAID COST	93
BUDGET	
RESOLUTION AMENDING 2009 OPERATING BUDGET - DEPUTY BUDGET OFFICER COMPENSATION (BOARD OF SUPERVISORS)	35
RESOLUTION AMENDING 2009 BUDGET - INVESTIGATIVE SERVICES (SOCIAL SERVICES)	211
RESOLUTION AMENDING 2009 OPERATING BUDGET-CARRY OVER GRANT FUNDS-PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT	24
RESOLUTION AMENDING 2009 OPERATING BUDGET - ENGINEERING SERVICES (SANITARY DISTRICT #1)	187
RESOLUTION REESTABLISHING THE TITLE OF SUPERVISING PUBLIC HEALTH NURSE (PUBLIC HEALTH)	188

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AMENDING 2009 OPERATING BUDGET - CORRECTION SUPERVISORS SALARIES (SHERIFF/JAIL)	33
RESOLUTION AMENDING 2009 OPERATING BUDGET COUNTY-WIDE DEMOLITION TEAM (PUBLIC WORKS)	36
RESOLUTION AMENDING 2009 OPERATING BUDGET- PUBLIC WORKS ECONOMIC STIMULUS PROJECTS (PUBLIC WORKS)	31
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS FOR SERVICES APPROVED BY 2009 SOCIAL SERVICES OPERATING BUDGET (SOCIAL SERVICES)	25
RESOLUTION AMENDING 2009 OPERATING BUDGET - DEPUTY SHERIFFS SALARIES (SHERIFF)	33
RESOLUTION ESTABLISHING PUBLIC HEARING - FMCC 2009-2010 OPERATING BUDGET (FMCC)	147
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - COUNTY CLERK (JOHNSON#1)	283
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET-DPW (WALTERS#1)	282
RESOLUTION APPOINTING BUDGET OFFICER	4
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - SHERIFF'S OFFICE (THAYER)	281
RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD TO EXECUTE CHANGE ORDERS TO ALLOW TRANSFERRING FUNDS REMAINING FROM 2008 FMCC CLASSROOM BUILDING MECHANICAL SYSTEMS UPGRADE PROJECT INTO 2009 FMCC CRITICAL MAINTENANCE PROJECT (FMCC)	149
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - OUTSIDE AGENCIES (DYBAS)	278
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - PUBLIC HEALTH (STREVEY#5)	280
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - LONG TERM CARE POINT OF ENTRY PROGRAM (SOCIAL SERVICES)	121
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - DISTRICT ATTORNEY (STREVEY#4)	280
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - TRANSPORTATION(STREVEY#3)	280
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF ELECTIONS (STREVEY#2)	279
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - REAL PROPERTY (STREVEY#1)	279
RESOLUTION TO AMEND 2010 TENTATIVE BUDGET - FINANCE COMMITTEE RECOMMENDATION (BOARD OF SUPERVISORS)	268
RESOLUTION URGING THE GOVERNOR AND THE STATE LEGISLATURE TO REDUCE STATE SPENDING WITHOUT SHIFTING COSTS FOR STATE PROGRAMS TO COUNTY GOVERNMENT	267
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - SHERIFF'S OFFICE (DIMEZZA)	281
RESOLUTION AMENDING 2009 OPERATING BUDGET - LITIGATION DEFENSE (SANITARY DISTRICT)	82
RESOLUTION DELEGATING AUTHORITY TO AMEND 2009 OPERATING BUDGET (TREASURER)	299

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AMENDING 2009 OPERATING BUDGET - CLERK OF THE BOARD OF SUPERVISORS SALARY (BOARD OF SUPERVISORS)	34
RESOLUTION AMENDING 2009 OPERATING BUDGET DETENTION PREVENTION (SOCIAL SERVICES)	211
RESOLUTION AMENDING 2009 OPERATING BUDGET - ASSIGNED COUNSEL (PUBLIC DEFENDER)	299
RESOLUTION REVISING VARIOUS NON-BARGAINING EMPLOYEES BASE SALARIES FOR FISCAL YEAR 2009 (PERSONNEL)	67
RESOLUTION AUTHORIZING ACCOUNTS PAYABLE YEAR-END ADJUSTMENTS - 2009 OPERATING BUDGET (TREASURER)	298
RESOLUTION AUTHORIZING FULTON MONTGOMERY COMMUNITY COLLEGE MANAGEMENT INFORMATION SYSTEM, REVISION (FMCC)	314
BUDGET AMENDMENT	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - LONG TERM CARE POINT OF ENTRY PROGRAM (SOCIAL SERVICES)	230
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - REAL PROPERTY (STREVEY#1)	279
RESOLUTION APPROPRIATING RESERVE FUNDS (STOP-DWI)	254
RESOLUTION AMENDING 2009 OPERATING BUDGET - HEAP (SOCIAL SERVICES)	230
RESOLUTION AMENDING OPERATING 2009 BUDGET - FOOD STAMPS (SOCIAL SERVICES)	231
RESOLUTION AMENDING 2009 OPERATING BUDGET - COMMUNITY SOLUTIONS FOR TRANSPORTATION (SOCIAL SERVICES)	231
RESOLUTION AMENDING 2009 OPERATING BUDGET - BACK TO SCHOOL BENEFIT (SOCIAL SERVICES)	232
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - OUTSIDE AGENCIES (DYBAS)	278
RESOLUTION AMENDING 2009 OPERATING BUDGET (SHERIFF)	293, 294
RESOLUTION AMENDING 2009 OPERATING BUDGET (VETERANS SERVICE)	229
RESOLUTION AMENDING 2009 OPERATING BUDGET - MICROWAVE SYSTEM (SHERIFF)	209
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - TRANSPORTATION(STREVEY#3)	280
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - DISTRICT ATTORNEY (STREVEY#4)	280
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - PUBLIC HEALTH (STREVEY#5)	280
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - SHERIFF'S OFFICE (DIMEZZA)	281
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - SHERIFF'S OFFICE (THAYER)	281
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET-DPW (WALTERS#1)	282

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF SUPERVISORS/DPW (WALTERS#2)	283
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - COUNTY CLERK (JOHNSON#1)	283
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF ELECTIONS (JOHNSON#2)	283
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF ELECTIONS (STREVEY#2)	279
RESOLUTION AMENDING 2009 OPERATING BUDGET FOR EQUIPMENT REPAIRS - DPW (PURCHASING)	321
RESOLUTION AMENDING 2009 OPERATING BUDGET -MENTAL HEALTH	259
RESOLUTION AMENDING 2009 OPERATING BUDGET - SHERIFF	256
RESOLUTION TRANSFERRING FUNDS TO PURCHASE NEW TIME CLOCKS (DATA PROCESSING/PRINTING)	297
RESOLUTION AMENDING 2009 OPERATING BUDGET - CORRECTION OFFICERS SALARIES (SHERIFF/JAIL)	300
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - COUNTY CLERK	301
RESOLUTION AMENDING 2009 OPERATING BUDGET - LITIGATION DEFENSE (SANITARY DISTRICT #1)	187
CAPITAL PROJECTS	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER #2 and #3 AND TO CLOSE OUT CONTRACT - WJV MECHANICAL, INC. - CLASSROOM BUILDING RENOVATION - PHASE I - MECHANICAL SYSTEM UPGRADE PROJECT (FMCC)	148
RESOLUTION APPROVING 2009 CAPITAL PROJECTS - ROAD RESURFACING (PUBLIC WORKS)	60
RESOLUTION APPROVING 2009 CAPITAL PROJECTS - EQUIPMENT REPLACEMENT (PUBLIC WORKS)	60
RESOLUTION APPROVING 2009 CAPITAL PROJECTS - PUBLIC SAFETY FACILITY, B-POD, CELL DOOR LOCKS, SWITCHES (PUBLIC WORKS)	59
RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN DOCUMENTS - TRANSPORTATION CAPITAL PROJECT (NYS DOT) - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (TRANSPORTATION)	113
RESOLUTION APPROVING 2009 CAPITAL PROJECTS - BRIDGE REPLACEMENT (PUBLIC WORKS)	226
RESOLUTION AWARDDING BIDS FOR THE FMCC CRITICAL MAINTENANCE PROJECT (FMCC)	90
RESOLUTION ACKNOWLEDGING MONTGOMERY COUNTY'S FINANCIAL SUPPORT TO FULTON-MONTGOMERY COMMUNITY COLLEGE CAPITAL PROJECTS AND AUTHORIZING FULTON-MONTGOMERY COMMUNITY COLLEGE TO APPLY FOR SUNY FUNDING (FMCC)	233
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVISED CHANGE ORDER #1 and #2 AND TO CLOSE OUT CONTRACT – TRANE U.S. INC. - CLASSROOM BUILDING RENOVATION - PHASE I - MECHANICAL SYSTEM UPGRADE PROJECT (FMCC)	147, 148
RESOLUTION AUTHORIZING ADVANCE TO FULTON COUNTY FOR STATE SHARE OF FMCC CRITICAL MAINTENANCE PROJECTS (FMCC)	92

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION ENDORSING NEW METHODOLOGY FOR REQUESTING SUNY FINANCIAL SUPPORT OF FMCC CAPITAL PROJECTS (FMCC)	232
RESOLUTION AUTHORIZING CONTRACT WITH PHILLIPS ASSOICATES FOR CONSTRUCTION INSPECTION SERVICES FOR THE FMCC CRITICAL MAINTENANCE PROJECT - 2009 CAPITAL PLAN (FMCC)	91
RESOLUTION AMENDING 2009 OPERATING BUDGET - THIRD PARTY TRANSPORTATION PROVIDER - SECTION 5311 CAPITAL PROJECT (BOARD OF SUPERVISORS)	24
RESOLUTION RESCINDING RESOLUTION #220 OF 2009 AND ACKNOWLEDGING MONTGOMERY COUNTY'S FINANCIAL SUPPORT FOR THE MANAGEMENT INFORMATION SYSTEM PROJECT AND THE CLASSROOM BUILDING RENOVATIONS PHASE II PROJECT (FUTURE CAPITAL PLAN) (FMCC)	266
CENSUS	
RESOLUTION APPOINTING MEMBERS-MONTGOMERY COUNTY COMPLETE COUNT COMMITTEE-2010 CENSUS (ECONOMIC DEVELOPMENT/PLANNING)	116
CHAIRMAN OF THE BOARD	
RESOLUTION ELECTING CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR THE YEAR 2009	1
CHAMBER OF COMMERCE	
RESOLUTION SUPPORTING CONTRACT EXTENSION FOR TOURISM FUNDING- MONTGOMERY COUNTY CHAMBER OF COMMERCE (ECONOMIC DEVELOPMENT/PLANNING)	208
RESOLUTION SUPPORTING TOURISM FUNDING APPLICATION - MONTGOMERY COUNTY CHAMBER OF COMMERCE (TOURISM)	253
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TOURISM PROMOTION AGENCY - MONTGOMERY COUNTY CHAMBER OF COMMERCE (TOURISM)	253, 254
CITY OF AMSTERDAM	
RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN AGREEMENT-CITY OF AMSTERDAM PLANNING SERVICES (ECONOMIC DEVELOPMENT AND PLANNING)	265
CLERK OF WORKS	
RESOLUTION AUTHORIZING ADVERTISEMENT FOR CLERK OF THE WORKS POSITION FOR FMCC CRITICAL MAINTENANCE PROJECT	19
COMMI TTEE	
RESOLUTION RESCINDING RESOLUTION 66 OF 2004 AND RESOLUTION 53 OF 2005 AND RE-ESTABLISHING LABOR MANAGEMENT COMMITTEE	37
CONTRACT	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CITY OF AMSTERDAM - PURCHASING SERVICES (PURCHASING)	157
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CORNING DATA/IBM MAINFRAME/BACKUP COMPUTER LEASING (DATA PROCESSING)	225

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ENGINEERING SERVICES - 2009 BRIDGE PROGRAM (PUBLIC WORKS)	317
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER #3 AGREEMENT CLOSING OUT DUTCH VALLEY GENERAL CONTRACTING, INC'S CONTRACT WITH FULTON AND MONTGOMERY COUNTIES FOR THE FMCC CLASSROOM BUILDING RENOVATION	38
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT CLOSING OUT FLEX ELECTRICAL CONSTRUCTORS' CONTRACT WITH FULTON AND MONTGOMERY COUNTIES FOR THE FMCC CLASSROOM BUILDING RENOVATION PROJECT	39
COOPERATIVE EXTENSION	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - CORNELL COOPERATIVE EXTENSION SERVICES (BOARD OF SUPERVISORS)	323
COUNTY ATTORNEY	
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW B OF 2009 - A LOCAL LAW ESTABLISHING 2009 SALARIES OF VARIOUS COUNTY OFFICIALS	100
COUNTY CLERK	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - INFO QUICK SOLUTIONS, INC. FOR A RECORD MANAGEMENT SYSTEM (COUNTY CLERK)	324
DATA PROCESSING	
RESOLUTION TRANSFERRING FUNDS TO PURCHASE NEW TIME CLOCKS (DATA PROCESSING/PRINTING)	297
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES - CITY OF AMSTERDAM (DATA PROCESSING)	153
RESOLUTION TRANSFERRING FUNDS TO PURCHASE NUMBERING MACHINE (DATA PROCESSING/PRINTING)	225
RESOLUTION APPOINTING SUPERVISOR - MONTGOMERY COUNTY RECORDS MANAGEMENT ADVISORY BOARD (HISTORY & ARCHIVES)	18
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CORNING DATA/IBM MAINFRAME/BACKUP COMPUTER LEASING (DATA PROCESSING)	225
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FULTON-MONTGOMERY COMMUNITY COLLEGE (DATA PROCESSING)	224
Demolition	
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW F OF 2008 - A LOCAL LAW WHICH AUTHORIZES THE CONTRIBUTION OF FUNDS TO THE DEMOLITION OF PIONEER STREET MILL IN THE TOWN OF AMSTERDAM	61
DEPARTMENT PUBLIC WORKS	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - BARTON & LOGUIDICE, INC. - ENGINEERING SERVICES - 2009 FEDERAL TRANSPORTATION BILL FUNDING AND AUTHORIZING TREASURER TO AMEND 2009 OPERATING BUDGET (PUBLIC WORKS)	119

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AWARDDING BID NUMBER 12-09 NEW COURTHOUSE MANSARD ROOF REPLACEMENT (DPW)	264
RESOLUTION AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENTS - MOWING (PUBLIC WORKS)	153
RESOLUTION AWARDDING BID 14-09 - DETACHABLE LOADER MOUNTED SNOW BLOWER(DPW)	317
RESOLUTION AMENDING 2009 OPERATING BUDGET COUNTY-WIDE DEMOLITION TEAM (PUBLIC WORKS)	36
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ENGINEERING SERVICES - 2009 BRIDGE PROGRAM (PUBLIC WORKS)	317
RESOLUTION AUTHORIZING IMPLEMENTATION AND FUNDING OF FJ&G RAIL TO TRAIL TRANSPORTATION ENHANCEMENT PROJECT (PUBLIC WORKS)	154
RESOLUTION AWARDDING BID NUMBER 09-09 MULTI-PURPOSE EXCAVATOR (PUBLIC WORKS)	119
DISTRICT ATTORNEY	
RESOLUTION AMENDING 2009 OPERATING BUDGET - BYRNE GRANT EXTENSION (DISTRICT ATTORNEY)	129
RESOLUTION AUTHORIZING CHARIMAN TO SIGN AID TO PROSECUTION GRANT AGREEMENT CONTRACT (DISTRICT ATTORNEY)	185
E-911	
RESOLUTION ESTABLISHING STANDARDIZATION FOR E-911 PSAP CONTROLLER EQUIPMENT (SHERIFF)	151
RESOLUTION AUTHORIZING THE IMPLEMENTATION OF VOICE OVER INTERNET PROVIDERS (VOIP) SURCHARGE IN MONTGOMERY COUNTY (SHERIFF)	294
RESOLUTION ENDORSING A GEODIVERSE DEPLOYMENT MODEL FOR THE E-911 DISPATCH SYSTEM (SHERIFF)	152
ECONOMIC DEVELOPMENT	
RESOLUTION MODIFYING MONTGOMERY COUNTY AGRICULTURAL DISTRICT NO. 2 (ECONOMIC DEVELOPMENT AND PLANNING)	54
RESOLUTION SUPPORTING FEDERAL SENATE BILL S.889, THE FEDERAL MILK MARKETING IMPROVEMENT ACT (BOARD OF SUPERVISORS)	158
RESOLUTION AMENDING THE 2009 OPERATING BUDGET- PROFESSIONAL SERVICES - MULTI-JURISDICTIONAL ALL-HAZARD MITIGATION PLAN (ECONOMIC DEVELOPMENT)	58
RESOLUTION APPOINTING MCIDA LIAISON	19
RESOLUTION FOR MORALIZATION/SUPPORT OF CONTINUATION FOR EMPIRE ZONE PROGRAM	18
RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN DOCUMENTS-TRANSFER OF PROPERTY-FLORIDA WATER TANK PARCEL (ECONOMIC DEVELOPMENT AND PLANNING)	86
RESOLUTION APPOINTING SUPERVISOR - MONTGOMERY COUNTY RECORDS MANAGEMENT ADVISORY BOARD (HISTORY & ARCHIVES)	18

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ADMINISTRATIVE AND STAFF SUPPORT SERVICES AGREEMENT - MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECONOMIC DEVELOPMENT AND PLANNING)	28
RESOLUTION AUTHORIZING THE ADOPTION OF THE MONTGOMERY COUNTY MULTI-JURISDICTIONAL ALL HAZARD MITIGATION PLAN (ECONOMIC DEVELOPMENT AND PLANNING)	55
RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN DOCUMENTS-TRANSFER OF PROPERTY-FLORIDA WATER TANK PARCEL (ECONOMIC DEVELOPMENT AND PLANNING)	56
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MOHAWK VALLEY ECONOMIC DEVELOPMENT DISTRICT (ECONOMIC DEVELOPMENT AND PLANNING)	29
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONSERVATION EASEMENT MODIFICATION AND SPREADER AGREEMENT-FLORIDA BUSINESS PARK (ECONOMIC DEVELOPMENT AND PLANNING)	29
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT-CAROLINA CLUBS, INC. (ECONOMIC DEVELOPMENT AND PLANNING)	28
ECONOMIC DEVELOPMENT/PLANNING	
RESOLUTION SUPPORTING ANTI-BULLYING LEGISLATION (BOARD OF SUPERVISORS)	180
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT- MOHAWK VALLEY SNOWMOBILE CLUBS, INC. - SNOWMOBILE TRAIL MAINTENANCE (ECONOMIC DEVELOPMENT AND PLANNING)	205
RESOLUTION AUTHORIZING RFP - BUS SYSTEMS OPERATOR - MONTGOMERY AREA XPRESS (ECONOMIC DEVELOPMENT AND PLANNING)	205
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION-SNOWMOBILE TRAILS GRANT-IN-AID APPLICATION (ECONOMIC DEVELOPMENT AND PLANNING)	204
RESOLUTION REAPPOINTING AND APPOINTING MEMBERS OF MONTGOMERY COUNTY PLANNING BOARD (ECONOMIC DEVELOPMENT AND PLANNING)	228
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LOAN AGREEMENT AMENDMENT WITH POWER PALLET INC. IN RELATION TO THE OFFICE OF COMMUNITY RENEWAL PROJECT #748ED604-07 (ECONOMIC DEVELOPMENT AND PLANNING)	266
RESOLUTION DESIGNATING THE COUNTY OF MONTGOMERY AS A RECOVERY ZONE (TREASURER)	262
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT NYSDOT SECTION 5316 JARC FUNDS MONTGOMERY MAX OPERATING ASSISTANCE 2010 & 2011 (ECONOMIC DEVELOPMENT AND PLANNING)	264
RESOLUTION APPOINTING MEMBERS-MONTGOMERY COUNTY COMPLETE COUNT COMMITTEE-2010 CENSUS (ECONOMIC DEVELOPMENT/PLANNING)	116
RESOLUTION APPOINTING MEMBER - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE - AGRICULTURE (ECONOMIC DEVELOPMENT/PLANNING)	117
RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN AGREEMENT-CITY OF AMSTERDAM PLANNING SERVICES (ECONOMIC DEVELOPMENT AND PLANNING)	265
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT FOR CRYSTAL BAR, INC. (ECONOMIC DEVELOPMENT/PLANNING)	117

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION ESTABLISHING NEGATIVE DECLARATION IN A SEQR DETERMINATION FOR SNOWMOBILE TRAIL (ECONOMIC DEVELOPMENT AND PLANNING)	265
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT- MH STALLMAN COMPANY, INC. (ECONOMIC DEVELOPMENT AND PLANNING)	313
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ADMINISTRATIVE AND STAFF SUPPORT SERVICES AGREEMENT - MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECONOMIC DEVELOPMENT AND PLANNING)	295
RESOLUTION TO ESTABLISH THE MONTGOMERY COUNTY BOARD OF SUPERVISORS AS LEAD AGENCY IN A SEQR DETERMINATION FOR SNOWMOBILE TRAIL (ECONOMIC DEVELOPMENT AND PLANNING)	229
RESOLUTION ADOPTING REVOLVING LOAN FUND REGULATIONS (ECONOMIC DEVELOPMENT AND PLANNING)	206
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT 2008-2009 SNOWMOBILE TRAILS GRANT-IN-AID PROGRAM MOHAWK VALLEY SNOWMOBILE CLUBS, INC. (ECONOMIC DEVELOPMENT AND PLANNING)	227
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TOURISM PROMOTION AGENCY - MONTGOMERY COUNTY CHAMBER OF COMMERCE (TOURISM)	253, 254
RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN GRANT APPLICATION TO UPDATE THE COUNTY'S AGRICULTURAL AND FARMLAND PROTECTION PLAN (ECONOMIC DEVELOPMENT AND PLANNING)	313
RESOLUTION SUPPORTING TOURISM FUNDING APPLICATION - MONTGOMERY COUNTY CHAMBER OF COMMERCE (TOURISM)	253
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2010 - 2011 MASS TRANSPORTATION SERVICES - MONTGOMERY AREA EXPRESS (THE MAX) - (ECONOMIC DEVELOPMENT AND PLANNING)	295
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MVEDD (ECONOMIC DEVELOPMENT/PLANNING)	295
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION/AGREEMENTS - 2009-2010 SECTION 5311 - NYS DOT (ECONOMIC DEVELOPMENT AND PLANNING)	228
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN VARIOUS AGREEMENTS-ADVERTISING CONTRACTS-MONTGOMERY AREA XPRESS (TRANSPORTATION)	151
RESOLUTION AUTHORIZING PAYMENT FOR LEGAL SERVICES - REVOLVING LOAN FUND (ECONOMIC DEVELOPMENT/PLANNING)	207
EMERGENCY MANAGEMENT	
RESOLUTION AMENDING 2009 OPERATING BUDGET NYS OFFICE OF HOMELAND SECURITY (SHSP) GRANT (EMERGENCY MANAGEMENT)	65
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - NYS OFFICE OF HOMELAND SECURITY CASE GRANT (EMERGENCY MANAGEMENT)	185
RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY EMS ADVISORY BOARD (EMERGENCY MANAGEMENT)	64, 81
RESOLUTION TRANSFERRING FUNDS TO PURCHASE A FIRE EXTINGUISHER TRAINING AID (EMERGENCY MANAGEMENT)	210

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION APPOINTING MEMBERS – MONTGOMERY COUNTY FIRE ADVISORY BOARD (EMERGENCY MANAGEMENT)	21
RESOLUTION AWARDING RFP #01-09 -MICROWAVE SYSTEM - MONTGOMERY COUNTY	130
RESOLUTION AMENDING 2009 OPERATING BUDGET - NYS HOUSING TRUST FUND CORPORATION (HTFC) GRANT - GREATER CATSKILL FLOOD REMEDIATION PROGRAM (EMERGENCY MANAGEMENT)	65
RESOLUTION IN SUPPORT OF RESCINDING THE VEHICLE TRAFFIC LAW (VTL) REQUIRING CDL LICENSE OF VOLUNTEER FIREMEN (EMERGENCY MANAGEMENT)	84
RESOLUTION AMENDING 2009 OPERATING BUDGET NYS OFFICE OF HOMELAND SECURITY (SHSP) GRANT (EMERGENCY MANAGEMENT)	64
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT WITH NEW YORK STATE OFFICE OF HOMELAND SECURITY (EMERGENCY MANAGEMENT)	257
RESOLUTION AMENDING 2009 OPERATING BUDGET - MICROWAVE SYSTEM (SHERIFF)	209
RESOLUTION AUTHORIZING DISTRIBUTION OF REQUEST FOR PROPOSALS (RFP) FOR PROFESSIONAL SERVICES - DESIGN NEW MICROWAVE SYSTEM FOR MONTGOMERY COUNTY (EMERGENCY MANAGEMENT)	83
ETHICS	
RESOLUTION APPOINTING MONTGOMERY COUNTY ETHICS BOARD MEMBER (BOARD OF SUPERVISORS)	183
FEES	
RESOLUTION RESCINDING RESOLUTION NUMBERS 444 OF 1990, 180 OF 2003 AND 266 OF 2004 REGARDING USER FEES FOR THE SHERIFF'S OFFICE AND ESTABLISHING A NEW USER FEE SCHEDULE FOR SHERIFF'S OFFICE (SHERIFF)	255
FIRE	
RESOLUTION APPOINTING MEMBERS – MONTGOMERY COUNTY FIRE ADVISORY BOARD (EMERGENCY MANAGEMENT)	21
FIRE COORDINATOR	
RESOLUTION IN SUPPORT OF RESCINDING THE VEHICLE TRAFFIC LAW (VTL) REQUIRING CDL LICENSE OF VOLUNTEER FIREMEN (EMERGENCY MANAGEMENT)	84
FISH & WILDLIFE	
RESOLUTION APPOINTING REGION IV FISH AND WILDLIFE MANAGEMENT BOARD MEMBERS	22
FULTON-MONTGOMERY COMMUNITY COLLEGE	
RESOLUTION AUTHORIZING FULTON MONTGOMERY COMMUNITY COLLEGE MANAGEMENT INFORMATION SYSTEM, REVISION (FMCC)	314
RESOLUTION AWARDING BIDS FOR THE FMCC CRITICAL MAINTENANCE PROJECT (FMCC)	90
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FULTON-MONTGOMERY COMMUNITY COLLEGE (DATA PROCESSING)	224

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION ENDORSING NEW METHODOLOGY FOR REQUESTING SUNY FINANCIAL SUPPORT OF FMCC CAPITAL PROJECTS (FMCC)	232
RESOLUTION ACKNOWLEDGING MONTGOMERY COUNTY'S FINANCIAL SUPPORT TO FULTON-MONTGOMERY COMMUNITY COLLEGE CAPITAL PROJECTS AND AUTHORIZING FULTON-MONTGOMERY COMMUNITY COLLEGE TO APPLY FOR SUNY FUNDING (FMCC)	233
RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD TO EXECUTE AGREEMENT WITH JEROME H. O'MARA, P.E. TO SERVE AS CLERK OF THE WORKS FOR THE FMCC CRITICAL MAINTENANCE PROJECT	92
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - C.T. MALE ASSOCIATES - ASBESTOS ABATEMENT PROJECT MONITORING SERVICES - FMCC CRITICAL MAINTENANCE PROJECTS (FMCC)	91
RESOLUTION AUTHORIZING CONTRACT WITH PHILLIPS ASSOICATES FOR CONSTRUCTION INSPECTION SERVICES FOR THE FMCC CRITICAL MAINTENANCE PROJECT - 2009 CAPITAL PLAN (FMCC)	91
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT CLOSING OUT FLEX ELECTRICAL CONSTRUCTORS' CONTRACT WITH FULTON AND MONTGOMERY COUNTIES FOR THE FMCC CLASSROOM BUILDING RENOVATION PROJECT	39
RESOLUTION AUTHORIZING ADVANCE TO FULTON COUNTY FOR STATE SHARE OF FMCC CRITICAL MAINTENANCE PROJECTS (FMCC)	92
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER #3 AGREEMENT CLOSING OUT DUTCH VALLEY GENERAL CONTRACTING, INC'S CONTRACT WITH FULTON AND MONTGOMERY COUNTIES FOR THE FMCC CLASSROOM BUILDING RENOVATION	38
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER #2 and #3 AND TO CLOSE OUT CONTRACT - WJV MECHANICAL, INC. - CLASSROOM BUILDING RENOVATION - PHASE I - MECHANICAL SYSTEM UPGRADE PROJECT (FMCC)	148
RESOLUTION RESCINDING RESOLUTION #220 OF 2009 AND ACKNOWLEDGING MONTGOMERY COUNTY'S FINANCIAL SUPPORT FOR THE MANAGEMENT INFORMATION SYSTEM PROJECT AND THE CLASSROOM BUILDING RENOVATIONS PHASE II PROJECT (FUTURE CAPITAL PLAN) (FMCC)	266
RESOLUTION SUPPORTING FULTON-MONTGOMERY COMMUNITY COLLEGE (FMCC) LITIGATION AGAINST SARATOGA COUNTY (BOARD OF SUPERVISORS)	182
RESOLUTION ESTABLISHING PUBLIC HEARING - FMCC 2009-2010 OPERATING BUDGET (FMCC)	147
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVISED CHANGE ORDER #1 and #2 AND TO CLOSE OUT CONTRACT – TRANE U.S. INC. - CLASSROOM BUILDING RENOVATION - PHASE I - MECHANICAL SYSTEM UPGRADE PROJECT (FMCC)	147, 148
RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD TO EXECUTE CHANGE ORDERS TO ALLOW TRANSFERRING FUNDS REMAINING FROM 2008 FMCC CLASSROOM BUILDING MECHANICAL SYSTEMS UPGRADE PROJECT INTO 2009 FMCC CRITICAL MAINTENANCE PROJECT (FMCC)	149
RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR FMCC CRITICAL MAINTENANCE PROJECT	20
RESOLUTION AUTHORIZING ADVERTISEMENT FOR CLERK OF THE WORKS POSITION FOR FMCC CRITICAL MAINTENANCE PROJECT	19

GAT SHORTFALL PAYMENT

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING THE PAYMENT OF 2008 MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT (MOSA) SHORTFALL (BOARD OF SUPERVISORS)	193
GRANT	
RESOLUTION AMENDING 2009 OPERATING BUDGET - GRANT AWARD (YOUTH BUREAU/ACSD)	191
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT NYSDOT SECTION 5316 JARC FUNDS MONTGOMERY MAX OPERATING ASSISTANCE 2010 & 2011 (ECONOMIC DEVELOPMENT AND PLANNING)	264
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT WITH NEW YORK STATE OFFICE OF HOMELAND SECURITY (EMERGENCY MANAGEMENT)	257
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION-SNOWMOBILE TRAILS GRANT-IN-AID APPLICATION (ECONOMIC DEVELOPMENT AND PLANNING)	204
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - LEGISLATIVE GRANT - VAN PURCHASE AND RELATED EQUIPMENT AND RESCINDING RESOLUTION 215 OF 2008 (VETERANS SERVICE)	296
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2010 ANNUAL ALTERNATIVES TO INCARCERATION PERFORMANCE - BASED SERVICE PLAN (YOUTH BUREAU/ACSD)	316
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT 2008-2009 SNOWMOBILE TRAILS GRANT-IN-AID PROGRAM MOHAWK VALLEY SNOWMOBILE CLUBS, INC. (ECONOMIC DEVELOPMENT AND PLANNING)	227
RESOLUTION TO ESTABLISH THE MONTGOMERY COUNTY BOARD OF SUPERVISORS AS LEAD AGENCY IN A SEQR DETERMINATION FOR SNOWMOBILE TRAIL (ECONOMIC DEVELOPMENT AND PLANNING)	229
RESOLUTION AMENDING 2009 OPERATING BUDGET - JUSTICE ASSISTANCE GRANT (SHERIFF)	21
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DOS - LOCAL ENHANCED WIRELESS 911 PROGRAM (SHERIFF)	256
RESOLUTION AUTHORIZING ADVANCE TO FULTON COUNTY FOR STATE SHARE OF FMCC CRITICAL MAINTENANCE PROJECTS (FMCC)	92
RESOLUTION ACCEPTANCE OF THE PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT FUNDS (PUBLIC HEALTH)	258
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION/AGREEMENTS - 2009-2010 SECTION 5311 - NYS DOT (ECONOMIC DEVELOPMENT AND PLANNING)	228
RESOLUTION AMENDING IMMUNIZATION ACTION PLAN GRANT FUNDING (PUBLIC HEALTH)	130
RESOLUTION AUTHORIZING CHARIMAN TO SIGN AID TO PROSECUTION GRANT AGREEMENT CONTRACT (DISTRICT ATTORNEY)	185
RESOLUTION AMENDING 2009 OPERATING BUDGET-CARRY OVER GRANT FUNDS-PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT	24
RESOLUTION OPPOSING GOVERNOR PATERSON'S PROPOSED YOUTH PROGRAMS BLOCK GRANT (BOARD OF SUPERVISORS)	44
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION-LOCAL WATERFRONT REVITALIZATION PROGRAM (SOIL AND WATER CONSERVATION DISTRICT)	213
RESOLUTION ENDORSING GRANT APPLICATION - MONTGOMERY COUNTY LAW ENFORCEMENT LPG HYBRIDS (SHERIFF)	209

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - JOB ACCESS AND REVERSE COMMUTE (JARC) GRANT - 2009 & 2010 MAX OPERATING EXPENSES (TRANSPORTATION)	115
RESOLUTION AMENDING 2009 OPERATING BUDGET - BYRNE GRANT EXTENSION (DISTRICT ATTORNEY)	129
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION -JOB ACCESS AND REVERSE COMMUTE (JARC) AND NEW FREEDOM GRANT FUNDING - NYSDOT (TRANSPORTATION)	114
RESOLUTION ACCEPTING NYS DOT RTAP GRANT FUNDING AND AMENDING 2009 OPERATING BUDGET -MOBILITY COORDINATION (BOARD OF SUPERVISORS)	63
RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM GRANT CONTRACT (PUBLIC HEALTH)	187
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - NYS OFFICE OF HOMELAND SECURITY CASE GRANT (EMERGENCY MANAGEMENT)	185
RESOLUTION AUTHORIZING THE TREASURER TO AMEND THE 2009 OPERATING BUDGET (VETERANS SERVICES)	157
RESOLUTION AUTHORIZING IMPLEMENTATION AND FUNDING OF FJ&G RAIL TO TRAIL TRANSPORTATION ENHANCEMENT PROJECT (PUBLIC WORKS)	154
RESOLUTION AUTHORIZING TREASURER TO AMEND 2009 OPERATING BUDGET FOR STATE LAW ENFORCEMENT PREVENTION PROGRAM (SLETPP) GRANT FUNDS (SHERIFF)	118
RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN GRANT APPLICATION TO UPDATE THE COUNTY'S AGRICULTURAL AND FARMLAND PROTECTION PLAN (ECONOMIC DEVELOPMENT AND PLANNING)	313
HFM BOCES	
RESOLUTION AMENDING 2009 OPERATING BUDGET - CONTRIBUTION OF FUNDS TO HAMILTON, FULTON, MONTGOMERY (HFM) BOCES LPN PROGRAM (BOARD OF SUPERVISORS)	183
HISTORY AND ARCHIVES	
RESOLUTION APPOINTING SUPERVISOR - MONTGOMERY COUNTY RECORDS MANAGEMENT ADVISORY BOARD (HISTORY & ARCHIVES)	18
HOME RULE	
RESOLUTION REQUESTING THE NYS LEGISLATURE TO REAUTHORIZE LEGISLATION WHICH INCREASES SALES TAX IN THE COUNTY OF MONTGOMERY	134
INDUSTRIAL DEVELOPMENT AGENCY	
RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN DOCUMENTS-TRANSFER OF PROPERTY-FLORIDA WATER TANK PARCEL (ECONOMIC DEVELOPMENT AND PLANNING)	86
INSURANCE	
RESOLUTION REAPPOINTING THREE TRUSTEES REPRESENTING MONTGOMERY COUNTY TO THE HEALTH INSURANCE TRUST PLAN BOARD OF TRUSTEES (PERSONNEL)	152
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GENERAL LIABILITY AND OTHER PERTINENT INSURANCE COVERAGE (BOARD OF SUPERVISORS)	322

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
LABOR MANAGEMENT	
RESOLUTION RESCINDING RESOLUTION 66 OF 2004 AND RESOLUTION 53 OF 2005 AND RE-ESTABLISHING LABOR MANAGEMENT COMMITTEE	37
LEGISLATION	
RESOLUTION SUPPORTING ANTI-BULLYING LEGISLATION (BOARD OF SUPERVISORS)	180
RESOLUTION OF APPROVAL/SUPPORT FOR PROPOSED STATE LEGISLATION/SENATE BILL S.4080-ASSEMBLY BILL A.7504-A/AMEND NEW YORK STATE CIVIL PRACTICE LAW & RULES (BOARD OF SUPERVISORS)	161
RESOLUTION SUPPORTING U.S. SENATOR KIRSTEN GILLIBRAND'S EFFORTS TO INCREASE THE MILK INCOME LOSS CONTRACT (BOARD OF SUPERVISORS)	181
RESOLUTION IN SUPPORT OF RESCINDING THE VEHICLE TRAFFIC LAW (VTL) REQUIRING CDL LICENSE OF VOLUNTEER FIREMEN (EMERGENCY MANAGEMENT)	84
RESOLUTION ADVOCATING CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORP. BE ALLOWED TO OPERATE IN ITS CURRENT FORM WHILE CONTINUING TO PROVIDE REASONABLE SUPPORT FOR MONTGOMERY COUNTY & TO OPERATE IN A COMPATIBLE MANNER FOR HORSERACING & BREEDING IN NYS	181
RESOLUTION URGING NYS SENATE OPPOSITION TO ANTI-GUN LEGISLATION (BOARD OF SUPERVISORS)	134
LITIGATION	
RESOLUTION AMENDING 2009 OPERATING BUDGET- RETAINED COUNSEL FOR DEFENSE LITIGATION-HERO/BEECH NUT PROJECT (BOARD OF SUPERVISORS)	133
RESOLUTION SUPPORTING FULTON-MONTGOMERY COMMUNITY COLLEGE (FMCC) LITIGATION AGAINST SARATOGA COUNTY (BOARD OF SUPERVISORS)	182
RESOLUTION AUTHORIZING MONTGOMERY COUNTY SANITARY DISTRICT TO ENTER INTO AGREEMENT - LITIGATION DEFENSE (SANITARY DISTRICT)	62
LOCAL LAW	
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. A OF 2009 - A LOCAL LAW PROHIBITING TEXT MESSAGING WHILE DRIVING	56
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW F OF 2008 - A LOCAL LAW WHICH AUTHORIZES THE CONTRIBUTION OF FUNDS TO THE DEMOLITION OF PIONEER STREET MILL IN THE TOWN OF AMSTERDAM	61
RESOLUTION AUTHORIZING AMENDMENT TO NEW YORK STATE CORRECTION LAW SECTION 500 (a) or 500 (c) - (SHERIFF)	20
RESOLUTION ESTABLISHING PUBLIC HEARING - LOCAL LAW #3 OF 2009 - A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED PROPERTY, NOT NEEDED FOR A COUNTY PURPOSE - TOWN OF FLORIDA (TREASURER)	158
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW B OF 2009 - A LOCAL LAW ESTABLISHING 2009 SALARIES OF VARIOUS COUNTY OFFICIALS	100

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL (YOUTH BUREAU/ALTERNATIVE COMMUNITY SERVICES DEPARTMENT)	27
MCIDA	
RESOLUTION APPOINTING MCIDA LIAISON	19
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT- CAROLINA CLUBS, INC. (ECONOMIC DEVELOPMENT AND PLANNING)	28
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT FOR CRYSTAL BAR, INC. (ECONOMIC DEVELOPMENT/PLANNING)	117
MEDICAID	
RESOLUTION ADOPTING A MONTGOMERY COUNTY MANDATORY MEDICAID COMPLIANCE POLICY (BOARD OF SUPERVISORS)	320
MEDICAL	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MILLIMAN, INC. - RETIREE DRUG SUBSIDY ACTUARIAL RENEWAL ATTESTATION (PERSONNEL)	260
MEMORANDUM	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - NYS OFFICE OF HOMELAND SECURITY CASE GRANT (EMERGENCY MANAGEMENT)	185
MENTAL HEALTH	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - COMMUNITY SERVICES/MENTAL HEALTH DEPARTMENT SERVICE PROVIDER CONTRACTS (MENTAL HEALTH)	318
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - PSYCHIATRIC SERVICES - ST. MARY'S HOSPITAL (MENTAL HEALTH)	84
RESOLUTION APPOINTING MEMBERS COMMUNITY SERVICE BOARD (MENTAL HEALTH)	292
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - COMMUNITY SERVICES/MENTAL HEALTH DEPARTMENT - SERVICE PROVIDER CONTRACTS (MENTAL HEALTH)	291
RESOLUTION AMENDING 2009 OPERATING BUDGET -MENTAL HEALTH	259
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - NATIONAL ALLIANCE FOR THE MENTALLY ILL MONTGOMERY-FULTON-HAMILTON COUNTY CHAPTER (MENTAL HEALTH)	226
MOHAWK VALLEY ECONOMIC DEVELOPMENT DISTRICT	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MVEDD (ECONOMIC DEVELOPMENT/PLANNING)	295
Montgomery Sanitary District #1	

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AMENDING 2009 OPERATING BUDGET - ENGINEERING SERVICES (SANITARY DISTRICT #1)	187
RESOLUTION AMENDING 2009 OPERATING BUDGET - LITIGATION DEFENSE (SANITARY DISTRICT #1)	187
MORTGAGE TAX	
RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY (TREASURER)	298
RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY	133
MOSA	
RESOLUTION REAPPOINTING MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA BOARD) REPRESENTATIVE	296
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GAT SUBSIDY - MOSA (BOARD OF SUPERVISORS)	323
RESOLUTION AUTHORIZING THE PAYMENT OF 2008 MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT (MOSA) SHORTFALL (BOARD OF SUPERVISORS)	193
RESOLUTION RECOMMENDING ACTION TO DEFEASE THE REMAINING BONDS OF MOSA THROUGH THE USE OF MOSA RESERVES, AND TO THEREBY ELIMINATE THE ANNUAL DEBT SERVICE EXPENSE AND LOWER MOSA TIP FEES (BOARD OF SUPERVISORS)	118
RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE AN AGREEMENT WITH GERHARDT, LLC FOR PREPARATION OF A SOLID WASTE SERVICES AGREEMENT (BOARD OF SUPERVISORS)	163
RESOLUTION APPROVING AND ACCEPTING POST CLOSURE MONITORING AND MAINTENANCE AGREEMENT REGARDING THE MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA) CLOSED LANDFILLS (BOARD OF SUPERVISORS)	263, 290
NEWSPAPER	
RESOLUTION DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR 2009	2
NON-BARGAINING UNIT PERSONNEL	
RESOLUTION AMENDING RESOLUTION NUMBER 409 OF 2008 PERTAINING TO THE NON-BARGAINING AGREEMENT (PERSONNEL)	121
RESOLUTION AMENDING 2009 OPERATING BUDGET - NON-BARGAINING PERSONNEL SALARIES (PERSONNEL)	30
OFFICE FOR THE AGING	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - LONG TERM CARE POINT OF ENTRY PROGRAM (SOCIAL SERVICES)	121
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONTGOMERY COUNTY OFFICE FOR THE AGING (BOARD OF SUPERVISORS)	323
OFF-TRACK BETTING	

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION ADVOCATING CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORP. BE ALLOWED TO OPERATE IN ITS CURRENT FORM WHILE CONTINUING TO PROVIDE REASONABLE SUPPORT FOR MONTGOMERY COUNTY & TO OPERATE IN A COMPATIBLE MANNER FOR HORSERACING & BREEDING IN NYS	181
payrol l	
RESOLUTION AUTHORIZING RATE INCREASES - PART-TIME DEPUTY SHERIFFS AND CORRECTIONS OFFICERS (SHERIFF)	69
PERSONNEL	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT WITH NATIONAL EMPLOYERS COUNCIL, INC. (PERSONNEL)	185
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT M.M. HAYES - ID BADGE SYSTEM MAINTENANCE AGREEMENT (PERSONNEL)	212
RESOLUTION AMENDING RESOLUTION NUMBER 409 OF 2008 PERTAINING TO THE NON-BARGAINING AGREEMENT (PERSONNEL)	121
RESOLUTION RATIFYING MEMORANDUM OF AGREEMENT BETWEEN THE CO. OF MONTGOMERY & MONTGOMERY COUNTY LOCAL 294 OF INTERNATIONAL BROTHERHOOD OF TEAMSTERS FOR CORRECTION OFFICERS & AUTH CHAIRMAN TO SIGN CONTRACT FOR THE PERIOD OF 1/1/2009 - 12/31/2012 (PERSONNEL)	186
RESOLUTION RESCINDING RESOLUTION NUMBER 67 OF 2004 TO ADOPT AND UPDATE APPROVAL OF CREDIT FOR RETIREMENT DAYS FOR PART-TIME ELECTED AND APPOINTED OFFICIALS (PERSONNEL)	122
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AN AGREEMENT FOR EMPLOYEE PHYSICAL EXAMINATIONS (PERSONNEL)	325
RESOLUTION AMENDING 2009 OPERATING BUDGET - NON-BARGAINING PERSONNEL SALARIES (PERSONNEL)	30
RESOLUTION AUTHORIZING DISTRIBUTION OF REQUEST FOR PROPOSALS EMPLOYEE PHYSICAL EXAMINATIONS (PERSONNEL)	297
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - LABOR RELATIONS SERVICES ROEMER, WALLENS & MINEAUX, LLP (PERSONNEL)	212
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - PSYCHIATRIC SERVICES - ST. MARY'S HOSPITAL (MENTAL HEALTH)	84
RESOLUTION AMENDING 2009 OPERATING BUDGET SENIOR MEDICAL AUDIT CLERK - SOCIAL SERVICES (PERSONNEL)	123
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - MIDWEST EMPLOYERS REINSURANCE CORPORATION, EXCESS WORKERS COMPENSATION COVERAGE (PERSONNEL)	324
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT (EAP) EMPLOYEE ASSISTANCE PROGRAM ST. MARY'S HOSPITAL (PERSONNEL)	259
RESOLUTION TERMINATING CAREMARK PRESCRIPTION DRUG CARD AGREEMENT AND AUTHORIZING CHAIRMAN TO SIGN AGREEMENT WITH MATRIX FOR COUNTY-WIDE DISCOUNT PRESCRIPTION DRUG CARD PROGRAM (PERSONNEL)	122
RESOLUTION ADMENDING THE COUNTY DRESS CODE POLICY TO INCLUDE: CONTEMPORARY BUSINESS CASUAL FRIDAYS (PERSONNEL DEPARTMENT)	66

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING RATE INCREASES - PART-TIME DEPUTY SHERIFFS AND CORRECTIONS OFFICERS (SHERIFF)	69
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MILLIMAN, INC. - RETIREE DRUG SUBSIDY ACTUARIAL RENEWAL ATTESTATION (PERSONNEL)	260
RESOLUTION REVISING VARIOUS NON-BARGAINING EMPLOYEES BASE SALARIES FOR FISCAL YEAR 2009 (PERSONNEL)	67
PLANNING	
RESOLUTION AUTHORIZING THE ADOPTION OF THE MONTGOMERY COUNTY MULTI-JURISDICTIONAL ALL HAZARD MITIGATION PLAN (ECONOMIC DEVELOPMENT AND PLANNING)	55
RESOLUTION ADOPTING THE MONTGOMERY COUNTY COORDINATED TRANSPORTATION PLAN (TRANSPORTATION)	113
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - C.T. MALE ASSOCIATES - ASBESTOS ABATEMENT PROJECT MONITORING SERVICES - FMCC CRITICAL MAINTENANCE PROJECTS (FMCC)	91
RESOLUTION ADOPTING 2010 STOP-DWI PLAN (STOP DWI)	254
RESOLUTION AUTHORIZING FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD SUBMITTAL OF A WORKFORCE INVESTMENT ACT LOCAL PLAN MODIFICATION FOR 2009-2010 (BOARD OF SUPERVISORS)	207
RESOLUTION MODIFYING MONTGOMERY COUNTY AGRICULTURAL DISTRICT NO. 2 (ECONOMIC DEVELOPMENT AND PLANNING)	54
POLICY	
RESOLUTION ADOPTING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS	2
RESOLUTION DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR 2009	2
RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS TO APPROVE THE NO SMOKING POLICY FOR MONTGOMERY COUNTY OWNED AND LEASED FACILITIES (PUBLIC HEALTH)	68
RESOLUTION ADOPTING A MONTGOMERY COUNTY MANDATORY MEDICAID COMPLIANCE POLICY (BOARD OF SUPERVISORS)	320
RESOLUTION ADOPTING THE MONTGOMERY AREA XPRESS ADVERTISING POLICY (TRANSPORTATION)	150
RESOLUTION AMENDING PROCUREMENT POLICY (PURCHASING)	69
PRINTING	
RESOLUTION TRANSFERRING FUNDS TO PURCHASE NUMBERING MACHINE (DATA PROCESSING/PRINTING)	225
PROBATION	
RESOLUTION FOR APPROVAL OF A LEASE AGREEMENT WITH CENTRO CIVICO OF AMSTERDAM, INC. FOR A PROBATION SATELLITE OFFICE (PROBATION)	315

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONITORING OF SEX OFFENDERS COMPUTER USAGE - INTERNET PROBATION AND PAROLE CONTROL, INC. (PROBATION)	83
RESOLUTION FOR PURCHASE OF SCRAM BRACELETS FOR THE MONITORING OF ALCOHOL CONSUMPTION BY PERSONS ON PROBATION SUPERVISION (PROBATION)	257
RESOLUTION APPROPRIATING RESERVE FUNDS (STOP-DWI)	254
PUBLIC DEFENDER	
RESOLUTION AMENDING 2009 OPERATING BUDGET - ASSIGNED COUNSEL (PUBLIC DEFENDER)	299
PUBLIC HEALTH	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - EARLY INTERVENTION (EI) ADMINISTRATION (PUBLIC HEALTH)	25
RESOLUTION AMENDING 2009 OPERATING BUDGET-CARRY OVER GRANT FUNDS-PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT	24
RESOLUTION ACCEPTANCE OF THE PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT FUNDS (PUBLIC HEALTH)	258
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONTRACT - PUBLIC HEALTH 2009 H1N1 INFLUENZA MASS VACCINATION CLINICS (PUBLIC HEALTH)	259
RESOLUTION REESTABLISHING THE TITLE OF SUPERVISING PUBLIC HEALTH NURSE (PUBLIC HEALTH)	188
RESOLUTION AWARDING TRANSPORTATION SERVICES BID #08-09 (PUBLIC HEALTH)	188
RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS TO APPROVE THE NO SMOKING POLICY FOR MONTGOMERY COUNTY OWNED AND LEASED FACILITIES (PUBLIC HEALTH)	68
RESOLUTION ADOPTING A MONTGOMERY COUNTY MANDATORY MEDICAID COMPLIANCE POLICY (BOARD OF SUPERVISORS)	320
RESOLUTION AMENDING IMMUNIZATION ACTION PLAN GRANT FUNDING (PUBLIC HEALTH)	130
PUBLIC HEARING	
RESOLUTION ESTABLISHING PUBLIC HEARING - FMCC 2009-2010 OPERATING BUDGET (FMCC)	147
RESOLUTION SCHEDULING PUBLIC HEARING-REVIEW OF AGRICULTURAL DISTRICT NO. 2	35
RESOLUTION ESTABLISHING PUBLIC HEARING - LOCAL LAW #3 OF 2009 - A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED PROPERTY, NOT NEEDED FOR A COUNTY PURPOSE - TOWN OF FLORIDA (TREASURER)	158
RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM GRANT CONTRACT (PUBLIC HEALTH)	187
PUBLIC SAFETY	
RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN ASSIGNMENT CONSENT TO TRANSFER ANTENNAE SPACE CONTRACT FROM AMSTERDAM MEMORIAL HOSPITAL TO ST. MARY'S HOSPITAL (BOARD OF SUPERVISORS)	161
PUBLIC WORKS	

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION APPROVING 2009 CAPITAL PROJECTS - BRIDGE REPLACEMENT (PUBLIC WORKS)	226
RESOLUTION APPROVING 2009 CAPITAL PROJECTS - ROAD RESURFACING (PUBLIC WORKS)	60
RESOLUTION APPROVING 2009 CAPITAL PROJECTS - EQUIPMENT REPLACEMENT (PUBLIC WORKS)	60
RESOLUTION AWARDDING BID 11-09 - WHEEL LOADER (PUBLIC WORKS)	210
RESOLUTION AMENDING 2009 OPERATING BUDGET- PUBLIC WORKS ECONOMIC STIMULUS PROJECTS (PUBLIC WORKS)	31
RESOLUTION AWARDDING BID NUMBER 13-09 DIRECT FIRED GAS THERMIFIC WATER HEATER (DPW)	264
RESOLUTION AWARDDING BID NO. 01-09 (PUBLIC WORKS)	87
RESOLUTION APPROVING 2009 CAPITAL PROJECTS - PUBLIC SAFETY FACILITY, B-POD, CELL DOOR LOCKS, SWITCHES (PUBLIC WORKS)	59
RESOLUTION AWARDDING BRIDGE REPLACEMENT CONTRACT - SPRING STREET, B.I.N. 3309680 (PUBLIC WORKS)	90
RESOLUTION AWARDDING BRIDGE REPLACEMENT CONTRACT - PICKLE HILL ROAD, B.I.N. 3309580 (PUBLIC WORKS)	89
PURCHASING	
RESOLUTION AWARDDING BID 14-09 - DETACHABLE LOADER MOUNTED SNOW BLOWER(DPW)	317
RESOLUTION AWARDDING BID NUMBER 13-09 DIRECT FIRED GAS THERMIFIC WATER HEATER (DPW)	264
RESOLUTION AWARDDING BID NUMBER 12-09 NEW COURTHOUSE MANSARD ROOF REPLACEMENT (DPW)	264
RESOLUTION AWARDDING FOOD SERVICE & CLEANING SUPPLY BID 09-09 (PURCHASING)	157
RESOLUTION AWARDDING BID 10-09 - SALE OF SURPLUS VEHICLES AND EQUIPMENT (PURCHASING)	212
RESOLUTION AWARDDING TRANSPORTATION SERVICES BID #08-09 (PUBLIC HEALTH)	188
RESOLUTION AUTHORIZING THE PROCUREMENT OF TWO SNOWMOBILES FOR THE SHERIFF'S DEPARTMENT AND AMENDING THE 2009 OPERATING BUDGET (SHERIFF)	72
RESOLUTION AMENDING 2009 OPERATING BUDGET FOR EQUIPMENT REPAIRS - DPW (PURCHASING)	120
RESOLUTION AWARDDING BID FOR OFFICE SUPPLIES (PURCHASING)	120
RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW B OF 2009 - A LOCAL LAW ESTABLISHING 2009 SALARIES OF VARIOUS COUNTY OFFICIALS	100
RESOLUTION TRANSFERRING FUNDS TO PURCHASE NUMBERING MACHINE (DATA PROCESSING/PRINTING)	225
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CITY OF AMSTERDAM - PURCHASING SERVICES (PURCHASING)	157
RESOLUTION AWARDDING RFP #01-09 -MICROWAVE SYSTEM - MONTGOMERY COUNTY	130

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AWARDDING BID 15-09 - SALE OF SURPLUS VEHICLES AND EQUIPMENT (PURCHASING)	321
RESOLUTION AMENDING 2009 OPERATING BUDGET FOR EQUIPMENT REPAIRS - DPW (PURCHASING)	321
RESOLUTION AMENDING PROCUREMENT POLICY (PURCHASING)	69
RESOLUTION AWARDDING BID NO. 02-09 DIGITAL RECORDING CAMERA SYSTEM - MONTGOMERY COUNTY PUBLIC SAFETY FACILITY (SHERIFF)	69
REAL PROPERTY TAX SERVICE	
RESOLUTION EXPRESSING APPRECIATION FOR THE SERVICES OF RETIRING REAL PROPERTY TAX SERVICE AGENCY DIRECTOR - FLORENCE STANTON	253
RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL AUTHORITY TO COUNTY AUDITOR (REAL PROPERTY)	32
RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN DOCUMENTS-TRANSFER OF PROPERTY-FLORIDA WATER TANK PARCEL (ECONOMIC DEVELOPMENT AND PLANNING)	56
RESOLUTION CORRECTING 2009 TOWN AND COUNTY TAX ROLLS - VARIOUS PARCELS (REAL PROPERTY)	32
RECOVERY ZONE	
RESOLUTION DESIGNATING THE COUNTY OF MONTGOMERY AS A RECOVERY ZONE (TREASURER)	262
REQUESTS FOR PROPOSALS	
RESOLUTION AUTHORIZING DISTRIBUTION OF REQUEST FOR PROPOSALS EMPLOYEE PHYSICAL EXAMINATIONS (PERSONNEL)	297
RESOLUTIONS RESCINDED	
RESOLUTION TERMINATING CAREMARK PRESCRIPTION DRUG CARD AGREEMENT AND AUTHORIZING CHAIRMAN TO SIGN AGREEMENT WITH MATRIX FOR COUNTY-WIDE DISCOUNT PRESCRIPTION DRUG CARD PROGRAM (PERSONNEL)	122
RETIREMENT	
RESOLUTION EXPRESSING APPRECIATION FOR THE SERVICES OF RETIRING REAL PROPERTY TAX SERVICE AGENCY DIRECTOR - FLORENCE STANTON	253
RESOLUTION RESCINDING RESOLUTION NUMBER 67 OF 2004 TO ADOPT AND UPDATE APPROVAL OF CREDIT FOR RETIREMENT DAYS FOR PART-TIME ELECTED AND APPOINTED OFFICIALS (PERSONNEL)	122
REVOLVING LOAN	
RESOLUTION AUTHORIZING PAYMENT FOR LEGAL SERVICES - REVOLVING LOAN FUND (ECONOMIC DEVELOPMENT/PLANNING)	207
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT- MH STALLMAN COMPANY, INC. (ECONOMIC DEVELOPMENT AND PLANNING)	313

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT FOR CRYSTAL BAR, INC. (ECONOMIC DEVELOPMENT/PLANNING)	117
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT- CAROLINA CLUBS, INC. (ECONOMIC DEVELOPMENT AND PLANNING)	28
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LOAN AGREEMENT AMENDMENT WITH POWER PALLET INC. IN RELATION TO THE OFFICE OF COMMUNITY RENEWAL PROJECT #748ED604-07 (ECONOMIC DEVELOPMENT AND PLANNING)	266
RESOLUTION ADOPTING REVOLVING LOAN FUND REGULATIONS (ECONOMIC DEVELOPMENT AND PLANNING)	206
RULES OF PROCEDURE	
RESOLUTION AMENDING THE STANDING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS	63
RESOLUTION ADOPTING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS	2
SAFETY	
RESOLUTION AUTHORIZING AMENDMENT TO NEW YORK STATE CORRECTION LAW SECTION 500 (a) or 500 (c) - (SHERIFF)	20
RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE ASSOCIATION OF COUNTIES (NYSAC) TO PARTICIPATE IN THE NEW YORK SAFETY PROGRAM (BOARD OF SUPERVISORS)	257
RESOLUTION TRANSFERRING FUNDS TO PURCHASE A FIRE EXTINGUISHER TRAINING AID (EMERGENCY MANAGEMENT)	210
SALES TAX	
RESOLUTION REQUESTING THE NYS LEGISLATURE TO REAUTHORIZE LEGISLATION WHICH INCREASES SALES TAX IN THE COUNTY OF MONTGOMERY	134
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	234
SEWER DI STRI CT	
RESOLUTION AUTHORIZING MONTGOMERY COUNTY SANITARY DISTRICT TO ENTER INTO AGREEMENT - LITIGATION DEFENSE (SANITARY DISTRICT)	62
RESOLUTION APPOINTING MEMBER OF MONTGOMERY COUNTY SANITARY SEWER DISTRICT # 1 BOARD OF DIRECTORS	23
RESOLUTION AMENDING 2009 OPERATING BUDGET - LITIGATION DEFENSE (SANITARY DISTRICT)	82
SHERI FF	
RESOLUTION AMENDING 2009 OPERATING BUDGET - SHERIFF	256
RESOLUTION APPROVING 2009 CAPITAL PROJECTS - PUBLIC SAFETY FACILITY, B-POD, CELL DOOR LOCKS, SWITCHES (PUBLIC WORKS)	59

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING THE IMPLEMENTATION OF VOICE OVER INTERNET PROVIDERS (VOIP) SURCHARGE IN MONTGOMERY COUNTY (SHERIFF)	294
RESOLUTION APPROPRIATING RESERVE FUNDS (STOP-DWI)	71
RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. A OF 2009 - A LOCAL LAW PROHIBITING TEXT MESSAGING WHILE DRIVING	56
RESOLUTION AMENDING 2009 OPERATING BUDGET - JUSTICE ASSISTANCE GRANT (SHERIFF)	21
RESOLUTION AWARDING RFP #01-09 -MICROWAVE SYSTEM - MONTGOMERY COUNTY	130
RESOLUTION AMENDING 2009 OPERATING BUDGET (SHERIFF)	130, 293, 294
RESOLUTION AUTHORIZING DISTRIBUTION OF REQUEST FOR PROPOSALS (RFP) FOR PROFESSIONAL SERVICES - DESIGN NEW MICROWAVE SYSTEM FOR MONTGOMERY COUNTY (EMERGENCY MANAGEMENT)	83
RESOLUTION AMENDING 2009 OPERATING BUDGET - CORRECTION SUPERVISORS SALARIES (SHERIFF/JAIL)	33
RESOLUTION ESTABLISHING STANDARDIZATION FOR E-911 PSAP CONTROLLER EQUIPMENT (SHERIFF)	151
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FBI ANTENNA SITE LICENSE RENEWAL - OAK RIDGE SITE (SHERIFF)	184
RESOLUTION AMENDING 2009 OPERATING BUDGET - DEPUTY SHERIFFS SALARIES (SHERIFF)	33
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DOS - LOCAL ENHANCED WIRELESS 911 PROGRAM (SHERIFF)	256
RESOLUTION RATIFYING MEMORANDUM OF AGREEMENT BETWEEN THE CO. OF MONTGOMERY & MONTGOMERY COUNTY LOCAL 294 OF INTERNATIONAL BROTHERHOOD OF TEAMSTERS FOR CORRECTION OFFICERS & AUTH CHAIRMAN TO SIGN CONTRACT FOR THE PERIOD OF 1/1/2009 - 12/31/2012 (PERSONNEL)	186
RESOLUTION AUTHORIZING TREASURER TO AMEND 2009 OPERATING BUDGET FOR STATE LAW ENFORCEMENT PREVENTION PROGRAM (SLETPP) GRANT FUNDS (SHERIFF)	118
RESOLUTION IN SUPPORT OF REPEALING THE VEHICLE TRAFFIC LAW (VTL) REQUIRING CDL LICENSE OF VOLUNTEER FIREMEN (EMERGENCY MANAGEMENT)	84
RESOLUTION ENDORSING A GEODIVERSE DEPLOYMENT MODEL FOR THE E-911 DISPATCH SYSTEM (SHERIFF)	152
RESOLUTION AUTHORIZING AMENDMENT TO BUSINESS EQUIPMENT RENTAL AGREEMENT BETWEEN FRONTIER AND MONTGOMERY COUNTY SHERIFF'S OFFICE (SHERIFF)	294
RESOLUTION AUTHORIZING THE PROCUREMENT OF TWO SNOWMOBILES FOR THE SHERIFF'S DEPARTMENT AND AMENDING THE 2009 OPERATING BUDGET (SHERIFF)	72
RESOLUTION AMENDING 2009 OPERATING BUDGET - MICROWAVE SYSTEM (SHERIFF)	209
RESOLUTION URGING NEW YORK STATE TO STOP PILLAGING 9-1-1 FUNDS (SHERIFF)	208
RESOLUTION ENDORSING GRANT APPLICATION – MONTGOMERY COUNTY LAW ENFORCEMENT LPG HYBRIDS (SHERIFF)	209
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - HYPER-REACH NOTIFICATION SYSTEM - SAM ASHER COMPUTING SERVICES, INC. (SHERIFF)	208

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AMENDING 2009 OPERATING BUDGET - CORRECTION OFFICERS SALARIES (SHERIFF/JAIL)	300
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ONEIDA COUNTY SHERIFF - SECURITY SERVICES FOR MONTGOMERY COUNTY INMATES AT CENTRAL NY PSYCHIATRIC CENTER - (SHERIFF)	230
RESOLUTION AWARDDING BID NO. 02-09 DIGITAL RECORDING CAMERA SYSTEM - MONTGOMERY COUNTY PUBLIC SAFETY FACILITY (SHERIFF)	69
RESOLUTION AUTHORIZING RATE INCREASES - PART-TIME DEPUTY SHERIFFS AND CORRECTIONS OFFICERS (SHERIFF)	69
RESOLUTION RESCINDING RESOLUTION NUMBERS 444 OF 1990, 180 OF 2003 AND 266 OF 2004 REGARDING USER FEES FOR THE SHERIFF'S OFFICE AND ESTABLISHING A NEW USER FEE SCHEDULE FOR SHERIFF'S OFFICE (SHERIFF)	255
SNOWMOBILE TRAILS	
RESOLUTION ESTABLISHING NEGATIVE DECLARATION IN A SEQR DETERMINATION FOR SNOWMOBILE TRAIL (ECONOMIC DEVELOPMENT AND PLANNING)	265
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT 2008-2009 SNOWMOBILE TRAILS GRANT-IN-AID PROGRAM MOHAWK VALLEY SNOWMOBILE CLUBS, INC. (ECONOMIC DEVELOPMENT AND PLANNING)	227
RESOLUTION TO ESTABLISH THE MONTGOMERY COUNTY BOARD OF SUPERVISORS AS LEAD AGENCY IN A SEQR DETERMINATION FOR SNOWMOBILE TRAIL (ECONOMIC DEVELOPMENT AND PLANNING)	229
SOCIAL SERVICES	
RESOLUTION AMENDING OPERATING 2009 BUDGET - FOOD STAMPS (SOCIAL SERVICES)	231
RESOLUTION ADOPTING A MONTGOMERY COUNTY MANDATORY MEDICAID COMPLIANCE POLICY (BOARD OF SUPERVISORS)	320
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS FOR SERVICES APPROVED BY 2010 SOCIAL SERVICES OPERATING BUDGET (SOCIAL SERVICES)	318
RESOLUTION AMENDING 2009 OPERATING BUDGET DETENTION PREVENTION (SOCIAL SERVICES)	211
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - JOB ACCESS AND REVERSE COMMUTE (JARC) GRANT - 2009 & 2010 MAX OPERATING EXPENSES (TRANSPORTATION)	115
RESOLUTION AMENDING 2009 OPERATING BUDGET - HEAP (SOCIAL SERVICES)	70
RESOLUTION AMENDING 2009 OPERATING BUDGET - BACK TO SCHOOL BENEFIT (SOCIAL SERVICES)	232
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - LONG TERM CARE POINT OF ENTRY PROGRAM (SOCIAL SERVICES)	121, 230
RESOLUTION AMENDING 2009 OPERATING BUDGET - COMMUNITY SOLUTIONS FOR TRANSPORTATION (SOCIAL SERVICES)	231
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - COMMUNITY SOLUTIONS FOR TRANSPORTATION PROGRAM - MENTAL HEALTH ASSOCIATION OF FULTON AND MONTGOMERY COUNTIES (SOCIAL SERVICES)	70

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RESOLUTION AGREEMENT BETWEEN U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES OFFICE FOR CIVIL RIGHTS AND MONTGOMERY COUNTY DEPARTMENT OF SOCIAL SERVICES (SOCIAL SERVICES)	227
RESOLUTION AMENDING 2009 OPERATING BUDGET - HEAP (SOCIAL SERVICES)	230
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS FOR SERVICES APPROVED BY 2009 SOCIAL SERVICES OPERATING BUDGET (SOCIAL SERVICES)	25
RESOLUTION OPPOSING GOVERNOR PATERSON'S PROPOSED YOUTH PROGRAMS BLOCK GRANT (BOARD OF SUPERVISORS)	44
RESOLUTION AMENDING 2009 OPERATING BUDGET SENIOR MEDICAL AUDIT CLERK - SOCIAL SERVICES (PERSONNEL)	123
SOIL & WATER CONSERVATION	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION-LOCAL WATERFRONT REVITALIZATION PROGRAM (SOIL AND WATER CONSERVATION DISTRICT)	213
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT- MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT (BOARD OF SUPERVISORS)	324
SOLID WASTE	
RESOLUTION RECOMMENDING ACTION TO DEFEASE THE REMAINING BONDS OF MOSA THROUGH THE USE OF MOSA RESERVES, AND TO THEREBY ELIMINATE THE ANNUAL DEBT SERVICE EXPENSE AND LOWER MOSA TIP FEES (BOARD OF SUPERVISORS)	118
RESOLUTION AMENDING 2009 OPERATING BUDGET - DEMOLITION TIP FEE EXPENSES (BOARD OF SUPERVISORS)	62
STOP-DWI	
RESOLUTION ADOPTING 2010 STOP-DWI PLAN (STOP DWI)	254
RESOLUTION ENDORSING THE IMPLEMENTATION OF THE ALIVE AT 25, YOUNGER DRIVER EDUCATION AND THE VALUES IMPROVEMENT PROGRAM (STOP DWI)	155
RESOLUTION APPROPRIATING RESERVE FUNDS (STOP-DWI)	71, 254
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - VALUES IMPROVEMENT PROGRAM (STOP-DWI)	315
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT VALUES IMPROVEMENT PROGRAM (STOP-DWI)	255
RESOLUTION FOR PURCHASE OF SCRAM BRACELETS FOR THE MONITORING OF ALCOHOL CONSUMPTION BY PERSONS ON PROBATION SUPERVISION (PROBATION)	257
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - ALIVE AT 25 YOUNGER DRIVER EDUCATION PROGRAM (STOP-DWI)	192
SUPPORT LEGISLATION	
RESOLUTION URGING NYS SENATE OPPOSITION TO ANTI-GUN LEGISLATION (BOARD OF SUPERVISORS)	134
RESOLUTION AUTHORIZING THE IMPLEMENTATION OF VOICE OVER INTERNET PROVIDERS (VOIP) SURCHARGE IN MONTGOMERY COUNTY (SHERIFF)	294

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION SUPPORTING FEDERAL SENATE BILL S.889, THE FEDERAL MILK MARKETING IMPROVEMENT ACT (BOARD OF SUPERVISORS)	158
RESOLUTION FOR MORALIZATION/SUPPORT OF CONTINUATION FOR EMPIRE ZONE PROGRAM	18
TAX ROLLS	
RESOLUTION CORRECTING 2009 TOWN AND COUNTY TAX ROLLS - VARIOUS PARCELS (REAL PROPERTY)	32
RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL AUTHORITY TO COUNTY AUDITOR (REAL PROPERTY)	32
TELEPHONE	
RESOLUTION URGING NEW YORK STATE TO STOP PILLAGING 9-1-1 FUNDS (SHERIFF)	208
TENTATIVE BUDGET	
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - SHERIFF'S OFFICE (THAYER)	281
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - REAL PROPERTY (STREVEY#1)	279
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF ELECTIONS (STREVEY#2)	279
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - OUTSIDE AGENCIES (DYBAS)	278
RESOLUTION TO AMEND 2010 TENTATIVE BUDGET - FINANCE COMMITTEE RECOMMENDATION (BOARD OF SUPERVISORS)	268
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - COUNTY CLERK (JOHNSON#1)	283
RESOLUTION TO AMEND 2010 TENTATIVE BUDGET DUE TO CORRECTIONS (BOARD OF SUPERVISORS)	267
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET-DPW (WALTERS#1)	282
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - TRANSPORTATION(STREVEY#3)	280
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - DISTRICT ATTORNEY (STREVEY#4)	280
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - SHERIFF'S OFFICE (DIMEZZA)	281
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - PUBLIC HEALTH (STREVEY#5)	280
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF ELECTIONS (JOHNSON#2)	283
RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF SUPERVISORS/DPW (WALTERS#2)	283
TOURISM	
RESOLUTION SUPPORTING TOURISM FUNDING APPLICATION - MONTGOMERY COUNTY CHAMBER OF COMMERCE (TOURISM)	253

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TOURISM PROMOTION AGENCY - MONTGOMERY COUNTY CHAMBER OF COMMERCE (TOURISM)	253, 254
TOWN OF FLORIDA	
RESOLUTION ESTABLISHING PUBLIC HEARING - LOCAL LAW #3 OF 2009 - A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED PROPERTY, NOT NEEDED FOR A COUNTY PURPOSE - TOWN OF FLORIDA (TREASURER)	158
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONSERVATION EASEMENT MODIFICATION AND SPREADER AGREEMENT-FLORIDA BUSINESS PARK (ECONOMIC DEVELOPMENT AND PLANNING)	29
TRANSFER OF FUNDS	
RESOLUTION AMENDING 2009 OPERATING BUDGET - JUSTICE ASSISTANCE GRANT (SHERIFF)	21
RESOLUTION APPROVING 2009 CAPITAL PROJECTS - PUBLIC SAFETY FACILITY, B-POD, CELL DOOR LOCKS, SWITCHES (PUBLIC WORKS)	59
TRANSPORTATION	
RESOLUTION ADOPTING THE MONTGOMERY AREA XPRESS ADVERTISING POLICY (TRANSPORTATION)	150
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - COMMUNITY SOLUTIONS FOR TRANSPORTATION PROGRAM - MENTAL HEALTH ASSOCIATION OF FULTON AND MONTGOMERY COUNTIES (SOCIAL SERVICES)	70
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - JOB ACCESS AND REVERSE COMMUTE (JARC) GRANT - 2009 & 2010 MAX OPERATING EXPENSES (TRANSPORTATION)	115
RESOLUTION AMENDING 2009 OPERATING BUDGET - THIRD PARTY TRANSPORTATION PROVIDER - SECTION 5311 CAPITAL PROJECT (BOARD OF SUPERVISORS)	24
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION/AGREEMENTS - 2009-2010 SECTION 5311 - NYS DOT (ECONOMIC DEVELOPMENT AND PLANNING)	228
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION -JOB ACCESS AND REVERSE COMMUTE (JARC) AND NEW FREEDOM GRANT FUNDING - NYSDOT (TRANSPORTATION)	114
RESOLUTION AWARDED TRANSPORTATION SERVICES BID #08-09 (PUBLIC HEALTH)	188
RESOLUTION AUTHORIZING IMPLEMENTATION AND FUNDING OF FJ&G RAIL TO TRAIL TRANSPORTATION ENHANCEMENT PROJECT (PUBLIC WORKS)	154
RESOLUTION ADOPTING THE MONTGOMERY COUNTY COORDINATED TRANSPORTATION PLAN (TRANSPORTATION)	113
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2010 - 2011 MASS TRANSPORTATION SERVICES - MONTGOMERY AREA EXPRESS (THE MAX) - (ECONOMIC DEVELOPMENT AND PLANNING)	295
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT NYSDOT SECTION 5316 JARC FUNDS MONTGOMERY MAX OPERATING ASSISTANCE 2010 & 2011 (ECONOMIC DEVELOPMENT AND PLANNING)	264
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN VARIOUS AGREEMENTS-ADVERTISING CONTRACTS-MONTGOMERY AREA XPRESS (TRANSPORTATION)	151

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING PAYMENT OF INVOICE - BROWN COACH, INC. - MONTGOMERY AREA XPRESS OPERATION SERVICES (TRANSPORTATION)	114
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2009 MASS TRANSPORTATION SERVICES - MONTGOMERY AREA EXPRESS -THE MAX (BOARD OF SUPERVISORS)	36
RESOLUTION AUTHORIZING RFP - BUS SYSTEMS OPERATOR - MONTGOMERY AREA XPRESS (ECONOMIC DEVELOPMENT AND PLANNING)	205
RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN DOCUMENTS - TRANSPORTATION CAPITAL PROJECT (NYS DOT) - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (TRANSPORTATION)	113
RESOLUTION ACCEPTING NYS DOT RTAP GRANT FUNDING AND AMENDING 2009 OPERATING BUDGET -MOBILITY COORDINATION (BOARD OF SUPERVISORS)	63
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - BARTON & LOGUIDICE, INC. - ENGINEERING SERVICES - 2009 FEDERAL TRANSPORTATION BILL FUNDING AND AUTHORIZING TREASURER TO AMEND 2009 OPERATING BUDGET (PUBLIC WORKS)	119
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SPARE BUS PROGRAM - CITY OF GLOVERSVILLE/GLOVERSVILLE TRANSIT (BOARD OF SUPERVISORS)	59
TREASURER	
RESOLUTION DESIGNATING DEPOSITORIES FOR COUNTY FUNDS IN THE NAME OF THE COUNTY TREASURER DURING 2009 AND FIXING MAXIMUM AMOUNTS WHICH MAY BE KEPT ON DEPOSIT THEREIN AT ANY ONE TIME	3
BOND RESOLUTION OF THE COUNTY OF MONTGOMERY - 3/24/09, AUTHORIZING THE REPLACEMENT OF VARIOUS EQUIPMENT & VEHICLES; ESTIMATED AGGREGATE COST-\$1,006,000.00; APPROPRIATING SAID AMOUNT & AUTHORIZING THE ISSUANCE OF \$1,006,000.00 BONDS TO FINANCE SAID COST	93
RESOLUTION ACCEPTING BIDS - 2009 AUCTION (TREASURER)	131
RESOLUTION AUTHORIZING ACCOUNTS PAYABLE YEAR-END ADJUSTMENTS - 2009 OPERATING BUDGET (TREASURER)	298
RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY (TREASURER)	298
RESOLUTION DESIGNATING THE COUNTY OF MONTGOMERY AS A RECOVERY ZONE (TREASURER)	262
BOND RESOLUTION OF MONTGOMERY COUNTY, NY AUTHORIZING REPLACEMENT OF VARIOUS BRIDGES WITHIN THE COUNTY, ESTIMATING AGGREGATE COST TO BE \$2,431,200; APPROPRIATING AMOUNT AND AUTHORIZING ISSUANCE OF \$2,431,200 SERIAL BONDS OF THE COUNTY TO FINANCE SAID COST	260
BOND RESOLUTION OF THE COUNTY OF MONTGOMERY - 3/24/09, AUTHORIZING THE RESURFACING OF VARIOUS COUNTY ROADS; ESTIMATED AGGREGATE COST TO BE \$1,757,150; APPROPRIATING SAID AMOUNT AND AUTHORIZING THE ISSUANCE OF \$1,757,150 BONDS TO FINANCE SAID COST	96
RESOLUTION DELEGATING AUTHORITY TO AMEND 2009 OPERATING BUDGET (TREASURER)	299

VACATI ON

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION TO JOIN THE NEW YORK STATE ASSOCIATION OF TOWNS AND OTHER COUNTIES IN SEEKING COUNTY LEADERSHIP AND SUPPORT FOR FISCAL RESPONSIBILITY BY STAYING WITH LEVER VOTING MACHINES (BOARD OF SUPERVISORS)	159
VETERANS	
RESOLUTION AMENDING 2009 OPERATING BUDGET (VETERANS SERVICE)	229
RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE MEMORANDUM OF UNDERSTANDING BETWEEN MONTGOMERY COUNTY AND THE NEW YORK STATE DIVISION OF VETERANS' AFFAIRS (VETERANS)	192
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - LEGISLATIVE GRANT - VAN PURCHASE AND RELATED EQUIPMENT AND RESCINDING RESOLUTION 215 OF 2008 (VETERANS SERVICE)	296
RESOLUTION AUTHORIZING THE TREASURER TO AMEND THE 2009 OPERATING BUDGET (VETERANS SERVICES)	157
VICE CHAIRMAN	
RESOLUTION ELECTING VICE-CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR THE YEAR 2009	2
WORKERS COMPENSATION	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - MIDWEST EMPLOYERS REINSURANCE CORPORATION, EXCESS WORKERS COMPENSATION COVERAGE (PERSONNEL)	324
WORKFORCE DEVELOPMENT	
RESOLUTION REAPPOINTING MEMBERS - FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD (ECONOMIC DEVELOPMENT/PLANNING)	312
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 1998 (BOS)	184
RESOLUTION AUTHORIZING FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD SUBMITTAL OF A WORKFORCE INVESTMENT ACT LOCAL PLAN MODIFICATION FOR 2009-2010 (BOARD OF SUPERVISORS)	207
YOUTH BUREAU	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS – MONTGOMERY COUNTY YOUTH DAY-2009 (YOUTH BUREAU/ACSD)	156
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2010 ANNUAL ALTERNATIVES TO INCARCERATION PERFORMANCE - BASED SERVICE PLAN (YOUTH BUREAU/ACSD)	316
RESOLUTION OPPOSING GOVERNOR PATERSON'S PROPOSED YOUTH PROGRAMS BLOCK GRANT (BOARD OF SUPERVISORS)	44
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROGRAM AGREEMENTS - YOUTH INITIATIVE PROGRAM AND YOUTH DEVELOPMENT/DELINQUENCY PREVENTION (YOUTH BUREAU)	190

PROCEEDINGS OF THE BOARD OF SUPERVISORS - KEYWORD INDEX

Keyword - Resolution Title	Page #
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS YOUTH OUTREACH PROGRAMS (YOUTH BUREAU/ACSD)	85
RESOLUTION AMENDING 2009 OPERATING BUDGET (YOUTH BUREAU/ACSD)	191
RESOLUTION AMENDING 2009 OPERATING BUDGET - GRANT AWARD (YOUTH BUREAU/ACSD)	191
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROGRAM AGREEMENTS - SPECIAL DELINQUENCY PREVENTION PROGRAM (YOUTH BUREAU)	189
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - RESOURCE ALLOCATION PLAN (YOUTH BUREAU)	189
RESOLUTION APPROPRIATING RESERVE FUNDS (STOP-DWI)	71
 YOUTH BUREAU DIRECTOR	
RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS – MONTGOMERY COUNTY YOUTH DAY-2009 (YOUTH BUREAU/ACSD)	156
RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL (YOUTH BUREAU/ALTERNATIVE COMMUNITY SERVICES DEPARTMENT)	27

RESOLUTIONS INDEX

Res #	Title	Page
1	RESOLUTION SELECTION TEMPORARY CHAIRMAN FOR 2009 ORGANIZATIONAL MEETING OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS	1
2	RESOLUTION ELECTING CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR THE YEAR 2009	1
3	RESOLUTION ELECTING VICE-CHAIRMAN OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS FOR THE YEAR 2009	2
4	RESOLUTION ADOPTING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS	2
5	RESOLUTION DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR 2009	2
6	RESOLUTION DESIGNATING DEPOSITORIES FOR COUNTY FUNDS IN THE NAME OF THE COUNTY TREASURER DURING 2009 AND FIXING MAXIMUM AMOUNTS WHICH MAY BE KEPT ON DEPOSIT THEREIN AT ANY ONE TIME	3
7	RESOLUTION APPOINTING BUDGET OFFICER	4
8	RESOLUTION APPOINTING SUPERVISOR - MONTGOMERY COUNTY RECORDS MANAGEMENT ADVISORY BOARD (HISTORY & ARCHIVES)	18
9	RESOLUTION FOR MORALIZATION/SUPPORT OF CONTINUATION FOR EMPIRE ZONE PROGRAM	18
10	RESOLUTION APPOINTING MCIDA LIAISON	19
11	RESOLUTION AUTHORIZING ADVERTISEMENT FOR CLERK OF THE WORKS POSITION FOR FMCC CRITICAL MAINTENANCE PROJECT	19
12	RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR FMCC CRITICAL MAINTENANCE PROJECT	20
13	RESOLUTION AUTHORIZING AMENDMENT TO NEW YORK STATE CORRECTION LAW SECTION 500 (a) or 500 (c) - (SHERIFF)	20
14	RESOLUTION APPOINTING MEMBERS – MONTGOMERY COUNTY FIRE ADVISORY BOARD (EMERGENCY MANAGEMENT)	21
15	RESOLUTION AMENDING 2009 OPERATING BUDGET - JUSTICE ASSISTANCE GRANT (SHERIFF)	21
16	RESOLUTION APPOINTING REGION IV FISH AND WILDLIFE MANAGEMENT BOARD MEMBERS	22
17	RESOLUTION APPOINTING MEMBER OF MONTGOMERY COUNTY SANITARY SEWER DISTRICT # 1 BOARD OF DIRECTORS	23
18	RESOLUTION AMENDING 2009 OPERATING BUDGET - THIRD PARTY TRANSPORTATION PROVIDER - SECTION 5311 CAPITAL PROJECT (BOARD OF SUPERVISORS)	24
19	RESOLUTION AMENDING 2009 OPERATING BUDGET-CARRY OVER GRANT FUNDS-PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT	24
20	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - EARLY INTERVENTION (EI) ADMINISTRATION (PUBLIC HEALTH)	25
21	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS FOR SERVICES APPROVED BY 2009 SOCIAL SERVICES OPERATING BUDGET (SOCIAL SERVICES)	25

RESOLUTIONS INDEX

Res #	Title	Page
22	RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY CRIMINAL JUSTICE COORDINATING COUNCIL (YOUTH BUREAU/ALTERNATIVE COMMUNITY SERVICES DEPARTMENT)	27
23	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ADMINISTRATIVE AND STAFF SUPPORT SERVICES AGREEMENT - MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECONOMIC DEVELOPMENT AND PLANNING)	28
24	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT- CAROLINA CLUBS, INC. (ECONOMIC DEVELOPMENT AND PLANNING)	28
25	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONSERVATION EASEMENT MODIFICATION AND SPREADER AGREEMENT-FLORIDA BUSINESS PARK (ECONOMIC DEVELOPMENT AND PLANNING)	29
26	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MOHAWK VALLEY ECONOMIC DEVELOPMENT DISTRICT (ECONOMIC DEVELOPMENT AND PLANNING)	29
27	RESOLUTION AMENDING 2009 OPERATING BUDGET - NON-BARGAINING PERSONNEL SALARIES (PERSONNEL)	30
28	RESOLUTION AMENDING 2009 OPERATING BUDGET- PUBLIC WORKS ECONOMIC STIMULUS PROJECTS (PUBLIC WORKS)	31
29	RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL AUTHORITY TO COUNTY AUDITOR (REAL PROPERTY)	32
30	RESOLUTION CORRECTING 2009 TOWN AND COUNTY TAX ROLLS - VARIOUS PARCELS (REAL PROPERTY)	32
31	RESOLUTION AMENDING 2009 OPERATING BUDGET - CORRECTION SUPERVISORS SALARIES (SHERIFF/JAIL)	33
32	RESOLUTION AMENDING 2009 OPERATING BUDGET - DEPUTY SHERIFFS SALARIES (SHERIFF)	33
33	RESOLUTION AMENDING 2009 OPERATING BUDGET - CLERK OF THE BOARD OF SUPERVISORS SALARY (BOARD OF SUPERVISORS)	34
34	RESOLUTION AMENDING 2009 OPERATING BUDGET - DEPUTY BUDGET OFFICER COMPENSATION (BOARD OF SUPERVISORS)	35
35	RESOLUTION AMENDING RESOLUTION No. 409 OF 2008 - NON-BARGAINING POLICY (HOLIDAY TIME) - (PERSONNEL)	35
36	RESOLUTION SCHEDULING PUBLIC HEARING-REVIEW OF AGRICULTURAL DISTRICT NO. 2	35
37	RESOLUTION AMENDING 2009 OPERATING BUDGET COUNTY-WIDE DEMOLITION TEAM (PUBLIC WORKS)	36
38	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2009 MASS TRANSPORTATION SERVICES - MONTGOMERY AREA EXPRESS -THE MAX (BOARD OF SUPERVISORS)	36
39	RESOLUTION RESCINDING RESOLUTION 66 OF 2004 AND RESOLUTION 53 OF 2005 AND RE-ESTABLISHING LABOR MANAGEMENT COMMITTEE	37

RESOLUTIONS INDEX

Res #	Title	Page
40	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER #3 AGREEMENT CLOSING OUT DUTCH VALLEY GENERAL CONTRACTING, INC'S CONTRACT WITH FULTON AND MONTGOMERY COUNTIES FOR THE FMCC CLASSROOM BUILDING RENOVATION	38
41	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT CLOSING OUT FLEX ELECTRICAL CONSTRUCTORS' CONTRACT WITH FULTON AND MONTGOMERY COUNTIES FOR THE FMCC CLASSROOM BUILDING RENOVATION PROJECT	39
42	RESOLUTION APPOINTING SOLID WASTE COORDINATOR (BOARD OF SUPERVISORS)	39
43	RESOLUTION MODIFYING MONTGOMERY COUNTY AGRICULTURAL DISTRICT NO. 2 (ECONOMIC DEVELOPMENT AND PLANNING)	54
44	RESOLUTION AUTHORIZING THE ADOPTION OF THE MONTGOMERY COUNTY MULTI-JURISDICTIONAL ALL HAZARD MITIGATION PLAN (ECONOMIC DEVELOPMENT AND PLANNING)	55
45	RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN DOCUMENTS-TRANSFER OF PROPERTY-FLORIDA WATER TANK PARCEL (ECONOMIC DEVELOPMENT AND PLANNING)	56
46	RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW NO. A OF 2009 - A LOCAL LAW PROHIBITING TEXT MESSAGING WHILE DRIVING	56
47	RESOLUTION AMENDING THE 2009 OPERATING BUDGET- PROFESSIONAL SERVICES - MULTI-JURISDICTIONAL ALL-HAZARD MITIGATION PLAN (ECONOMIC DEVELOPMENT)	58
48	RESOLUTION OPPOSING GOVERNOR PATERSON'S PROPOSED YOUTH PROGRAMS BLOCK GRANT (BOARD OF SUPERVISORS)	44
49	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - SPARE BUS PROGRAM - CITY OF GLOVERSVILLE/GLOVERSVILLE TRANSIT (BOARD OF SUPERVISORS)	59
50	RESOLUTION APPROVING 2009 CAPITAL PROJECTS - PUBLIC SAFETY FACILITY, B-POD, CELL DOOR LOCKS, SWITCHES (PUBLIC WORKS)	59
51	RESOLUTION APPROVING 2009 CAPITAL PROJECTS - ROAD RESURFACING (PUBLIC WORKS)	60
52	RESOLUTION APPROVING 2009 CAPITAL PROJECTS - EQUIPMENT REPLACEMENT (PUBLIC WORKS)	60
53	RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW F OF 2008 - A LOCAL LAW WHICH AUTHORIZES THE CONTRIBUTION OF FUNDS TO THE DEMOLITION OF PIONEER STREET MILL IN THE TOWN OF AMSTERDAM	61
54	RESOLUTION AMENDING 2009 OPERATING BUDGET - DEMOLITION TIP FEE EXPENSES (BOARD OF SUPERVISORS)	62
55	RESOLUTION AUTHORIZING MONTGOMERY COUNTY SANITARY DISTRICT TO ENTER INTO AGREEMENT - LITIGATION DEFENSE (SANITARY DISTRICT)	62
56	RESOLUTION ACCEPTING NYS DOT RTAP GRANT FUNDING AND AMENDING 2009 OPERATING BUDGET -MOBILITY COORDINATION (BOARD OF SUPERVISORS)	63
57	RESOLUTION AMENDING THE STANDING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY BOARD OF SUPERVISORS	63
58	RESOLUTION APPOINTING MEMBERS - MONTGOMERY COUNTY EMS ADVISORY BOARD (EMERGENCY MANAGEMENT)	64, 81

RESOLUTIONS INDEX

Res #	Title	Page
59	RESOLUTION AMENDING 2009 OPERATING BUDGET NYS OFFICE OF HOMELAND SECURITY (SHSP) GRANT (EMERGENCY MANAGEMENT)	64
60	RESOLUTION AMENDING 2009 OPERATING BUDGET NYS OFFICE OF HOMELAND SECURITY (SHSP) GRANT (EMERGENCY MANAGEMENT)	65
61	RESOLUTION AMENDING 2009 OPERATING BUDGET - NYS HOUSING TRUST FUND CORPORATION (HTFC) GRANT - GREATER CATSKILL FLOOD REMEDIATION PROGRAM (EMERGENCY MANAGEMENT)	65
62	RESOLUTION AMENDING THE COUNTY DRESS CODE POLICY TO INCLUDE: CONTEMPORARY BUSINESS CASUAL FRIDAYS (PERSONNEL DEPARTMENT)	66
63	RESOLUTION REVISING VARIOUS NON-BARGAINING EMPLOYEES BASE SALARIES FOR FISCAL YEAR 2009 (PERSONNEL)	67
64	RESOLUTION ESTABLISHING PUBLIC HEARING ON INTRODUCTORY LOCAL LAW B OF 2009 - A LOCAL LAW ESTABLISHING 2009 SALARIES OF VARIOUS COUNTY OFFICIALS	67
65	RESOLUTION AUTHORIZING THE BOARD OF SUPERVISORS TO APPROVE THE NO SMOKING POLICY FOR MONTGOMERY COUNTY OWNED AND LEASED FACILITIES (PUBLIC HEALTH)	68
66	RESOLUTION AMENDING PROCUREMENT POLICY (PURCHASING)	69
67	RESOLUTION AWARDDING BID NO. 02-09 DIGITAL RECORDING CAMERA SYSTEM - MONTGOMERY COUNTY PUBLIC SAFETY FACILITY (SHERIFF)	69
68	RESOLUTION AUTHORIZING RATE INCREASES - PART-TIME DEPUTY SHERIFFS AND CORRECTIONS OFFICERS (SHERIFF)	69
69	RESOLUTION AMENDING 2009 OPERATING BUDGET - HEAP (SOCIAL SERVICES)	70
70	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - COMMUNITY SOLUTIONS FOR TRANSPORTATION PROGRAM - MENTAL HEALTH ASSOCIATION OF FULTON AND MONTGOMERY COUNTIES (SOCIAL SERVICES)	70
71	RESOLUTION APPROPRIATING RESERVE FUNDS (STOP-DWI)	71
72	RESOLUTION AUTHORIZING THE PROCUREMENT OF TWO SNOWMOBILES FOR THE SHERIFF'S DEPARTMENT AND AMENDING THE 2009 OPERATING BUDGET (SHERIFF)	72
73	RESOLUTION AUTHORIZING EXTENSION OF TRAFFIC LINE PAINTING CONTRACT (PUBLIC WORKS)	73
74	RESOLUTION AMENDING 2009 OPERATING BUDGET - LITIGATION DEFENSE (SANITARY DISTRICT)	82
75	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONITORING OF SEX OFFENDERS COMPUTER USAGE - INTERNET PROBATION AND PAROLE CONTROL, INC. (PROBATION)	83
76	RESOLUTION AUTHORIZING DISTRIBUTION OF REQUEST FOR PROPOSALS (RFP) FOR PROFESSIONAL SERVICES - DESIGN NEW MICROWAVE SYSTEM FOR MONTGOMERY COUNTY (EMERGENCY MANAGEMENT)	83
77	RESOLUTION IN SUPPORT OF REPEALING THE VEHICLE TRAFFIC LAW (VTL) REQUIRING CDL LICENSE OF VOLUNTEER FIREMEN (EMERGENCY MANAGEMENT)	84
78	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - PSYCHIATRIC SERVICES - ST. MARY'S HOSPITAL (MENTAL HEALTH)	84

RESOLUTIONS INDEX

Res #	Title	Page
79	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS YOUTH OUTREACH PROGRAMS (YOUTH BUREAU/ACSD)	85
80	RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN DOCUMENTS-TRANSFER OF PROPERTY-FLORIDA WATER TANK PARCEL (ECONOMIC DEVELOPMENT AND PLANNING)	86
81	RESOLUTION AWARDING BID NO. 01-09 (PUBLIC WORKS)	87
82	RESOLUTION AWARDING BRIDGE REPLACEMENT CONTRACT - PICKLE HILL ROAD, B.I.N. 3309580 (PUBLIC WORKS)	89
83	RESOLUTION AWARDING BRIDGE REPLACEMENT CONTRACT - LASSELSVILLE ROAD, B.I.N. 3309660 (PUBLIC WORKS)	89
84	RESOLUTION AWARDING BRIDGE REPLACEMENT CONTRACT - SPRING STREET, B.I.N. 3309680 (PUBLIC WORKS)	90
85	RESOLUTION AWARDING BIDS FOR THE FMCC CRITICAL MAINTENANCE PROJECT (FMCC)	90
86	RESOLUTION AUTHORIZING CONTRACT WITH PHILLIPS ASSOICATES FOR CONSTRUCTION INSPECTION SERVICES FOR THE FMCC CRITICAL MAINTENANCE PROJECT - 2009 CAPITAL PLAN (FMCC)	91
87	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - C.T. MALE ASSOCIATES - ASBESTOS ABATEMENT PROJECT MONITORING SERVICES - FMCC CRITICAL MAINTENANCE PROJECTS (FMCC)	91
88	RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD TO EXECUTE AGREEMENT WITH JEROME H. O'MARA, P.E. TO SERVE AS CLERK OF THE WORKS FOR THE FMCC CRITICAL MAINTENANCE PROJECT	92
89	RESOLUTION AUTHORIZING ADVANCE TO FULTON COUNTY FOR STATE SHARE OF FMCC CRITICAL MAINTENANCE PROJECTS (FMCC)	92
90	BOND RESOLUTION OF THE COUNTY OF MONTGOMERY - 3/24/09, AUTHORIZING THE REPLACEMENT OF VARIOUS EQUIPMENT & VEHICLES; ESTIMATED AGGREGATE COST-\$1,006,000.00; APPROPRIATING SAID AMOUNT & AUTHORIZING THE ISSUANCE OF \$1,006,000.00 BONDS TO FINANCE SAID COST	93
91	BOND RESOLUTION OF THE COUNTY OF MONTGOMERY - 3/24/09, AUTHORIZING THE RESURFACING OF VARIOUS COUNTY ROADS; ESTIMATED AGGREGATE COST TO BE \$1,757,150; APPROPRIATING SAID AMOUNT AND AUTHORIZING THE ISSUANCE OF \$1,757,150 BONDS TO FINANCE SAID COST	96
92	BOND RESOLUTION: COUNTY OF MONTGOMERY, N.Y. AUTHORIZE ACQUISITION OF ADD'L LAND & DVLP. OF INFRASTRUCTURE-FLORIDA BUSINESS PARK; ESTIMATE THE AGGREGATE COST TO BE \$3,620,000; APPROP. AMOUNT AND AUTHORIZE ISSUANCE OF \$3,620,000 BONDS TO FINANCE SAID COST	98
93	RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW B OF 2009 - A LOCAL LAW ESTABLISHING 2009 SALARIES OF VARIOUS COUNTY OFFICIALS	100
94	RESOLUTION APPROVING SALES TAX DISTRIBUTION AGREEMENT AND AUTHORIZING THE CHAIRMAN TO EXECUTE THE AGREEMENT (BOARD OF SUPERVISORS)	108, 112
95	RESOLUTION ADOPTING THE MONTGOMERY COUNTY COORDINATED TRANSPORTATION PLAN (TRANSPORTATION)	113
96	RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN DOCUMENTS - TRANSPORTATION CAPITAL PROJECT (NYS DOT) - AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (TRANSPORTATION)	113

RESOLUTIONS INDEX

Res #	Title	Page
97	RESOLUTION AUTHORIZING PAYMENT OF INVOICE - BROWN COACH, INC. - MONTGOMERY AREA XPRESS OPERATION SERVICES (TRANSPORTATION)	114
98	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION -JOB ACCESS AND REVERSE COMMUTE (JARC) AND NEW FREEDOM GRANT FUNDING - NYSDOT (TRANSPORTATION)	114
99	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION - JOB ACCESS AND REVERSE COMMUTE (JARC) GRANT - 2009 & 2010 MAX OPERATING EXPENSES (TRANSPORTATION)	115
100	RESOLUTION APPOINTING MEMBERS-MONTGOMERY COUNTY COMPLETE COUNT COMMITTEE-2010 CENSUS (ECONOMIC DEVELOPMENT/PLANNING)	116
101	RESOLUTION APPOINTING MEMBER - ECONOMIC DEVELOPMENT ADVISORY COMMITTEE - AGRICULTURE (ECONOMIC DEVELOPMENT/PLANNING)	117
102	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT FOR CRYSTAL BAR, INC. (ECONOMIC DEVELOPMENT/PLANNING)	117
103	RESOLUTION AUTHORIZING TREASURER TO AMEND 2009 OPERATING BUDGET FOR STATE LAW ENFORCEMENT PREVENTION PROGRAM (SLETPP) GRANT FUNDS (SHERIFF)	118
104	RESOLUTION RECOMMENDING ACTION TO DEFEASE THE REMAINING BONDS OF MOSA THROUGH THE USE OF MOSA RESERVES, AND TO THEREBY ELIMINATE THE ANNUAL DEBT SERVICE EXPENSE AND LOWER MOSA TIP FEES (BOARD OF SUPERVISORS)	118
105	RESOLUTION AWARDING BID NUMBER 09-09 MULTI-PURPOSE EXCAVATOR (PUBLIC WORKS)	119
106	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - BARTON & LOGUIDICE, INC. - ENGINEERING SERVICES - 2009 FEDERAL TRANSPORTATION BILL FUNDING AND AUTHORIZING TREASURER TO AMEND 2009 OPERATING BUDGET (PUBLIC WORKS)	119
107	RESOLUTION AMENDING 2009 OPERATING BUDGET FOR EQUIPMENT REPAIRS - DPW (PURCHASING)	120
108	RESOLUTION AWARDING BID FOR OFFICE SUPPLIES (PURCHASING)	120
109	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - LONG TERM CARE POINT OF ENTRY PROGRAM (SOCIAL SERVICES)	121
110	RESOLUTION AMENDING RESOLUTION NUMBER 409 OF 2008 PERTAINING TO THE NON-BARGAINING AGREEMENT (PERSONNEL)	121
111	RESOLUTION RESCINDING RESOLUTION NUMBER 67 OF 2004 TO ADOPT AND UPDATE APPROVAL OF CREDIT FOR RETIREMENT DAYS FOR PART-TIME ELECTED AND APPOINTED OFFICIALS (PERSONNEL)	122
112	RESOLUTION TERMINATING CAREMARK PRESCRIPTION DRUG CARD AGREEMENT AND AUTHORIZING CHAIRMAN TO SIGN AGREEMENT WITH MATRIX FOR COUNTY-WIDE DISCOUNT PRESCRIPTION DRUG CARD PROGRAM (PERSONNEL)	122
113	RESOLUTION APPOINTING DEMOCRATIC ELECTION COMMISSIONER TO FILL UNEXPIRED TERM - BOARD OF ELECTIONS (PERSONNEL)	123
114	RESOLUTION AMENDING 2009 OPERATING BUDGET SENIOR MEDICAL AUDIT CLERK - SOCIAL SERVICES (PERSONNEL)	123

RESOLUTIONS INDEX

Res #	Title	Page
115	RESOLUTION APPOINTING TRUSTEE - FULTON MONTGOMERY COMMUNITY COLLEGE BOARD OF TRUSTEES (BOARD OF SUPERVISORS)	124
116	RESOLUTION AMENDING 2009 OPERATING BUDGET - BYRNE GRANT EXTENSION (DISTRICT ATTORNEY)	129
117	RESOLUTION AMENDING IMMUNIZATION ACTION PLAN GRANT FUNDING (PUBLIC HEALTH)	130
118	RESOLUTION AMENDING 2009 OPERATING BUDGET (SHERIFF)	130
119	RESOLUTION AWARDDING RFP #01-09 -MICROWAVE SYSTEM - MONTGOMERY COUNTY	130
120	RESOLUTION ACCEPTING BIDS - 2009 AUCTION (TREASURER)	131
121	RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY	133
122	RESOLUTION AMENDING 2009 OPERATING BUDGET- RETAINED COUNSEL FOR DEFENSE LITIGATION-HERO/BEECH NUT PROJECT (BOARD OF SUPERVISORS)	133
123	RESOLUTION URGING NYS SENATE OPPOSITION TO ANTI-GUN LEGISLATION (BOARD OF SUPERVISORS)	134
124	RESOLUTION REQUESTING THE NYS LEGISLATURE TO REAUTHORIZE LEGISLATION WHICH INCREASES SALES TAX IN THE COUNTY OF MONTGOMERY	134
125	RESOLUTION ESTABLISHING PUBLIC HEARING - FMCC 2009-2010 OPERATING BUDGET (FMCC)	147
126	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVISED CHANGE ORDER #1 and #2 AND TO CLOSE OUT CONTRACT – TRANE U.S. INC. - CLASSROOM BUILDING RENOVATION - PHASE I - MECHANICAL SYSTEM UPGRADE PROJECT (FMCC)	147, 148
127	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CHANGE ORDER #2 and #3 AND TO CLOSE OUT CONTRACT - WJV MECHANICAL, INC. - CLASSROOM BUILDING RENOVATION - PHASE I - MECHANICAL SYSTEM UPGRADE PROJECT (FMCC)	148
128	RESOLUTION AUTHORIZING CHAIRMAN OF THE BOARD TO EXECUTE CHANGE ORDERS TO ALLOW TRANSFERRING FUNDS REMAINING FROM 2008 FMCC CLASSROOM BUILDING MECHANICAL SYSTEMS UPGRADE PROJECT INTO 2009 FMCC CRITICAL MAINTENANCE PROJECT (FMCC)	149
129	RESOLUTION REAPPOINTING MEMBERS - FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD	150
130	RESOLUTION ADOPTING THE MONTGOMERY AREA XPRESS ADVERTISING POLICY (TRANSPORTATION)	150
131	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN VARIOUS AGREEMENTS-ADVERTISING CONTRACTS-MONTGOMERY AREA XPRESS (TRANSPORTATION)	151
132	RESOLUTION ESTABLISHING STANDARDIZATION FOR E-911 PSAP CONTROLLER EQUIPMENT (SHERIFF)	151
133	RESOLUTION ENDORSING A GEODIVERSE DEPLOYMENT MODEL FOR THE E-911 DISPATCH SYSTEM (SHERIFF)	152
134	RESOLUTION REAPPOINTING THREE TRUSTEES REPRESENTING MONTGOMERY COUNTY TO THE HEALTH INSURANCE TRUST PLAN BOARD OF TRUSTEES (PERSONNEL)	152

RESOLUTIONS INDEX

Res #	Title	Page
135	RESOLUTION AMENDING 2009 OPERATING BUDGET - LITIGATION DEFENSE (SANITARY DISTRICT)	153
136	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FOR PROVISION OF DATA PROCESSING SERVICES - CITY OF AMSTERDAM (DATA PROCESSING)	153
137	RESOLUTION AUTHORIZING CHAIRMAN TO ENTER INTO AGREEMENTS - MOWING (PUBLIC WORKS)	153
138	RESOLUTION AUTHORIZING IMPLEMENTATION AND FUNDING OF FJ&G RAIL TO TRAIL TRANSPORTATION ENHANCEMENT PROJECT (PUBLIC WORKS)	154
139	RESOLUTION ENDORSING THE IMPLEMENTATION OF THE ALIVE AT 25, YOUNGER DRIVER EDUCATION AND THE VALUES IMPROVEMENT PROGRAM (STOP DWI)	155
140	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS – MONTGOMERY COUNTY YOUTH DAY-2009 (YOUTH BUREAU/ACSD)	156
141	RESOLUTION AUTHORIZING THE TREASURER TO AMEND THE 2009 OPERATING BUDGET (VETERANS SERVICES)	157
142	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CITY OF AMSTERDAM - PURCHASING SERVICES (PURCHASING)	157
143	RESOLUTION AWARDING FOOD SERVICE & CLEANING SUPPLY BID 09-09 (PURCHASING)	157
144	RESOLUTION ESTABLISHING PUBLIC HEARING - LOCAL LAW #3 OF 2009 - A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED PROPERTY, NOT NEEDED FOR A COUNTY PURPOSE - TOWN OF FLORIDA (TREASURER)	158
145	RESOLUTION SUPPORTING FEDERAL SENATE BILL S.889, THE FEDERAL MILK MARKETING IMPROVEMENT ACT (BOARD OF SUPERVISORS)	158
146	RESOLUTION TO JOIN THE NEW YORK STATE ASSOCIATION OF TOWNS AND OTHER COUNTIES IN SEEKING COUNTY LEADERSHIP AND SUPPORT FOR FISCAL RESPONSIBILITY BY STAYING WITH LEVER VOTING MACHINES (BOARD OF SUPERVISORS)	159
147	RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN ASSIGNMENT CONSENT TO TRANSFER ANTENNAE SPACE CONTRACT FROM AMSTERDAM MEMORIAL HOSPITAL TO ST. MARY’S HOSPITAL (BOARD OF SUPERVISORS)	161
148	RESOLUTION OF APPROVAL/SUPPORT FOR PROPOSED STATE LEGISLATION/SENATE BILL S.4080-ASSEMBLY BILL A.7504-A/AMEND NEW YORK STATE CIVIL PRACTICE LAW & RULES (BOARD OF SUPERVISORS)	161
149	RESOLUTION AMENDING 2009 OPERATING BUDGET FOR AN ADVANCE TO THE MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT (BOARD OF SUPERVISORS)	162
150	RESOLUTION AMENDING 2009 OPERATING BUDGET - DEMOLITION TIP FEE EXPENSES (BOARD OF SUPERVISORS)	162
151	RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE AN AGREEMENT WITH GERHARDT, LLC FOR PREPARATION OF A SOLID WASTE SERVICES AGREEMENT (BOARD OF SUPERVISORS)	163
152	RESOLUTION SUPPORTING ANTI-BULLYING LEGISLATION (BOARD OF SUPERVISORS)	180
153	RESOLUTION SUPPORTING U.S. SENATOR KIRSTEN GILLIBRAND’S EFFORTS TO INCREASE THE MILK INCOME LOSS CONTRACT (BOARD OF SUPERVISORS)	181

RESOLUTIONS INDEX

Res #	Title	Page
154	RESOLUTION ADVOCATING CAPITAL DISTRICT REGIONAL OFF-TRACK BETTING CORP. BE ALLOWED TO OPERATE IN ITS CURRENT FORM WHILE CONTINUING TO PROVIDE REASONABLE SUPPORT FOR MONTGOMERY COUNTY & TO OPERATE IN A COMPATIBLE MANNER FOR HORSERACING & BREEDING IN NYS	181
155	RESOLUTION SUPPORTING FULTON-MONTGOMERY COMMUNITY COLLEGE (FMCC) LITIGATION AGAINST SARATOGA COUNTY (BOARD OF SUPERVISORS)	182
156	RESOLUTION ADOPTING 2009-2010 FMCC OPERATING BUDGET (BOARD OF SUPERVISORS)	182
157	RESOLUTION APPOINTING MONTGOMERY COUNTY ETHICS BOARD MEMBER (BOARD OF SUPERVISORS)	183
158	RESOLUTION AMENDING 2009 OPERATING BUDGET - CONTRIBUTION OF FUNDS TO HAMILTON, FULTON, MONTGOMERY (HFM) BOCES LPN PROGRAM (BOARD OF SUPERVISORS)	183
159	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 1998 (BOS)	184
160	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - FBI ANTENNA SITE LICENSE RENEWAL - OAK RIDGE SITE (SHERIFF)	184
161	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN MEMORANDUM OF AGREEMENT - NYS OFFICE OF HOMELAND SECURITY CASE GRANT (EMERGENCY MANAGEMENT)	185
162	RESOLUTION AUTHORIZING CHARIMAN TO SIGN AID TO PROSECUTION GRANT AGREEMENT CONTRACT (DISTRICT ATTORNEY)	185
163	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT WITH NATIONAL EMPLOYERS COUNCIL, INC. (PERSONNEL)	185
164	RESOLUTION RATIFYING MEMORANDUM OF AGREEMENT BETWEEN THE CO. OF MONTGOMERY & MONTGOMERY COUNTY LOCAL 294 OF INTERNATIONAL BROTHERHOOD OF TEAMSTERS FOR CORRECTION OFFICERS & AUTH CHAIRMAN TO SIGN CONTRACT FOR THE PERIOD OF 1/1/2009 - 12/31/2012 (PERSONNEL)	186
165	RESOLUTION AUTHORIZING THE TRANSFER OF SHORT TERM AND LONG TERM DISABILITY FROM COUNTY GOVERNMENT TO THE MONTGOMERY COUNTY HEALTH INSURANCE TRUST PLAN (PERSONNEL)	186
166	RESOLUTION AMENDING 2009 OPERATING BUDGET - ENGINEERING SERVICES (SANITARY DISTRICT #1)	187
167	RESOLUTION AMENDING 2009 OPERATING BUDGET - LITIGATION DEFENSE (SANITARY DISTRICT #1)	187
168	RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE THE CHILDHOOD LEAD POISONING PREVENTION PROGRAM GRANT CONTRACT (PUBLIC HEALTH)	187
169	RESOLUTION REESTABLISHING THE TITLE OF SUPERVISING PUBLIC HEALTH NURSE (PUBLIC HEALTH)	188
170	RESOLUTION AWARDDING TRANSPORTATION SERVICES BID #08-09 (PUBLIC HEALTH)	188
171	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - RESOURCE ALLOCATION PLAN (YOUTH BUREAU)	189
172	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROGRAM AGREEMENTS - SPECIAL DELINQUENCY PREVENTION PROGRAM (YOUTH BUREAU)	189

RESOLUTIONS INDEX

Res #	Title	Page
173	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN PROGRAM AGREEMENTS - YOUTH INITIATIVE PROGRAM AND YOUTH DEVELOPMENT/DELINQUENCY PREVENTION (YOUTH BUREAU)	190
174	RESOLUTION AMENDING 2009 OPERATING BUDGET - GRANT AWARD (YOUTH BUREAU/ACSD)	191
175	RESOLUTION AMENDING 2009 OPERATING BUDGET (YOUTH BUREAU/ACSD)	191
176	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - ALIVE AT 25 YOUNGER DRIVER EDUCATION PROGRAM (STOP-DWI)	192
177	RESOLUTION AUTHORIZING CHAIRMAN TO EXECUTE MEMORANDUM OF UNDERSTANDING BETWEEN MONTGOMERY COUNTY AND THE NEW YORK STATE DIVISION OF VETERANS' AFFAIRS (VETERANS)	192
178	RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW NO. 3 OF 2009 - A LOCAL LAW AUTHORIZING THE PRIVATE SALE OF COUNTY-OWNED PROPERTY NOT NEEDED FOR A COUNTY PURPOSE - TOWN OF FLORIDA (TREASURER)	192
179	RESOLUTION AUTHORIZING THE PAYMENT OF 2008 MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT (MOSA) SHORTFALL (BOARD OF SUPERVISORS)	193
180	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION-SNOWMOBILE TRAILS GRANT-IN-AID APPLICATION (ECONOMIC DEVELOPMENT AND PLANNING)	204
181	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT- MOHAWK VALLEY SNOWMOBILE CLUBS, INC. - SNOWMOBILE TRAIL MAINTENANCE (ECONOMIC DEVELOPMENT AND PLANNING)	205
182	RESOLUTION AUTHORIZING RFP - BUS SYSTEMS OPERATOR - MONTGOMERY AREA XPRESS (ECONOMIC DEVELOPMENT AND PLANNING)	205
183	RESOLUTION UPDATING REAPPOINTMENTS AND APPOINTING MEMBERS FOR AGRICULTURAL AND FARMLAND PROTECTION BOARD (ECONOMIC DEVELOPMENT AND PLANNING)	206
184	RESOLUTION ADOPTING REVOLVING LOAN FUND REGULATIONS (ECONOMIC DEVELOPMENT AND PLANNING)	206
185	RESOLUTION AUTHORIZING FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD SUBMITTAL OF A WORKFORCE INVESTMENT ACT LOCAL PLAN MODIFICATION FOR 2009-2010 (BOARD OF SUPERVISORS)	207
186	RESOLUTION AUTHORIZING PAYMENT FOR LEGAL SERVICES - REVOLVING LOAN FUND (ECONOMIC DEVELOPMENT/PLANNING)	207
187	RESOLUTION SUPPORTING CONTRACT EXTENSION FOR TOURISM FUNDING- MONTGOMERY COUNTY CHAMBER OF COMMERCE (ECONOMIC DEVELOPMENT/PLANNING)	208
188	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - HYPER-REACH NOTIFICATION SYSTEM - SAM ASHER COMPUTING SERVICES, INC. (SHERIFF)	208
189	RESOLUTION URGING NEW YORK STATE TO STOP PILLAGING 9-1-1 FUNDS (SHERIFF)	208
190	RESOLUTION AMENDING 2009 OPERATING BUDGET - MICROWAVE SYSTEM (SHERIFF)	209
191	RESOLUTION ENDORSING GRANT APPLICATION – MONTGOMERY COUNTY LAW ENFORCEMENT LPG HYBRIDS (SHERIFF)	209

RESOLUTIONS INDEX

Res #	Title	Page
192	RESOLUTION TRANSFERRING FUNDS TO PURCHASE A FIRE EXTINGUISHER TRAINING AID (EMERGENCY MANAGEMENT)	210
193	RESOLUTION AWARDDING BID 11-09 - WHEEL LOADER (PUBLIC WORKS)	210
194	RESOLUTION AMENDING 2009 OPERATING BUDGET DETENTION PREVENTION (SOCIAL SERVICES)	211
195	RESOLUTION AMENDING 2009 BUDGET - INVESTIGATIVE SERVICES (SOCIAL SERVICES)	211
196	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT M.M. HAYES - ID BADGE SYSTEM MAINTENANCE AGREEMENT (PERSONNEL)	212
197	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - LABOR RELATIONS SERVICES ROEMER, WALLENS & MINEAUX, LLP (PERSONNEL)	212
198	RESOLUTION AWARDDING BID 10-09 - SALE OF SURPLUS VEHICLES AND EQUIPMENT (PURCHASING)	212
199	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION-LOCAL WATERFRONT REVITALIZATION PROGRAM (SOIL AND WATER CONSERVATION DISTRICT)	213
200	RESOLUTION AUTHORIZING DONATION OF 1959 SNOW BLOWER TO THE MONTGOMERY COUNTY AGRICULTURAL SOCIETY	214
201	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT FULTON-MONTGOMERY COMMUNITY COLLEGE (DATA PROCESSING)	224
202	RESOLUTION TRANSFERRING FUNDS TO PURCHASE NUMBERING MACHINE (DATA PROCESSING/PRINTING)	225
203	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - CORNING DATA/IBM MAINFRAME/BACKUP COMPUTER LEASING (DATA PROCESSING)	225
204	RESOLUTION APPROVING 2009 CAPITAL PROJECTS - BRIDGE REPLACEMENT (PUBLIC WORKS)	226
205	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT - NATIONAL ALLIANCE FOR THE MENTALLY ILL MONTGOMERY-FULTON-HAMILTON COUNTY CHAPTER (MENTAL HEALTH)	226
206	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RESOLUTION AGREEMENT BETWEEN U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES OFFICE FOR CIVIL RIGHTS AND MONTGOMERY COUNTY DEPARTMENT OF SOCIAL SERVICES (SOCIAL SERVICES)	227
207	RESOLUTION AUTHORIZING THE ADVERTISEMENT OF A VACANCY FOR THE POSITION OF DIRECTOR REAL PROPERTY TAX SERVICE I (PERSONNEL)	227
208	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AMENDED AGREEMENT 2008-2009 SNOWMOBILE TRAILS GRANT-IN-AID PROGRAM MOHAWK VALLEY SNOWMOBILE CLUBS, INC. (ECONOMIC DEVELOPMENT AND PLANNING)	227
209	RESOLUTION REAPPOINTING AND APPOINTING MEMBERS OF MONTGOMERY COUNTY PLANNING BOARD (ECONOMIC DEVELOPMENT AND PLANNING)	228
210	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT APPLICATION/AGREEMENTS - 2009-2010 SECTION 5311 - NYS DOT (ECONOMIC DEVELOPMENT AND PLANNING)	228
211	RESOLUTION TO ESTABLISH THE MONTGOMERY COUNTY BOARD OF SUPERVISORS AS LEAD AGENCY IN A SEQR DETERMINATION FOR SNOWMOBILE TRAIL (ECONOMIC DEVELOPMENT AND PLANNING)	229

RESOLUTIONS INDEX

Res #	Title	Page
212	RESOLUTION AMENDING 2009 OPERATING BUDGET (VETERANS SERVICE)	229
213	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ONEIDA COUNTY SHERIFF - SECURITY SERVICES FOR MONTGOMERY COUNTY INMATES AT CENTRAL NY PSYCHIATRIC CENTER - (SHERIFF)	230
214	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT AND AMENDING 2009 OPERATING BUDGET - LONG TERM CARE POINT OF ENTRY PROGRAM (SOCIAL SERVICES)	230
215	RESOLUTION AMENDING 2009 OPERATING BUDGET - HEAP (SOCIAL SERVICES)	230
216	RESOLUTION AMENDING OPERATING 2009 BUDGET - FOOD STAMPS (SOCIAL SERVICES)	231
217	RESOLUTION AMENDING 2009 OPERATING BUDGET - COMMUNITY SOLUTIONS FOR TRANSPORTATION (SOCIAL SERVICES)	231
218	RESOLUTION AMENDING 2009 OPERATING BUDGET - BACK TO SCHOOL BENEFIT (SOCIAL SERVICES)	232
219	RESOLUTION ENDORSING NEW METHODOLOGY FOR REQUESTING SUNY FINANCIAL SUPPORT OF FMCC CAPITAL PROJECTS (FMCC)	232
220	RESOLUTION ACKNOWLEDGING MONTGOMERY COUNTY'S FINANCIAL SUPPORT TO FULTON-MONTGOMERY COMMUNITY COLLEGE CAPITAL PROJECTS AND AUTHORIZING FULTON-MONTGOMERY COMMUNITY COLLEGE TO APPLY FOR SUNY FUNDING (FMCC)	233
221	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	234
222	RESOLUTION APPOINTING DIRECTOR OF REAL PROPERTY TAX SERVICES (RPTSA)	235
223	RESOLUTION EXPRESSING APPRECIATION FOR THE SERVICES OF RETIRING REAL PROPERTY TAX SERVICE AGENCY DIRECTOR - FLORENCE STANTON	253
224	RESOLUTION SUPPORTING TOURISM FUNDING APPLICATION - MONTGOMERY COUNTY CHAMBER OF COMMERCE (TOURISM)	253
225	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - TOURISM PROMOTION AGENCY - MONTGOMERY COUNTY CHAMBER OF COMMERCE (TOURISM)	253, 254
226	RESOLUTION ADOPTING 2010 STOP-DWI PLAN (STOP DWI)	254
227	RESOLUTION APPROPRIATING RESERVE FUNDS (STOP-DWI)	254
228	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT VALUES IMPROVEMENT PROGRAM (STOP-DWI)	255
229	RESOLUTION RESCINDING RESOLUTION NUMBERS 444 OF 1990, 180 OF 2003 AND 266 OF 2004 REGARDING USER FEES FOR THE SHERIFF'S OFFICE AND ESTABLISHING A NEW USER FEE SCHEDULE FOR SHERIFF'S OFFICE (SHERIFF)	255
230	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - NYS DOS - LOCAL ENHANCED WIRELESS 911 PROGRAM (SHERIFF)	256
231	RESOLUTION AMENDING 2009 OPERATING BUDGET - SHERIFF	256
232	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT WITH NEW YORK STATE OFFICE OF HOMELAND SECURITY (EMERGENCY MANAGEMENT)	257

RESOLUTIONS INDEX

Res #	Title	Page
233	RESOLUTION FOR PURCHASE OF SCRAM BRACELETS FOR THE MONITORING OF ALCOHOL CONSUMPTION BY PERSONS ON PROBATION SUPERVISION (PROBATION)	257
234	RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISOR TO ENTER INTO AN AGREEMENT WITH THE NEW YORK STATE ASSOCIATION OF COUNTIES (NYSAC) TO PARTICIPATE IN THE NEW YORK SAFETY PROGRAM (BOARD OF SUPERVISORS)	257
235	RESOLUTION ACCEPTANCE OF THE PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT FUNDS (PUBLIC HEALTH)	258
236	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN CONTRACT - PUBLIC HEALTH 2009 H1N1 INFLUENZA MASS VACCINATION CLINICS (PUBLIC HEALTH)	259
237	RESOLUTION AMENDING 2009 OPERATING BUDGET -MENTAL HEALTH	259
238	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT (EAP) EMPLOYEE ASSISTANCE PROGRAM ST. MARY'S HOSPITAL (PERSONNEL)	259
239	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT MILLIMAN, INC. - RETIREE DRUG SUBSIDY ACTUARIAL RENEWAL ATTESTATION (PERSONNEL)	260
240	BOND RESOLUTION OF MONTGOMERY COUNTY, NY AUTHORIZING REPLACEMENT OF VARIOUS BRIDGES WITHIN THE COUNTY, ESTIMATING AGGREGATE COST TO BE \$2,431,200; APPROPRIATING AMOUNT AND AUTHORIZING ISSUANCE OF \$2,431,200 SERIAL BONDS OF THE COUNTY TO FINANCE SAID COST	260
241	RESOLUTION DESIGNATING THE COUNTY OF MONTGOMERY AS A RECOVERY ZONE (TREASURER)	262
242	RESOLUTION APPROVING AND ACCEPTING POST CLOSURE MONITORING AND MAINTENANCE AGREEMENT REGARDING THE MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA) CLOSED LANDFILLS (BOARD OF SUPERVISORS)	263, 290
243	RESOLUTION AWARDDING BID NUMBER 12-09 NEW COURTHOUSE MANSARD ROOF REPLACEMENT (DPW)	264
244	RESOLUTION AWARDDING BID NUMBER 13-09 DIRECT FIRED GAS THERMIFIC WATER HEATER (DPW)	264
245	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT NYSDOT SECTION 5316 JARC FUNDS MONTGOMERY MAX OPERATING ASSISTANCE 2010 & 2011 (ECONOMIC DEVELOPMENT AND PLANNING)	264
246	RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN AGREEMENT-CITY OF AMSTERDAM PLANNING SERVICES (ECONOMIC DEVELOPMENT AND PLANNING)	265
247	RESOLUTION ESTABLISHING NEGATIVE DECLARATION IN A SEQR DETERMINATION FOR SNOWMOBILE TRAIL (ECONOMIC DEVELOPMENT AND PLANNING)	265
248	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN LOAN AGREEMENT AMENDMENT WITH POWER PALLET INC. IN RELATION TO THE OFFICE OF COMMUNITY RENEWAL PROJECT #748ED604-07 (ECONOMIC DEVELOPMENT AND PLANNING)	266
249	RESOLUTION RESCINDING RESOLUTION #220 OF 2009 AND ACKNOWLEDGING MONTGOMERY COUNTY'S FINANCIAL SUPPORT FOR THE MANAGEMENT INFORMATION SYSTEM PROJECT AND THE CLASSROOM BUILDING RENOVATIONS PHASE II PROJECT (FUTURE CAPITAL PLAN) (FMCC)	266
250	RESOLUTION URGING THE GOVERNOR AND THE STATE LEGISLATURE TO REDUCE STATE SPENDING WITHOUT SHIFTING COSTS FOR STATE PROGRAMS TO COUNTY GOVERNMENT	267

RESOLUTIONS INDEX

Res #	Title	Page
251	RESOLUTION TO AMEND 2010 TENTATIVE BUDGET DUE TO CORRECTIONS (BOARD OF SUPERVISORS)	267
252	RESOLUTION TO AMEND 2010 TENTATIVE BUDGET - FINANCE COMMITTEE RECOMMENDATION (BOARD OF SUPERVISORS)	268
253	RESOLUTION ESTABLISHING A PUBLIC HEARING ON THE 2010 TENTATIVE OPERATING BUDGET	271
254	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - OUTSIDE AGENCIES (DYBAS)	278
255	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - REAL PROPERTY (STREVEY#1)	279
256	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF ELECTIONS (STREVEY#2)	279
257	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - TRANSPORTATION(STREVEY#3)	280
258	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - DISTRICT ATTORNEY (STREVEY#4)	280
259	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - PUBLIC HEALTH (STREVEY#5)	280
260	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - SHERIFF'S OFFICE (DIMEZZA)	281
261	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - SHERIFF'S OFFICE (THAYER)	281
262	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET-DPW (WALTERS#1)	282
263	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF SUPERVISORS/DPW (WALTERS#2)	283
264	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - COUNTY CLERK (JOHNSON#1)	283
265	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF ELECTIONS (JOHNSON#2)	283
266	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF SUPERVISORS	284
267	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF SUPERVISORS	284
268	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - DEPARTMENT OF PUBLIC WORKS	284
269	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - DEPARTMENT OF PUBLIC WORKS	285
270	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF SUPERVISORS	285
271	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - COMMUNITY SERVICES/MENTAL HEALTH DEPARTMENT - SERVICE PROVIDER CONTRACTS (MENTAL HEALTH)	291

RESOLUTIONS INDEX

Res #	Title	Page
272	RESOLUTION APPOINTING MEMBERS COMMUNITY SERVICE BOARD (MENTAL HEALTH)	292
273	RESOLUTION AMENDING 2009 OPERATING BUDGET (MENTAL HEALTH)	292
274	RESOLUTION AMENDING 2009 OPERATING BUDGET (SHERIFF)	293
275	RESOLUTION AMENDING 2009 OPERATING BUDGET (SHERIFF)	294
276	RESOLUTION AUTHORIZING THE IMPLEMENTATION OF VOICE OVER INTERNET PROVIDERS (VOIP) SURCHARGE IN MONTGOMERY COUNTY (SHERIFF)	294
277	RESOLUTION AUTHORIZING AMENDMENT TO BUSINESS EQUIPMENT RENTAL AGREEMENT BETWEEN FRONTIER AND MONTGOMERY COUNTY SHERIFF'S OFFICE (SHERIFF)	294
278	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN ADMINISTRATIVE AND STAFF SUPPORT SERVICES AGREEMENT - MONTGOMERY COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECONOMIC DEVELOPMENT AND PLANNING)	295
279	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MVEDD (ECONOMIC DEVELOPMENT/PLANNING)	295
280	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2010 - 2011 MASS TRANSPORTATION SERVICES - MONTGOMERY AREA EXPRESS (THE MAX) - (ECONOMIC DEVELOPMENT AND PLANNING)	295
281	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN GRANT AGREEMENT - LEGISLATIVE GRANT - VAN PURCHASE AND RELATED EQUIPMENT AND RESCINDING RESOLUTION 215 OF 2008 (VETERANS SERVICE)	296
282	RESOLUTION REAPPOINTING MONTGOMERY-OTSEGO-SCHOHARIE SOLID WASTE MANAGEMENT AUTHORITY (MOSA BOARD) REPRESENTATIVE	296
283	RESOLUTION AUTHORIZING DISTRIBUTION OF REQUEST FOR PROPOSALS EMPLOYEE PHYSICAL EXAMINATIONS (PERSONNEL)	297
284	RESOLUTION TRANSFERRING FUNDS TO PURCHASE NEW TIME CLOCKS (DATA PROCESSING/PRINTING)	297
285	RESOLUTION AUTHORIZING ACCOUNTS PAYABLE YEAR-END ADJUSTMENTS - 2009 OPERATING BUDGET (TREASURER)	298
286	RESOLUTION AUTHORIZING COUNTY TREASURER TO DISBURSE MORTGAGE TAX MONEY (TREASURER)	298
287	RESOLUTION DELEGATING AUTHORITY TO AMEND 2009 OPERATING BUDGET (TREASURER)	299
288	RESOLUTION AMENDING 2009 OPERATING BUDGET - ASSIGNED COUNSEL (PUBLIC DEFENDER)	299
289	RESOLUTION AMENDING 2009 OPERATING BUDGET - CORRECTION OFFICERS SALARIES (SHERIFF/JAIL)	300
290	RESOLUTION RESCHEDULING DECEMBER BOARD OF SUPERVISORS MEETING AND SETTING ORGANIZATIONAL MEETING (BOS)	301
291	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - REAL PROPERTY/BOARD OF SUPERVISORS	301
292	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - COUNTY CLERK	301
293	RESOLUTION AMENDING 2010 TENATIVE OPERATING BUDGET - BOARD OF ELECTIONS	302

RESOLUTIONS INDEX

Res #	Title	Page
294	RESOLUTION AMENDING 2010 TENTATIVE OPERATING BUDGET - BOARD OF SUPERVISORS	302
295	RESOLUTION ADOPTING MONTGOMERY COUNTY 2010 OPERATING BUDGET	303
296	RESOLUTION EXPRESSING APPRECIATION OF THE BOARD OF SUPERVISORS FOR THE SERVICES OF THE 2009 CHAIRMAN OF THE BOARD - JOHN B. THOMAS	311
297	RESOLUTION EXPRESSING APPRECIATION FOR SERVICES OF DEPARTING SUPERVISORS	312
298	RESOLUTION REAPPOINTING MEMBERS - FULTON-MONTGOMERY-SCHOHARIE WORKFORCE DEVELOPMENT BOARD (ECONOMIC DEVELOPMENT/PLANNING)	312
299	RESOLUTION AUTHORIZING THE CHAIRMAN TO SIGN GRANT APPLICATION TO UPDATE THE COUNTY'S AGRICULTURAL AND FARMLAND PROTECTION PLAN (ECONOMIC DEVELOPMENT AND PLANNING)	313
300	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN REVOLVING LOAN FUND AGREEMENT- MH STALLMAN COMPANY, INC. (ECONOMIC DEVELOPMENT AND PLANNING)	313
301	RESOLUTION AUTHORIZING FULTON MONTGOMERY COMMUNITY COLLEGE MANAGEMENT INFORMATION SYSTEM, REVISION (FMCC)	314
302	RESOLUTION FOR APPROVAL OF A LEASE AGREEMENT WITH CENTRO CIVICO OF AMSTERDAM, INC. FOR A PROBATION SATELLITE OFFICE (PROBATION)	315
303	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - VALUES IMPROVEMENT PROGRAM (STOP-DWI)	315
304	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ALIVE AT 25, YOUNGER DRIVER EDUCATION PROGRAM (STOP-DWI)	316
305	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - PRE-TRIAL RELEASE COORDINATOR - LESLIE NICHOLAS (YOUTH BUREAU/ALTERNATIVE COMMUNITY SERVICES DEPARTMENT)	316
306	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - 2010 ANNUAL ALTERNATIVES TO INCARCERATION PERFORMANCE - BASED SERVICE PLAN (YOUTH BUREAU/ACSD)	316
307	RESOLUTION AWARDDING BID 14-09 - DETACHABLE LOADER MOUNTED SNOW BLOWER(DPW)	317
308	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - ENGINEERING SERVICES - 2009 BRIDGE PROGRAM (PUBLIC WORKS)	317
309	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - COMMUNITY SERVICES/MENTAL HEALTH DEPARTMENT SERVICE PROVIDER CONTRACTS (MENTAL HEALTH)	318
310	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS FOR SERVICES APPROVED BY 2010 SOCIAL SERVICES OPERATING BUDGET (SOCIAL SERVICES)	318
311	RESOLUTION ADOPTING A MONTGOMERY COUNTY MANDATORY MEDICAID COMPLIANCE POLICY (BOARD OF SUPERVISORS)	320
312	RESOLUTION AMENDING 2009 OPERATING BUDGET FOR EQUIPMENT REPAIRS - DPW (PURCHASING)	321
313	RESOLUTION AWARDDING BID 15-09 - SALE OF SURPLUS VEHICLES AND EQUIPMENT (PURCHASING)	321

RESOLUTIONS INDEX

Res #	Title	Page
314	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GENERAL LIABILITY AND OTHER PERTINENT INSURANCE COVERAGE (BOARD OF SUPERVISORS)	322
315	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - GAT SUBSIDY - MOSA (BOARD OF SUPERVISORS)	323
316	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - MONTGOMERY COUNTY OFFICE FOR THE AGING (BOARD OF SUPERVISORS)	323
317	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENTS - CORNELL COOPERATIVE EXTENSION SERVICES (BOARD OF SUPERVISORS)	323
318	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT- MONTGOMERY COUNTY SOIL AND WATER CONSERVATION DISTRICT (BOARD OF SUPERVISORS)	324
319	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AGREEMENT - INFO QUICK SOLUTIONS, INC. FOR A RECORD MANAGEMENT SYSTEM (COUNTY CLERK)	324
320	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN RENEWAL AGREEMENT - MIDWEST EMPLOYERS REINSURANCE CORPORATION, EXCESS WORKERS COMPENSATION COVERAGE (PERSONNEL)	324
321	RESOLUTION AUTHORIZING CHAIRMAN TO SIGN AN AGREEMENT FOR EMPLOYEE PHYSICAL EXAMINATIONS (PERSONNEL)	325

ATTACHMENT SECTION

Resolution attachments

Attachment to Resolution

2009 – Resolution 4

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
As Adopted by Resolution No. 4 – January 1, 2008
As Adopted by Resolution No. 182 – May 27, 2008
As Adopted by Resolution No. 4 – January 1, 2009

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 (un-debatable)
2. Take a recess (un-debatable)
3. Lay on the table (un-debatable)
4. For the previous question (un-debatable)
5. Limit debate (un-debatable)
6. Refer (debatable)
7. Amend (debatable)
8. Postpone consideration (debatable)

Rule 15. No motion for the reconsideration of the vote upon any question shall be entertained unless moved by a supervisor who voted in the majority upon such question before the adjournment of the following regularly called Board meeting. When a motion for the reconsideration of any question has been made and decided, there shall be no further consideration of the same resolution.

Rule 16. A roll call vote shall be taken by the Clerk when required by law or upon the request of any supervisor. (County Law No. 153, sub 4) Such roll call shall begin with the prime sponsor or mover and must be completed before any other action is taken. During such roll call, every supervisor shall vote "Aye", "Nay", may abstain or pass upon the calling of the supervisor's name. Any supervisor who passes upon the calling of the roll shall be polled at the conclusion of the roll call vote. A member may pass only once.

Rule 17. Voting Majority

A) A majority (935) of the weighted votes of the aggregate of all weighted votes of the members of the Board shall be necessary for the adoption of any resolution or local law then before the Board unless otherwise specified by State law.

B) A two-thirds majority (1,246) of the weighted votes of the aggregate of all weighted votes of the members of the Board shall be necessary for adoption of any resolution or local law establishing a two-thirds weighted vote approval requirement when such requirement is not specified by State law.

C) No supervisor may give a proxy or in any other fashion delegate his authority to vote upon any matter pending before the Board.

D) The rescission, revocation or reversal of any action, resolution, local law, motion, or other matter voted upon by the Board shall be effected by the same ratio of votes of the Board as was required for its adoption, approval or passage.

E) In the course of responding to a roll call vote, a supervisor may give an explanation of his/her vote.

Rule 18. All resolutions entered into the minutes shall record the names of those supervisors who voted in the minority and those not voting by reason of being excused or absent.

ARTICLE III – CHAIR AND VICE CHAIR OF THE BOARD

Rule 19. The Chair of the Board shall be the presiding officer, shall call the Board to order, and, except in the absence of a quorum, shall proceed to conduct business in the manner prescribed by these rules.

Rule 20. The duties of the Vice Chair shall include all duties and functions of the Chair in his/her absence, excluding the appointment of the members of standing committees.

The Vice Chair shall serve at the direction either of the Chair or the Board of Supervisors, which direction shall always supersede the Chair. The Vice Chair shall receive no additional compensation unless he/she shall act as Chair in excess of thirty (30) consecutive days after assuming the duties of Chair.

Rule 21. In the absence of the Chair at any meeting of the Board of Supervisors, the Vice Chair shall serve as Acting Chair and shall call the Board to order. In the absence of the Chair and Vice Chair, the Clerk of the Board shall, after 15 minutes, call the Board to order and the members present and voting shall select a member of the Board to serve as Acting Chair at such meeting. The Acting Chair shall have and exercise all the powers and duties of the Chair at the meeting over which he or she is called to preside. (County Law No. 151, sub 6)

Rule 22. In the case of a vacancy in the Office of Vice Chair, the Clerk of the Board of Supervisors shall accept nominations to select a successor, who shall be a member of the Board, at the next regular meeting of the Board of Supervisors. The person so selected shall serve as Vice Chair of the Board for the unexpired term of the previous Vice Chair.

Rule 23. The Chair shall preserve order and decorum and decide all questions of order, which decisions shall be final unless an appeal is taken to the Board. On an appeal from the decision of the Chair, he shall have the right to assign his reason for his decision.

Rule 24. The Chair shall decide all questions relating to the priority of business (the priority of one question or subject matter over another under the same order of business) without debate.

Rule 25. In those instances where there is disagreement concerning the interpretation of the Rules of Procedure, the County Attorney shall act as Parliamentarian to advise the Chair who shall rule on all questions of order of procedure.

ARTICLE IV – RESOLUTIONS

Rule 26. All proposed resolutions and local laws shall have a prime sponsor and at least one second and shall be reduced to writing. Proposed resolutions and local laws not originating from the committee having jurisdiction over the particular matter shall be filed with the Clerk of the Board in accordance with Rule 29.

Rule 27. Upon request of any supervisor, any amendment to a resolution shall be reduced to writing.

Rule 28. The Chair shall read the title of all resolutions and local laws filed and mailed in accordance with Rule 29, except that upon request of a member of the Board a resolution or local law shall be read in its entirety. Any resolution or local law before the Board, which has not been filed and mailed in accordance with Rule 29, shall be read in its entirety by the Clerk of the Board at the request of any supervisor.

Rule 29. Procedure

- A) All resolutions requested or proposed shall be submitted through the Clerk of the Board of Supervisors to the Chair of the Board for inclusion on the agenda of the committee principally concerned at least ten (10) calendar days prior to the committee meeting at which it is to be considered.

The Clerk of the Board shall issue a tracking number and title to each proposed resolution and maintain a list to be provided to the supervisors each month as to the status of each requested and proposed resolution.

- B) Resolutions containing proposals for “new” programs not currently budgeted shall be accompanied by an informational memorandum detailing the following information:
- 1) Statement of Intent
 - 2) Plans, Goals, and Objectives
 - 3) Program Description
 - 4) Operational Impact – Services
 - 5) Fiscal Impact – Cost Resources
 - 6) Method of Financing
 - 7) Intra-agency Coordination (if applicable)
 - 8) Anticipated Benefits
 - 9) Anticipated Problems
- C) Supervisors, in lieu of the information memorandum above, may appear before the appropriate committee to discuss any resolution(s) they wish to propose.
- D) The Chair of the Board, together with the chair of said committee, shall determine items to be scheduled for consideration at Committee, Regular and Special Board meetings.
- 1) At least five (5) calendar days prior to the appropriate meeting at which a proposed resolution is to be considered by the Committee, the Clerk of the Board shall forward a copy of the Committee Agenda and proposed resolutions to each member of the Committee, all other supervisors, and the County Attorney either by mail or by personal delivery.
 - 2) At least five (5) calendar days prior to the Regular Meeting at which a resolution is to be considered by the Board, the Clerk of the Board shall forward to each Board member and the County Attorney a list of all resolutions to be considered at the meeting along with a copy of the corresponding informational memorandum.

- E) Neither the Chair of the Board nor any committee chair shall exclude from an agenda for discussion any item requested by a supervisor unless written notification citing the reason for the exclusion is provided to the sponsor of the resolution and the entire board at least five (5) calendar days prior to the regular meeting.

Any decision by the Chair of the Board or a committee chair to exclude a resolution or discussion item from an agenda can be overruled by a motion to discharge the resolution. A motion to discharge must have a sponsor and a second, which may differ from the resolution's primary sponsor and second. A majority weighted vote (935) for regular board meetings shall be sufficient to pass the motion to discharge, which will place the resolution on that meeting's agenda. A simple majority vote (non-weighted) shall be sufficient to pass the motion to discharge in committee, which will place the resolution on that committee's agenda.

Rule 30. An emergency resolution (one which concerns any matter where delay in the consideration thereof would adversely affect the interests of the County, the Board of Supervisors, or any department, official or agency of the County or the public) may be placed on the agenda at any Regular Meeting of the Board by a vote of two-thirds (1,246) of the aggregate weighted votes of the members present.

ARTICLE V. – COMMITTEES

Rule 31. Committee reports and recommendations shall not be binding upon the Board because standing and special committees shall not use weighted vote

Rule 32. Each committee shall review all issues forwarded by the Clerk of the Board for its consideration. Committees shall report on each item and may provide a recommendation for approval or disapproval by the affirmative vote of a simple majority of committee members. If a committee disapproves a resolution or local law by the affirmative vote of a simple majority of the members of the committee referred for its consideration, the Chair of the Committee shall notify the sponsor of such resolution or local law of its disapproval and the committee shall file a report with the Board stating its disapproval and outlining the reasons therefore. No item is to be reported out of committee without a recommendation by at least a simple majority of the members of the committee or in accordance with these Rules.

Rule 33. The Chair of the Board shall appoint the members and designate the chair of all standing committees within ten (10) days following his election. He or she shall also appoint the members and designate the chair of all special committees or subsequently created standing committees within ten (10) days following their creation. (County Law, Section 154, sub 3)

Rule 34. The Board may from time to time create special committees. Any resolution creating a special committee shall specify the powers and duties of the committee and the

number of its members. Each member of any special committee shall serve for the period specified in such resolution, but in any event not longer than the term for which he or she shall have been elected as a supervisor. (County Law, Section 154, sub 2)

Rule 35. Standing committees shall consist of the designated supervisors for that Committee exclusive of the Chair of the Board. The presence of a majority of committee members, inclusive of the Chair of the Board (or Vice Chair in the Chair's absence), shall constitute a quorum for the purpose of conducting committee business.

Rule 36. The members of all standing committees shall be appointed for the duration of one year. Nothing herein contained shall be construed to allow any person to continue to serve on any committee after he or she ceases to be a supervisor.

Rule 37. The Chair of the Board of Supervisors (or Vice Chair, in Chair's absence) shall be an ex-officio member of all standing and special committees of the Board and as such shall have the right to participate in all functions of such committees including the right to vote. The Chair shall be counted in determining the presence of a quorum. (County Law, Section 450, sub. 1)

Rule 38. The Chair of the Board shall fill any vacancy occurring on any standing or special committee within thirty (30) days after such vacancy occurs. In the event such vacancy occurs in the position of committee chair, he or she shall designate a new committee chair within ten (10) days after such vacancy occurs. (County Law, Section 154, sub 4)

Rule 39. Neither the chair nor any other member of a standing committee shall be removed during the term of which the committee was appointed without prior consent of the member.

Rule 40. The chair of each standing or special committee shall be the presiding officer and shall cause the members thereof to be notified in advance of each meeting. The committee chair shall call all necessary meetings. Upon his or her refusal or neglect to call any meeting, the Clerk of the Board, upon written request signed by the Chair of the Board or by a majority of the committee, shall call such meeting. Committee meetings of an emergency nature (identified as such by a vote of two-thirds (1,246) of the aggregate of the weighted votes of the total membership of the Board) will be permitted during a Regular Meeting of the Board.

Rule 41. For the purposes of aiding and assisting the Board in the transaction of its business, there shall be the following standing committees, which shall provide general supervision for the County departments, agencies, and activities as designated. Their duties shall be as required by law, as directed by the Chair of the Board or as designated herein.

41.1 HEALTH AND HUMAN SERVICES

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

Office for the Aging	Public Health Service
Veterans Services Agency	Youth Bureau
Youth Board	Mental Health
Office of Community Services	Meadows Residential Health Care Facility
Department of Social Services	

and all other related matters referred to the Committee.

41.2 GENERAL SERVICES

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

Public Works	Buildings and Grounds
Reforestation	Roads and Bridges
Central Printing and Supply	MOSA
Data Processing	

as well as the Telephone System Operations, County owned or leased buildings and property and all other related matters referred to the Committee.

41.3 FINANCE

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

County Auditor	County Treasurer
County Clerk	Real Property Tax Services
Tentative Budget Review	Tentative Capital Budget Review
Purchasing Department	Non-Employee Insurance
<u>Safety Officer</u>	

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	<u>Safety Officer</u>

as well as the radio communications, computer-aided dispatch and all other related matters referred to the Committee.

41.5 AGRICULTURE, PLANNING AND DEVELOPMENT

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

Agriculture	County Historian
Cooperative Extension	Planners
Tourism	Economic Opportunity and Development
Records Management	Private Industry Council
Workforce Development Board	

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

41.6 EDUCATION AND GOVERNMENT

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

Fulton Montgomery Community College	Rules of Procedure
Policies	Intergovernmental Relations
County Attorney	Clerk of the Board
County Administrative Officer	Board of Elections

as well as the review and modification of the structure of county government, review of government management, effectiveness and efficiency, and all other related matters referred to the Committee.

41.7 PERSONNEL

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

Employee Benefits	Civil Service
Employee Training	Employee Insurance
Personnel Department	Grievances
Collective Bargaining	

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

ARTICLE VI. – RULES OF ORDER

Rule 42. The rules contained in the most recent edition of “Robert’s Rules of Order” shall govern the Board of Supervisors in all cases to which they are applicable and in which they are not inconsistent with:

1. These Rules of Procedures;
2. Any special rules of order the Board may adopt;
3. Any statutes applicable to the Board.

ARTICLE VII. – MISCELLANEOUS

Rule 43. The Clerk of the Board shall serve as secretary of standing committees of the Board, provided that the Clerk of the Board may designate another County Officer or employee as secretary with the approval of the committee chair.

Rule 44. The Clerk of the Board shall provide, monthly, a set of brief minutes of meeting for all committee meetings taking place during that month to all supervisors as part of the information packet supplied to the Board of Supervisors prior to that month’s regular meeting of the Board of Supervisors.

Rule 45. These rules may be amended with the approval of a simple majority (935) of the weighted vote of the members of the Board by adoption of a resolution filed and distributed in accordance with Rule 29, except for rules prescribed by state statute or county law. To the extent that a state or county law, which prescribes these rules, is amended, these standing rules shall stand amended consistent with such amended statute or law without formal action by the Board.

Attachment to Resolution

2009 – Resolution 43

AGRICULTURAL DISTRICT #2 REVIEW REPORT



**MONTGOMERY COUNTY
NEW YORK**

FEBRUARY 2009

**Prepared by:
Montgomery County Department of
Economic Development and Planning**

**For the:
Montgomery County Agricultural
and Farmland Protection Board**

**And the:
Montgomery County Board of
Supervisors**

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TABLE OF CONTENTS

Introduction	1
History of Agricultural District #2	1
Review Process	2
Recommendations and Modifications	3
Agricultural District #2 Worksheet Data	4
Agricultural and Farmland Protection Board Report	5
County Planning Report	7

APPENDICES:

Agricultural District #2 Review Profile- 2009	A
Minutes of Public Hearing (To be added later)	B
Environmental Assessment Form (SEQR)	C
Board of Supervisor Resolutions and Legal Notices (To be added prior to submission to Ag and Mkts.)	D

ATTACHMENTS:

Agricultural District #2 Maps:

- Map 1- Montgomery County Agricultural District #2 Overall**
- Map 2- Montgomery County Agricultural District #2 Land Use**
- Map 3- Town of St. Johnsville**
- Map 4- Town of Palatine**
- Map 5- Town of Mohawk**
- Map 6- Town of Amsterdam**

Tax Identification Numbers (To be added to Ag and Markets submission)

INTRODUCTION

This report provides the Montgomery County Board of Supervisors with the written recommendations of the Montgomery County Agricultural and Farmland Protection Board concerning their review of Montgomery County Agricultural District #2.

The factors and discussions contained within this report were followed pursuant to New York State Agricultural District Law (Article 25AA). The Agricultural District Law requires that Montgomery County Agricultural Districts be reviewed every eight (8) years. It is only during the review period that land can be added or removed from the districts or that changes can be made to the district boundaries.

The review period begins 300 days prior to each anniversary date, which is every eight years after the creation date. During this review period, data is gathered from landowners and farmers on Agricultural District Review Worksheets, and from local agencies. This input and expert advice helps the County Planning Staff and Agricultural and Farmland Protection Board in their consideration of the review factors outlined in Agricultural District Law. These Boards develop reports on the nature and status of farming in the district, and make recommendations on the continuance, modification or termination of the district. The Board of Supervisors holds a Public Hearing on these recommendations, and a final report is prepared after consideration of public comments. Upon receipt of the final report and recommendations of the County Planning Board and Agricultural and Farmland Protection Board, the Board of Supervisors makes a finding on whether the district should be continued, terminated or modified. The Board then submits the final district review report to the Commissioner of New York State Department of Agriculture and Markets for re-certification.

HISTORY OF AGRICULTURAL DISTRICT #2

The original Montgomery County Agricultural District #2 was created in May 1975, and included parcels primarily in the Towns of St. Johnsville and Palatine, and a few along the Mohawk Town border. Worth noting, the district was consolidated with Agricultural District #5 (the western section of the Town of Mohawk), and with District #6 (the eastern section of the Town of Mohawk River and the western section of the Town of Amsterdam.) A significant modification was made during the 1995 review by consolidating all the Agricultural District Land north of the Mohawk into one district in order to simplify the data collection and administration of the review process. The most recent District Review took place in 2001 with the District Review report listed 45,421.9 acres, included in 846 parcels collectively in the Towns of St. Johnsville, Palatine, Mohawk, and Amsterdam. There were 143 farms in the district with a total acreage of 31,381.8 acres.

REVIEW PROCESS

In July 14, 2008, the County received notification from the Department of Agriculture and Markets that May 22, 2009 would mark the anniversary of Agricultural District #2, and that the Board of Supervisors should initiate the 300-day review process. The Board of Supervisors posted legal notice and scheduled a 30-day public review period commencing on October 15, 2008. Notice of this review was published in two newspapers, and maps of the existing district were posted in the County Clerk's office, in the Clerk's Offices in the Towns of St. Johnsville,

Palatine, Mohawk and Amsterdam, and in the County Planning Office. The Board of Supervisors directed the Agriculture and Farmland Protection Board to coordinate the review and prepare the reports and recommendations as required by law. No public comments were received.

To coincide with the 30-day review period, Agricultural District Review Worksheets were sent to all landowners within the current district and to all owners of agriculturally assessed parcels. Approximately 1,360 letters containing a cover letter, worksheets and an informative brochure were mailed in early November 2008, with a deadline to be returned to the Planning Office by January 16, 2009. In addition, in an attempt to increase awareness of the Agricultural District Program and possibly increase participation rates, all property owners within the Agricultural District # 2 boundaries of 5 acres or more, which were not currently in the district, were sent letters explaining the Agricultural District Program.

Approximately 310 worksheets had been received by late January 2009, and the data was collated and mapped using the County GIS mapping system. Updated maps were prepared for each of the four Towns showing new parcels to be added to the district and parcels to be removed from the district. The criteria used to classify a parcel in the district if a worksheet was not received were: 1.) If a parcel is assessed as commercial, industrial, recreation or community services it will be considered for removal from the district unless it is an agri-business use, 2.) If the farm unit is in the district, and no significant changes have occurred, it will remain in and 3.) If a parcel has been subdivided since the last review, new lots converted into residential or non-agricultural uses will also be considered for removal from the District. In all cases, an overriding factor used in determining the status was if the current use or potential use of a property was or could be in agriculture the property would be included in the Agricultural District.

This year, the New York State Department of Agricultural and Markets distributed a new Agricultural District #2 Worksheet and District Summary Report, which was used for the update process. The new worksheet and summary were greatly simplified and no longer asked for information on farm improvements, farm revenues or investments and type of farm operation. While this made it easier for property owners to fill the worksheet out, it provided less information on the actual state of farming in the district and of the agricultural viability of farm operations. As a result, the Department of Economic Development and Planning had to use the County's Department of Real Property's property code information in order to generate a map that depicted the type of farm operation. The number of farms was not part of the survey as well. Over 75 phone calls were made to clarify or gain additional information from landowners. Data from Montgomery County Real Property Tax Service Agency and the Soil and Water Conservation District was analyzed to identify properties, which had been granted Agricultural Assessments in 2008.

A public hearing on the proposed modifications was held on February 24, 2009. Notice of the hearing was published in two local papers. The draft report and recommendations were sent to the members of the Agricultural and Farmland Protection Board in mid February; reviewed, accepted and forwarded on to the County Board of Supervisors for their review prior to the February 24th public hearing.

RECOMMENDATIONS

The Agricultural and Farmland Protection Board makes the following recommendations to the County Board of Supervisors for modifying Agricultural District #2 after analysis of the data collected during the review process. The information was compiled by the Department of Economic Development and Planning from the Agricultural District Worksheets and from data provided by Montgomery County Real Property Tax Service Agency and Montgomery County Soil and Water Conservation District.

The Agricultural District #2 will continue as one consolidated district of viable farmland in Montgomery County for the land north of the Mohawk River. The removals were non-agricultural parcels (primarily commercial) in the Towns of Amsterdam, Mohawk, Palatine and St. Johnsville. They included: a cemetery, cell tower sites, and commercial property. A large increase in additions to the Agricultural District occurred in the Town of Amsterdam, which previously had not been surveyed on a town-wide basis for agriculturally assessed land.

RECOMMENDED DISTRICT WIDE MODIFICATIONS

(*Note: parcel numbers are based on GIS parcels)

- Increase the Total Acreage of Existing District #2 From:
 45,421.9 acres (according to 2001 report) To:
 48,503.11 acres (recommended to County Board of Supervisors)
- Total Recommended Additions:
 3,288.45 acres from 167 parcels*
- Total Recommended Removals:
 148.08 acres from 12 parcels*
- Total Acreage of Modified Agricultural District #2:
 48,503.11 acres from 1,192 parcels*

MODIFICATIONS BY TOWN (*Note: parcel numbers are based on GIS parcels)

	Town of Amsterdam	Town of Mohawk	Town of Palatine	Town of St. Johnsville	TOTAL DISTRICT
Acres/ Parcels added	1,581.15 acres 54 parcels*	751.73 acres 42 parcels*	711.14 acres 40 parcels*	244.43 acres 31 parcels*	3,288.45 acres 167 parcels*
Acres/ Parcels removed	0 acres 0 parcels	60.85 acres 6 parcels*	67.96 acres 4 parcels*	19.27 acres 2 parcels*	148.08 acres 12 parcels*
Total acres/ Parcels in District	4,607.97 acres 122 parcels*	15,286.96 ac 452 parcels*	20,932.62 ac 408 parcels*	7,675.55 acres 210 parcels*	48,503.11 ac 1,192 parcels*

AGRICULTURAL DISTRICT #2 LAND USE ANALYSIS

	Town of Amsterdam	Town of Mohawk	Town of Palatine	Town of St. Johnsville	TOTAL DISTRICT
Total acres in District	4,607.97 ac	15,286.96 ac	20,932.62 ac	7,675.55 ac	48,503.11 ac
No. of Parcels in District	122	452	408	210	1,192 parcels
Acres in Ag. Prop. Code	5,219.9 ac	13,596.0 ac	17,178.9 ac	6,655.9 ac	42,650.7 ac
Acres w/ Ag Tax Assess.	1,254.3 ac	10,792.0 ac	12,291.8 ac	4,249.0 ac	28,587.1 ac
Dairy Farms: # / acres In Ag Distict # 2					130 Dairy Parcels 9,910.4 ac
Poultry Farm: #/ acres In Ag Dist. # 2					1 Poultry Farm 56.4 ac
Cattle Farms: #/acres In Ag Dist # 2					9 Cattle Parcels 915.7 ac
Sheep Farms: #/acres In Ag Dist # 2					1 Sheep Farm 93.89 ac
Other Livestock: #/ac. In Ag Dist # 2	This information will be added to the report prior to submission to NYS Ag and Markets.				1 Other Farm 183.4 ac
Horse Farms: #/acres In Ag Dist # 2					6 Horse Parcels 254.5 ac
Field Crops: #/ acres In Ag Dist # 2					258 Parcels 15,004.7 ac
Truck Farm: #/acres In Ag Dist # 2					1 Truck Farm 81.7 ac
Orchard: #/acres In Ag Dist # 2					1 Orchard 74.7 ac
Forest/Conservation: #/ac In Ag Dist # 2					24 Parcels 538.6 ac
Residential/Ag Use: #/ac In Ag Dist # 2					311 Parcels 5,414.8 ac
Vacant Land (Farm and Other) in Ag Dist # 2					429 Parcels 12,658.8 ac

Note: Data for Land Use Analysis will not match Final Ag Dist Total exactly due to unresolved data issues such as Agricultural land splits, changes in SBL numbers, etc..

AGRICULTURAL AND FARMLAND PROTECTION BOARD REPORT

New York State Agricultural District Law requires the County Board of Supervisors to direct the Agricultural and Farmland Protection Board to prepare a report on the following:

1. The nature of farming and farm resources within such district:

The predominant land use within and adjacent to the district was and still remains farming. An analysis of real property parcel data in Montgomery County shows the following percentages of land receiving agricultural tax exemption in each town (including their villages) as follows: 38.9% in St. Johnsville, 46.8% in Palatine, 50% in Mohawk, and 6.7% in Amsterdam. The Agricultural District Review of Land Use/Property Code as listed by the County Office of Real Property is for the modified district shows the following percentages of land in agricultural type land uses as in each town (including their villages) as follows: 60.9% in St. Johnsville, 65.4% in Palatine, 63.3% in Mohawk, and 27.9% in Amsterdam. Overall, 87% of the acres included in the district are classified as being in farm related land uses. The land that is not in active farming in the district is primarily vacant agricultural land or rural residential development.

Dairy, livestock and field crop operations still dominate the district. Although the general trend in agriculture is for smaller operations to make way for larger, more modern operations, the influx of Amish population in the Town of Palatine appears to go against this trend. Large farms are often split up among several children, who use traditional farming methods without relying on electricity or mechanical devices.

The farming resources within the district remain stable. Many agribusinesses service the farmers in the County, including equipment, parts and feed dealers, hardware stores, veterinary and financial services. Educational and support services are provided through Cornell Cooperative Extension, Soil and Water Conservation District, Farm Service Agency and the Farm Bureau. A Montgomery County Agricultural Economic Development Committee was established by the Board of Supervisors to oversee implementation of programs to promote and market agricultural opportunities. They have sponsored successful spring and winter markets for local farmers.

Other agricultural revenue producing opportunities have emerged or are in the planning stage. A new Greek yogurt factory is operation in the Johnstown Industrial Park, just across the Fulton County line near Route 30A. Beechnut is in the process of moving it's baby food factory to the Town of Florida and is very interested in using locally grown produce to meet part of it production needs. Amish farmers in the Town of Minden are in the planning stage of creating an Amish Auction facility, which would sell wholesale farm products from a three county area. Interest has also been expressed in locating a slaughterhouse operation in the Fort Plain area.

The Montgomery County Department of Economic Development and Planning reinstated planning staff in 2006 and their efforts now include agricultural protection by administrating applications to the New York State Farmland Implementation Protection Grant Program. 2009 also marks the 10-year anniversary of the County Agricultural Protection Plan, which will be updated within the next year.

2. The overall status of farming, the farm economy and farm investments within the district:

Agriculture is an extremely important part of the economy of Montgomery County and fortunately, development pressure is minimal and has not affected Agricultural District 2. Based on the results of the 2009 Agricultural District # 2 Review, the district has grown by 3,288 acres since the previous review of the district and the overall status of farming has changed slightly. The number of parcels with Agricultural Assessments on the north side of the Mohawk River has grown from 429 parcels in 2000 to 534 parcels in 2009, a 20% increase of 105 parcels.

The overall status of District 2's farm economy is that of stability coupled with the difficulties of the current economy, fluctuating gas prices and a growing consumer interest in locally produced farm goods. Farm investments were not part of the District Review Worksheet so no information is available in this report.

3. The extent to which the number of district farms and farm acres furthers the purpose for which such district was originally created:

The purpose for the establishment of the original district was to preserve farming, which is the County's largest industry. The increase in both the number of parcels engaged in farming operations and the amount of acres in the District indicates that there is strong public interest in agriculture and the district is fulfilling the purposes for which it was originally established. The increase in Agricultural Assessments is also a sign that the district is promoting the preservation and growth of agriculture in the County.

4. The extent to which the district has achieved its original objectives:

The original objective of preserving agriculture and the rural character of Montgomery County has clearly been achieved. Montgomery County continues to maintain a viable farming community. Development pressures have been minimal and subject to the provisions of Agricultural District Law. One of the original objectives of the district was to make farming profitable. While the objective of making farming profitable is a worthwhile goal, it is beyond the reach of the Agricultural District Law. Although it is clear that some land within the district will never be profitable for traditional practices, most has continued to remain in production due to the existence of special agricultural assessments. The objective of protecting the farmer from non-farm development will remain a goal for the future and will be considered during the just begun countywide comprehensive plan and during the anticipated update of the 1999 County Agricultural and Farmland Protection Plan.

5. The status of any county agricultural and farmland protection planning or implementation efforts pursuant to Article 25AA of the Agriculture and Markets Law:

Montgomery County developed an Agricultural and Farmland Protection Plan in 1999, which was approved by the Commissioner of Agricultural and Markets in January 2000. The Agricultural and Farmland Protection Board served as lead agency for the plan and received technical assistance from Cornell Cooperative Extension, Soil and Water, and the County Planning Department. As mentioned above, 2009 will mark the 10th year anniversary of the Agricultural and Farmland Protection Plan and an update plan is expected to begin later in 2009.

Several goals listed in the current plan will be re-evaluated and a focus on plan implementation will need to be greatly expanded.

6. Recommendation to continue, terminate or modify such district.

The Montgomery County Agricultural and Farmland Protection Board recommends modifying Agricultural District #2 as described on page 3 of this report and on the attached 2009 Agricultural District Review Profile.

COUNTY PLANNING REPORT

The New York State Agricultural District Law was recently amended and removed the County Planning Board from being a required involved agency during the Agricultural District review process. Despite that change, a “modified” planning report is included in this update. The regulatory impact of planning is in many ways greater than that of the Agricultural District Law. Zoning still is the prime land regulation tool used at the local level in; the subdivision of land, the permitting of allowable and special uses and building permit and location standards. The County Planning Department is providing the following information.

1. The effect of the district on county and local comprehensive plans, policies and objectives:

Montgomery County adopted a Agriculture and Farmland Protection Plan in 1999 with the objective of preserving and promoting agriculture in the County. As mentioned earlier, an update of that plan is expected later in 2009. The Montgomery County Planning Board and Department Economic Development and Planning along with the local municipalities comply with the Agricultural Data Statement requirements of the Ag District Law.

The Department of Economic Development and Planning has begun a countywide comprehensive plan. Part of the planning process will include identifying development patterns, the state of agricultural land, its needs and objectives. A countywide land use component will identify areas best suited for agricultural use and protection. Each municipality is empowered to adopt their own comprehensive plan to guide future growth and preservation. They are also empowered to adopt regulations that restrict the intensity and types of land uses within their jurisdiction. The Towns of St. Johnsville, Palatine, Mohawk, and Amsterdam have recognized the importance of farming in the development of their local plans.

Since the last Agricultural District Update in 2001, The Town of Amsterdam completed their comprehensive plan (2004). They delineated the following objectives and implementation tasks in order to accomplish this goal.

1. Preserve existing farm operations by the promotion of, and participation in, the NYS Agricultural District Program.

- Assist the County Planning Board and Farmland Protection Board in ensuring that all active farms presently in Agricultural District # 2 remain in the District.
 - Educate local landowners and Town officials of the provision of the New York State Agricultural & Markets Law Article 25AA (Agricultural Districts Law.)
2. Encourage the preservation of farmland through appropriate land use regulations.
- Establish a rural zoning district that allows farming in all appropriate areas.
 - Enforce the Agricultural Data statement provision of Ag & Markets Article 25AA in all appropriate review procedures.

The Town of Amsterdam also is finishing up a 2 year long process of amending its Zoning Ordinance. The County Planning Board recommended approval and the Town Board is expected to grant the final approval by March of 2009. This updated ordinance continues to direct the regulation of land use by encouraging the preservation of agricultural uses.

The Town of St. Johnsville is in the process of amending it's agricultural zone. A new approach is proposed to create an Agricultural Soils Overlay, which will be used to determine where and what intensity of rural development will be allowed. Lands with Category 1 or 2 soils will have development restriction imposed in order to keep better soils in agricultural production.

In general terms, the importance of agriculture is recognized countywide and in local land use regulations as a primary land use, as a significant part of the County's economy and a major natural and scenic resource. These factors will play an important role in future planning efforts.

2. The impacts of nonagricultural development in the district:

The most intensely developed parcels within or adjacent to the district are the villages within the towns. Most parcels in the villages were excluded from the existing district, but several of the villages still have active farmland within their boundaries. These parcels of viable farmland were recommended for inclusion because development pressures are slight and the lands are still worked by farmers. A few areas of commercial and industrial development near the villages and along the state highway corridors, that were previously included the district, are recommended for removal.

Nonagricultural development within the district is primarily limited to rural residential development. For the most part, it has had very little direct impact on farming. However, as farmers retire or go out of business, large tracts of land have been subdivided for potential housing lots. These subdivisions have been removed from the district. In Montgomery County, the viability of the land for traditional crops and practices has a far greater effect on the future of farming than has development pressures.

3. The degree of coordination between local laws, ordinances, rules and regulations that apply to farm operations in the district and their influence on farming:

The Local and County Planning Boards receive technical assistance from the Montgomery County Department of Economic Development and Planning. The appropriate

review processes and procedures have been coordinated to ensure the ease of use and compliance with state and local laws. This includes any special provisions for the preservation of agriculture such as Agricultural Data Statements. In addition, most local planning boards have agricultural representatives representing the farming community.

The Zoning Maps for the Towns of St. Johnsville, Palatine and Mohawk show that the vast majority of land north of the Mohawk River is zoned as agriculture or rural residential. Farming is permitted in all zones except commercial or industrial zones, which are clustered around the villages. The town of Amsterdam currently has two agricultural zones that permit farming, and plans to permit it in a new rural residential zone.

It is clear that agriculture is still extremely important to the economy and quality of life in Montgomery County and should be preserved. As development increases in urban areas, the rural character of a farming community becomes even more important as an enjoyable means of escape to open space and clean air. Communities are making it a priority to protect and promote their agricultural industry and rural character. This allows the increasing number of city dwellers and suburbanites the ability to experience the benefits of unspoiled rural character first hand. Special seasonal events such as farmers markets, farm tours, and agri-tourism attractions have a positive impact on local economies. In order to promote and preserve these attractions, Montgomery County must first promote and preserve the local farming community and encourage new development to occur in the City of Amsterdam and in the existing Village and Hamlet areas.

The Montgomery County Planning staff hopes that the proposed recommendations and revisions to Agricultural District #2 will promote and protect the rural character and viable farmland in the Towns of St. Johnsville, Palatine, Mohawk and Amsterdam.

4. Recommendations to continue, terminate or modify the district:

The Department of Economic Development and Planning recommends modifying the Agricultural District #2 as described on page 3 of this report, and on the attached 2009 Agricultural District Review Profile.

**New York State
Department of Agriculture and Markets
AGRICULTURAL DISTRICT REVIEW PROFILE**

DISTRICT IDENTIFICATION

County: Montgomery County			District No.: 2	
Town(s) in District: St. Johnsville, Palatine, Mohawk and Amsterdam				
No. acres in district: 48,645.08	No. acres in farms: ¹ 26,566.4 (1)	No. acres cropped: 15,161.1 (2)	No. acres owned by farmers: (*)	No. acres rented by farmers: (**)

AGRICULTURAL DATA ANALYSIS

- A. Since last review, number of acres in District
B. Since last review, number of acres in farms

Added: 3,288.45 ac Deleted: 148.08 ac
Increased: 167 # Decreased: 12 #

#- GIS parcel numbers,
Number of Farms not available

1. Figure based on property code data, Montgomery County Office of Real Property.
Includes only acreage listed in active agricultural use.
 2. Figure based on property code data, Montgomery County Office of Real Property.
Includes only field crops, truck farms and orchards.
- *- Incomplete data received from respondents using Form RA-113. Unable to provide accurate information.
- ** - Incomplete data received from respondents using Form RA-113. Unable provide accurate information.

¹ Number of acres in farms represents the sum of acres owned by farmers and rented by farmers.

NEW YORK STATE
DEPARTMENT OF AGRICULTURE AND MARKETS

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION

1. The proposed action is located in the County of Montgomery
and the Town(s) of St. Johnsville, Palatine, Mohawk and Amsterdam
2. The agency responsible for preparing this Short Environmental Assessment Form and determining environmental significance is the County Legislative Body of Montgomery County.
3. The name and address for the Clerk of the above named County is Helen Bartone,
County Office Building, Rt. 30A, Fonda, NY 12068
4. Is this an application to modify an existing agricultural district? ☒ Yes ☐ No
 - If yes, what is the total number of acres comprising the district as it exists prior to modification?
45,421.9 acres
5. If this application involves a modification, will such modification result in a change in the size of the district? ☒ Yes ☐ No
 - If yes, how many acres are involved in the change? 3,233.2 acres
 - Does this represent an ☒ increase or ☐ decrease?
6. Zoning and Planning Information
 - Does the agricultural district correspond with a town(s) zoning district(s)?
☒ Yes ☐ No
 - If Yes, please cite the applicable zoning district(s): Ag. District 2 coincides with
the zoning districts of the Towns of St. Johnsville, Palatine,
Mohawk and Amstersdam.
 - Is/are the zoned district(s) within the modified agricultural district compatible with the goals and objectives of the Agricultural Districts Law, as set forth in Article 25-AA of the Agriculture and Markets Law? ☒ Yes ☐ No
 - If Yes, please cite the applicable language:
All 4 Towns have Agricultural Zones, which promote farming operations,
require Agricultural Data Statements for subdivisions and changes in
land use and require planning board approval of subdivisions and use permits.
7. What is present land use in the vicinity of the proposed modification?
☒ Residential ☐ Industrial ☐ Commercial ☒ Agriculture ☐ Park/Forest/Open Space ☐ Other

Describe: The present land use in the vicinity of the proposed modification
is identical to the land use found in the existing District;
which is primarily agriculture with residential housing associated
with the farming operations.

8. Is there a public controversy related to this district proposal? ☐ Yes ☒ No If yes, describe below:

(Attach additional sheets if necessary.)

9. Attach any additional information as may be needed to clarify the proposed action.

I CERTIFY THAT THE INFORMATION PROVIDED
ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE

Authorized signature: _____

Date: _____

PART II- ENVIRONMENTAL ASSESSMENT

General Information

In providing responses to each of the questions, the reviewer should keep in mind that the action proposed is the modification or termination of an agricultural district or districts. The action is not the land use or activity which will, or may, take place in the district(s). For example, it is not appropriate to consider the effects of management action that may be taken by individual operators in conducting farming. Agricultural farm management practices, including construction, maintenance and repair of farm buildings, and land use changes consistent with generally accepted principles of farming are listed as Type II actions in 6 NYCRR §617.5(c)(3), and these actions have been determined not to have a significant impact on the environment.

- A. Does action exceed any Type I threshold in 6 NYCRR, Part 617.4 ? ☐ Yes ☒ No

If Yes, coordinate the review process and use the FULL EAF.

- B. Will action receive coordinated review as provided for Unlisted actions in 6 NYCRR, Part 617.5 ?

☒ Yes ☐ No

If No, a negative declaration may be superseded by another involved agency.

- C. Could action result in any adverse effects associated with the following:

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems?
Explain briefly:

No. The increase in the size of Ag. District 2 will enhance
and protect the area from adverse effect.

C2. Aesthetic, agricultural, archaeological, historic or other natural or cultural resources; or community or neighborhood character? Explain briefly:

No. The District will continue to protect the area's agricultural, aesthetic, historic and cultural resources as well as the community and neighborhood character.

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

No. By keeping the land in farming, Ag. District 2 will continue to protect the natural resource listed.

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

No. All 4 towns have comprehensive plans that state a major goal of their plans is to promote, protect and enhance agriculture.

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

No. By keeping agriculture as the primary land use in the District, growth and related development activity will be discouraged.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

None.

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

Keeping the majority of land in agricultural use will help to keep the cost of municipal service low.

D. Will the project have an impact on the environmental characteristics that caused the establishment of a CEA? ☐ Yes ☒ No

E. Is there, or is there likely to be, controversy related to potential adverse environmental impacts?

☐ Yes ☒ No If Yes, explain briefly:

PART III- DESIGNATION OF LEAD AGENCY

Please indicate desire for lead agency status by checking the appropriate box below:

☒ Since the proposed action will be undertaken by this County Legislative Body and since any adverse environmental impacts will be primarily of local significance, it is hereby recommended that this County Legislative Body serve as lead agency to ensure compliance with the requirements of the State Environmental Quality Review Act. It has been determined that the only other agency required to undertake an action in this case is the Department of Agriculture and Markets.

☐ The County Legislative Body does not choose to nominate itself to serve as lead agency.

PART IV - DETERMINATION OF SIGNIFICANCE

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e., urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination and significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

☒ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide on attachments as necessary, the reasons supporting this determination:

Montgomery County Board of Supervisors

Name of Lead Agency

John B. Thomas

Print or Type Name of Responsible Officer in Lead Agency

County Board Chairman

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

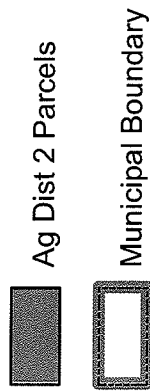
Signature of Preparer (If different from Responsible Officer)

Date

MONTGOMERY COUNTY, NEW YORK

Towns of:
St. Johnsville
Palatine
Mohawk
Amsterdam

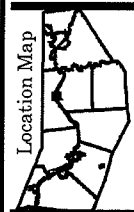
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MODIFICATIONS BY TOWN (*Note: parcel numbers are based on GIS parcels)

	Town of Amsterdam	Town of Mohawk	Town of Palatine	Town of St. Johnsville	TOTAL DISTRICT
Acres/ Parcels added	1,581.15 acres 54 parcels*	751.73 acres 42 parcels*	711.14 acres 40 parcels*	244.43 acres 31 parcels*	3,288.45 acres 167 parcels*
Acres/ Parcels removed	0 acres 0 parcels	60.85 acres 6 parcels*	67.96 acres 4 parcels*	19.27 acres 2 parcels*	148.08 acres 12 parcels*
Total acres/ Parcels in District	4,607.97 acres 122 parcels*	15,286.96 ac 452 parcels*	20,932.62 ac 408 parcels*	7,675.55 acres 210 parcels*	48,503.11 ac 1,192 parcels*

MAP IS INTENDED FOR GENERAL PLANNING PURPOSES ONLY.



Agricultural District #2 2009

Map 1



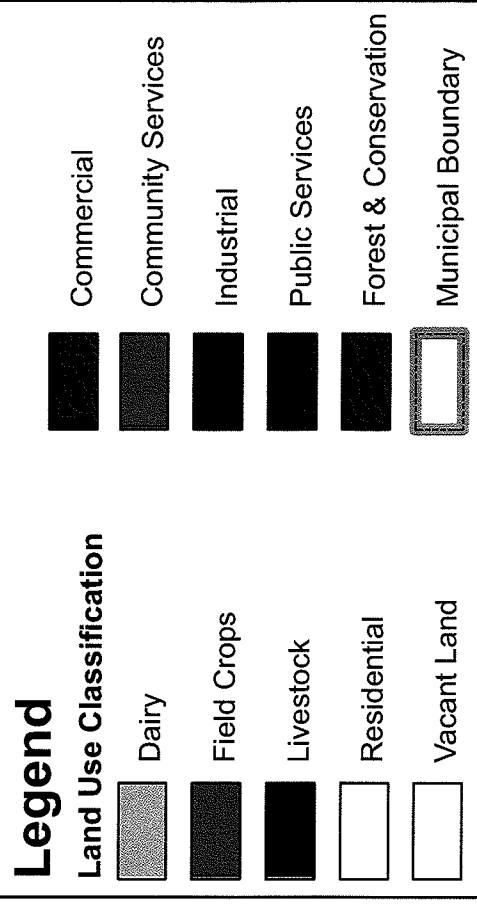
Feb 2009 rds

Montgomery County
 Department of Economic
 Development & Planning
 9 Park St., P.O. Box 1500
 Fonda, NY 12068-1500

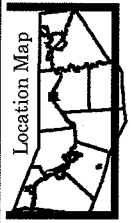
Source:
 Montgomery
 County
 GIS

MONTGOMERY COUNTY, NEW YORK

Towns of:
St. Johnsville
Palatine
Mohawk
Amsterdam



MAP IS INTENDED FOR GENERAL PLANNING PURPOSES ONLY.



Agricultural District #2 2009 Land Use Classification

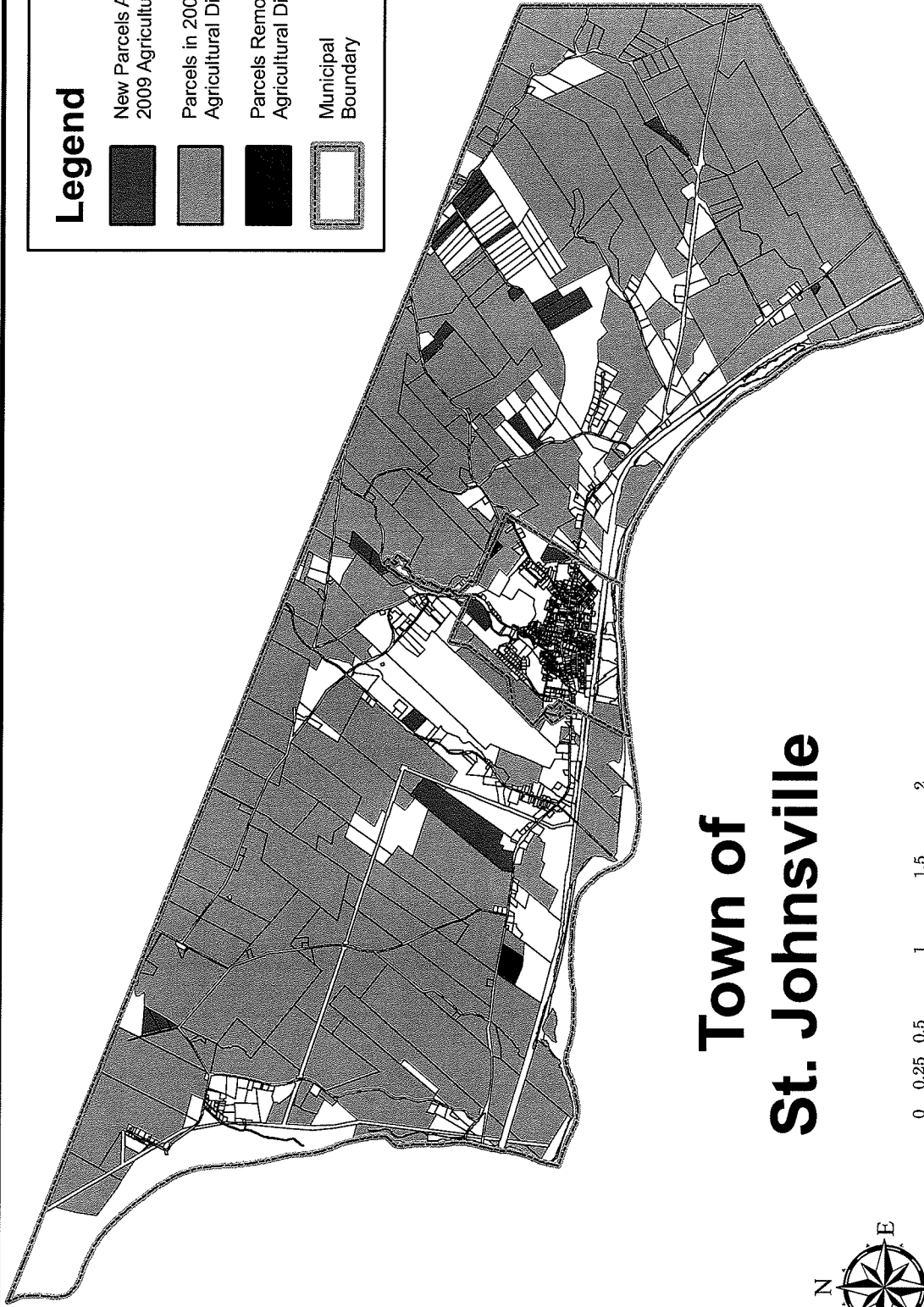
Source:
 Montgomery
 County
 GIS
 MAP 2

Montgomery County
 Department of Economic
 Development & Planning
 9 Park St., P.O. Box 1500
 Fonda, NY 12068-1500

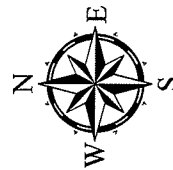


Feb 2009 rds

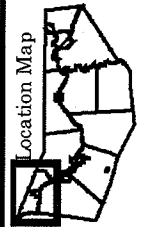
MONTGOMERY COUNTY, NEW YORK



Town of St. Johnsville



MAP IS INTENDED FOR GENERAL PLANNING PURPOSES ONLY.



Source:
Montgomery
County
GIS

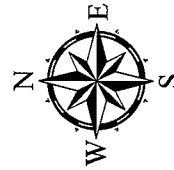
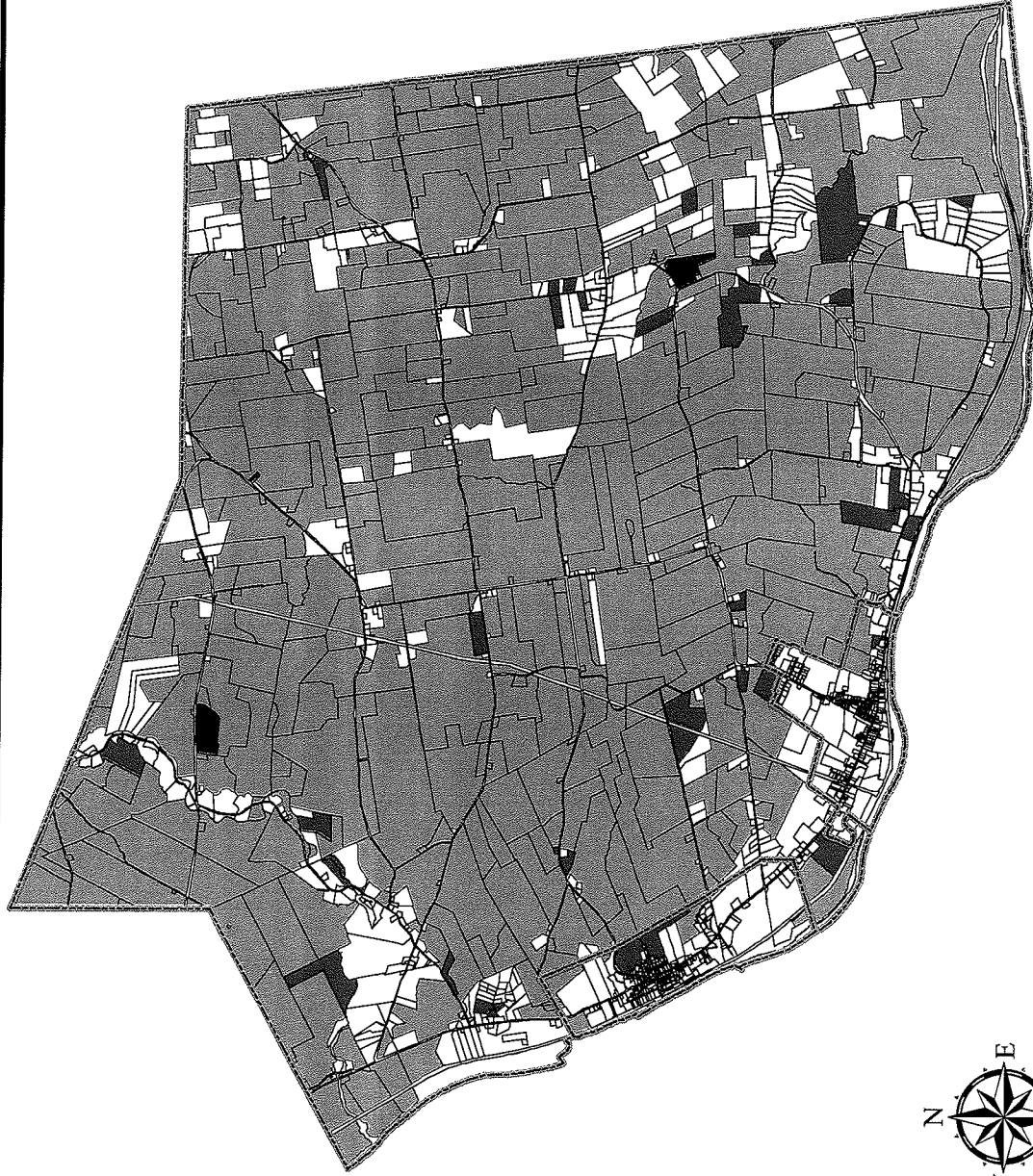
2009 Agricultural District #2

Montgomery County
Department of Economic
Development & Planning
9 Park St., P.O. Box 1500
Fonda, NY 12068-1500



Jan 2009 rds

MONTGOMERY COUNTY, NEW YORK



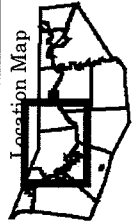
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Town of Palatine

Legend

- New Parcels Added to 2009 Agricultural District #2
- Parcels in 2001 Agricultural District #2
- Parcels Removed from 2001 Agricultural District #2
- Municipal Boundary

MAP IS INTENDED FOR GENERAL PLANNING PURPOSES ONLY.



2009 Agricultural District #2

MAP 4

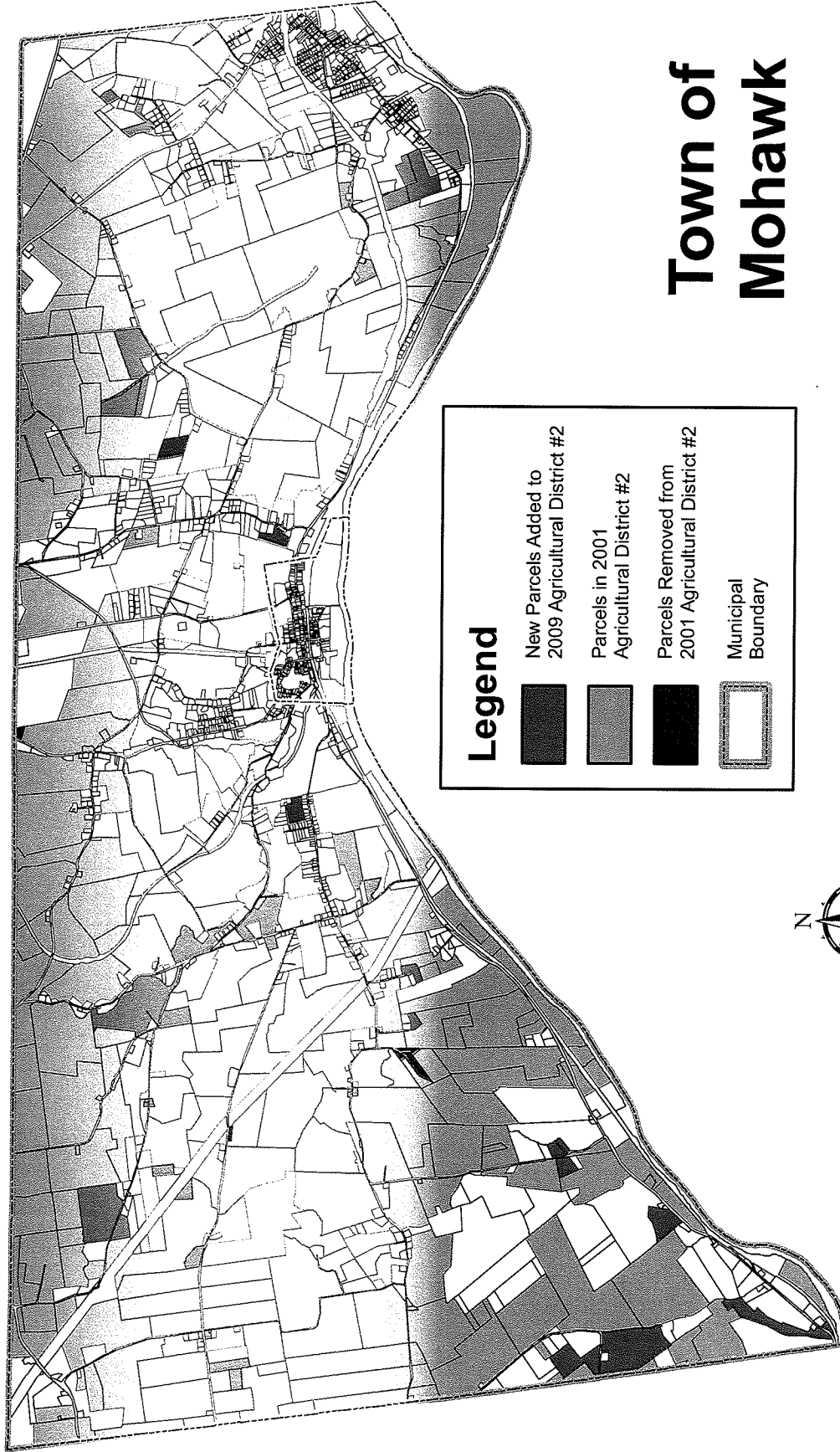
Source:
Montgomery
County
GIS

Montgomery County
Department of Economic
Development & Planning
9 Park St., P.O. Box 1500
Fonda, NY 12068-1500







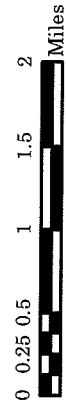
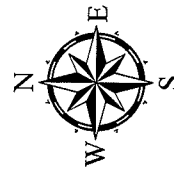
Jan 2009 rds

MONTGOMERY COUNTY, NEW YORK

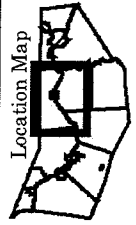


Legend

-  New Parcels Added to 2009 Agricultural District #2
-  Parcels in 2001 Agricultural District #2
-  Parcels Removed from 2001 Agricultural District #2
-  Municipal Boundary



MAP IS INTENDED FOR GENERAL PLANNING PURPOSES ONLY.



2009 Agricultural District #2

MAP 5

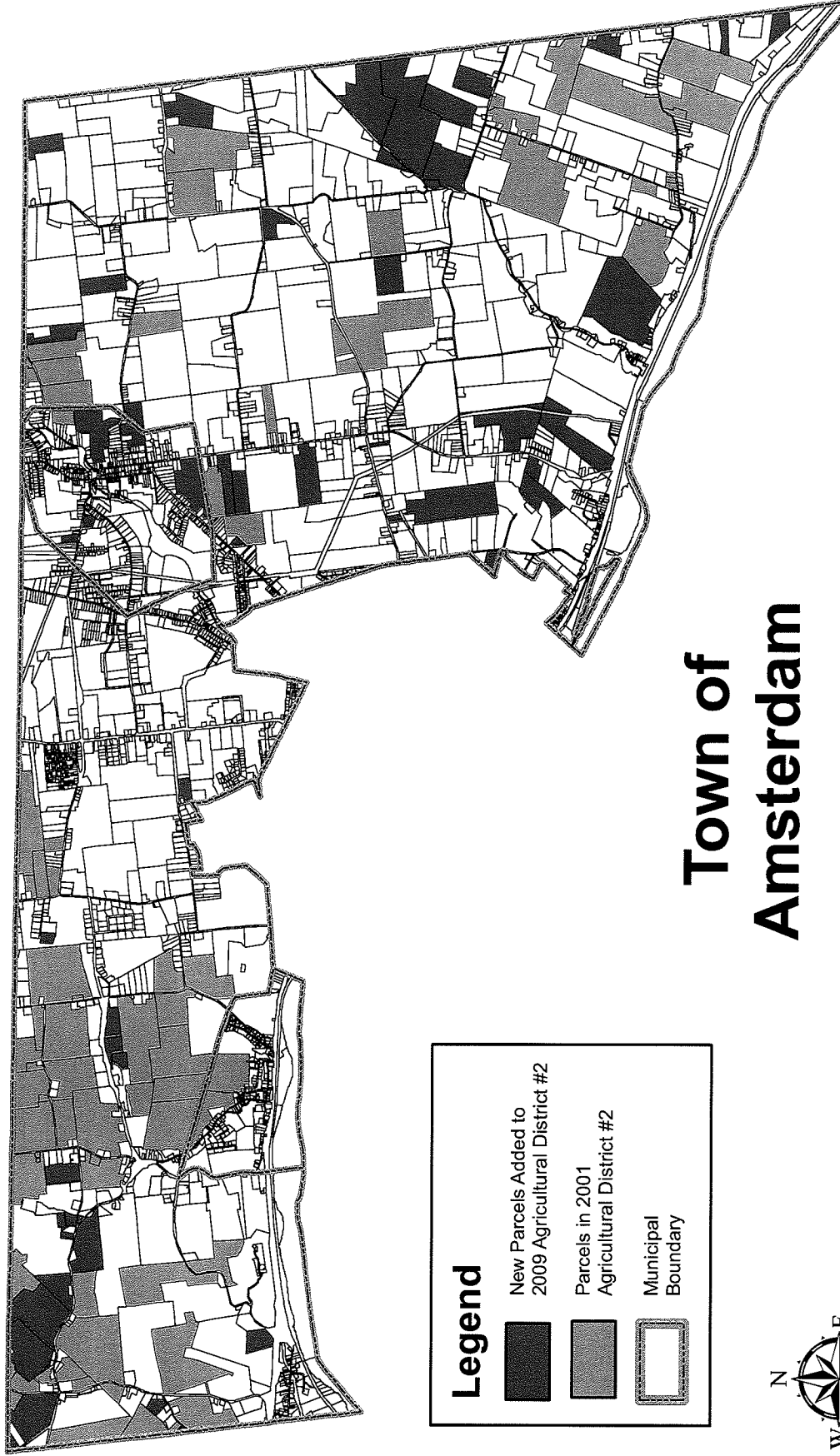
Source:
Montgomery
County
GIS

Montgomery County
Department of Economic
Development & Planning
9 Park St., P.O. Box 1500
Fonda, NY 12068-1500






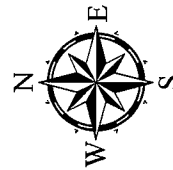
Jan 2009 rds

MONTGOMERY COUNTY, NEW YORK



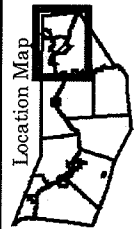
Legend

-  New Parcels Added to 2009 Agricultural District #2
-  Parcels in 2001 Agricultural District #2
-  Municipal Boundary



Town of Amsterdam

MAP IS INTENDED FOR GENERAL PLANNING PURPOSES ONLY.



Source:
Montgomery
County
GIS

2009 Agricultural District #2

MAP 6



Montgomery County
Department of Economic
Development & Planning
9 Park St., P.O. Box 1500
Fonda, NY 12068-1500

Jan 2009 rds

Attachment to Resolution

2009 – Resolution 45

Attachment to Resolution

2009 – Resolution 51

2009 - CHAPSTON, GLEN (W), ROOT

RESURFACING - CHARLESTON

CR #	LGTH.	NAME	BEGIN	END	EST. \$	COMMENTS
103	0.75	E. Lykers Rd.	Root Town Line	NYS Rte. 162	60,000.00	C - 17' - 8,500 S.Y.
104	1.52	Corbin Hill Rd.	Brand Rd.	NYS Rte. 30A	186,900.00	H - 20' - 17,800 S.Y.
104	0.85	Corbin Hill Rd.	Root Town Line	NYS Rte. 162	105,000.00	H - 20' - 10,000 S.Y.
127	3.65	Burtonville Rd.	Brand Rd.	NYS Rte. 30A	288,750.00	C - 18' - 38,500 S.Y.
128	1.60	Polin Rd.	Green Rd.	NYS Rte. 30A	126,750.00	C - 18' - 16,900 S.Y.
130	2.65	Brand Rd.	Root Town Line	Corbin Hill Rd.	294,000.00	H - 18' - 28,000 S.Y.
131	2.27	Esperance Rd.	NYS Rte. 30A	Schoharie Co. Line	279,300.00	H - 20' - 26,600 S.Y.
134	0.10	Charleston St.	E. Lykers Rd.	NYS Rte. 162	4,200.00	C - 11' - 1,100 S.Y.
	13.39				1,344,900.00	

RESURFACING - GLEN

CR #	LGTH.	NAME	BEGIN	END	EST. \$	COMMENTS
110	2.14	Logtown Rd.	Hyney Hill Rd.	NYS Rte. 30A	169,500.00	C - 16' - 20,000 S.Y.
114	1.73	Lusso Rd.	Borden Rd.	Van Epps Rd.	192,150.00	H - 18' - 18,300 S.Y.
116	1.16	Van Epps Rd.	Lusso Rd.	NYS Rte. 30A	128,100.00	H - 18' - 12,200 S.Y.
122	2.91	Auriesville Rd.	NYS Rte. 30A	NYS Rte. 5S	340,200.00	H - 19' - 32,400 S.Y.
129	1.82	Hughes Rd.	Charleston Tn Line	NYS Rte. 161	144,000.00	C - 17' - 18,200 S.Y.
	9.76				973,950.00	

RESURFACING - ROOT

CR #	LGTH.	NAME	BEGIN	END	EST. \$	COMMENTS
89	2.99	Latimer Hill Rd.	Canajoharie Tn Ln	West Lykers Rd.	331,800.00	H - 17' - 31,600 S.Y.
101	0.24	Kilmartin Rd.	Schoharie Co. Line	Carlisle Rd.	26,250.00	H - 18' - 2,500 S.Y.
105	3.97	Currtown Rd.	NYS Rte. 162	NYS Rte. 5S	349,500.00	C - 20' - 46,600 S.Y.
106	3.44	Anderson Rd.	Logtown Rd.	Currytown Rd.	272,250.00	C - 18' - 36,300 S.Y.
110	2.07	Logtown Rd.	Rural Grove Rd.	Glen Town Line	164,250.00	C - 16' - 21,900 S.Y.
130	1.28	Brand Rd.	Rural Grove Rd.	Charleston Tn Ln	141,750.00	H - 18' - 13,500 S.Y.
135	0.12	Old River Rd. (W)	NYS Rte. 5S	Dead End	13,650.00	H - 16' - 1,300 S.Y.
136	0.35	Old River Rd.	NYS Rte. 5S	NYS Rte. 5S	38,850.00	H - 12' - 3,700 S.Y.
	14.46				1,338,300.00	
Resurfacing					3,657,150.00	
Mileage	37.61				1,400,000.00	
					2,257,150.00	

Attachment to Resolution

2009 – Resolution 52

EQUIPMENT REPLACEMENT BY YEAR

2009

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Est. Price</u>
007	1996	Int'l Dump 4x2	Hwy	84,000.00
009	1996	Int'l Dump 4x2	Hwy.	84,000.00
060	1994	Chevy Van, Cutaway Utility Box	Bldgs & Gr	40,000.00
065	1965	Loader Mounted Snow Blower	Hwy.	140,000.00
073	1998	Int'l Dump 10 wh.	Hwy	142,000.00
091	1991	Gradall Excavator G3WD	Highways	330,000.00
096	1994	Samsung Rubber Tire Loader	Multi-Use	186,000.00
				<u>1,006,000.00</u>

2010

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Est. Price</u>
050	2000	Bomag 10-ton Roller	Hwy	130,000.00
074	1999	Int'l Dump 10 wh.	Hwy	135,000.00
082	1966	CAT Grader	Hwy	220,000.00
088	2000	Eager Beaver Lowboy	Hwy	100,000.00
				<u>585,000.00</u>

2011

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Est. Price</u>
041	1994	Galion Dresser Grader	Highways	200,000.00
081	2000	International Dum 10 wheel	Highways	140,000.00
066	1999	1 Ton Dump 4x2	Bldgs & Gr.	35,000.00
099	2000	Gradall Excavator XL4100	Hwy	325,000.00
				<u>3,067,000.00</u>

2012

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Est. Price</u>
017	2001	Etnyre Stone Spreader	Bldgs & Gr.	38,000.00
052	2001	Gradall Excavator XL4100	Highways	330,000.00
068	1986	1 Ton Truck w/Service	Bldgs & Gr.	330,000.00
				<u>698,000.00</u>

2013

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Est. Price</u>
022	2006	Ford Crew Cab	Hwy. Foreman	28,000.00
023	2006	Ford Crew Cab	Hwy. Foreman	28,000.00
024	2006	Ford Crew Cab	Hwy. Foreman	28,000.00
025	2006	Ford Crew Cab	Hwy. Foreman	28,000.00
043	1998	Galion Grader	Highways	225,000.00
				<u>337,000.00</u>

2014

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Est. Price</u>
003	2006	Chevy Ext. Pickup	Gen. Hwy. Maint. Foreman	

D.P.W. EQUIPMENT

TRUCKS - PICKUPS - SERVICE LIFE - 8 YEARS

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Replace</u>
021	1993	Ford Crew Cab	Highways	as needed
039	1996	Ford Pickup	Bldg. & Grounds	as needed
040	1996	Ford Pickup	Bldg. & Grounds	as needed
022	2006	Ford Crew Cab	Hwy. Foreman	2013
023	2006	Ford Crew Cab	Hwy. Foreman	2013
024	2006	Ford Crew Cab	Hwy. Foreman	2013
003	2006	Chevy Ext. Pickup	Gen.Hwy.Maint.Foreman	2014
028	2007	Ford Pickup	Stockroom	2015
025	2006	Ford Crew Cab	Hwy. Foreman	2013
047	2008	Ford F150 1/2 ton 4x2 Supercab	Bldg. & Grounds	2016
048	2008	Ford F150 1/2 ton 4x2 Supercab	Bldg. & Grounds	2016

TRUCKS - 6 WHEEL DUMPS, 5-7 C.Y. - SERVICE LIFE - 11 YEARS

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Replace</u>
007	1996	Int'l Dump 4x2	Highways	2009
009	1996	Int'l Dump 4x2	Highways	2009
011	2006	Int'l Dump 4x2	Highways	2017
010	2006	Int'l Dump 4x2	Highways	2017
012	2007	Int'l Dump 4x2	Highways	2018
013	2007	Int'l Dump 4x2	Highways	2018
005	1993	Int'l Dump 4x2 w/sand & 10 plow	Bldgs. & Grounds	as needed
006	1993	Int'l Dump 4x2 w/stone spreader	Highways	as needed

TRUCKS - 10 WHEEL DUMPS, 10-12 C.Y. - SERVICE LIFE - 11 YEARS

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Replace</u>
073	1998	Int'l Dump 10 wh.	Highways	2009
074	1999	Int'l Dump 10 wh.	Highways	2010
081	2000	Int'l Dump 10 wh.	Highways	2011
070	2006	Int'l Dump 10 wh.	Highways	2016
071	2006	Int'l Dump 10 wh.	Highways	2016
075	2007	Int'l Dump 10 wh.	Highways	2017
077	2007	Int'l Dump 10 wh.	Highways	2017

TRUCKS - SPECIAL USE - SERVICE LIFE VARIES BASED ON USE

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Replace</u>	
008	1994	Int'l Tractor w/5th wheel	Highways	2008	
030	1986	Int'l Truck w/Utility Box	Shop	2009	?
060	1994	Chevy Van Cutaway Utility Box	Bldgs. & Grounds	2009	
061	1994	Chevy 4x4 1 Ton w/Utility Box & Plow		2009	
062	1994	Chevy Truck w/Stake Box	Bldgs. & Grounds	2009	
066	1999	1 Ton Dump w/Box 4x2	Bldgs. & Grounds	2011	
068	1986	Chevy Truck w/Service Body	Bldgs. & Grounds	2012	
076	1986	Int'l Truck w/Rack Body	Highways	as needed	
203	2007	Swenson 5.6 cu. Yd. Sander	Bldgs. & Grounds	as needed	
031	1994	Ford Pickup Utility Box w/Welder	Shop	as needed	
064	1999	Ford Bucket Truck Altec Bucket	Bldgs. & Grounds	as needed	
020	2006	Int'l Stake Truck	Sign Shop		

GRADERS - SERVICE LIFE - 10 YEARS

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Replace</u>
082	1966	CAT Grader	Highways	2009
041	1994	Galion Dresser Grader	Highways	2011
043	1998	Galion Grader	Highways	2013

STONE SPREADER - SERVICE LIFE - 10 YEARS

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Replace</u>
017	2001	Etnyre Stone Spreader	Highways	2012

ROLLERS - SERVICE LIFE - 10 YEARS

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Replace</u>
050	2000	Bomag 10 Ton	Highways	2010
051	2008	Dynapack Tandem 1.5 Ton	Highways	2016
054	2006	Hamm Vibratory Roller	Highways	2012

TRACTORS

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Replace</u>
045	2006	Tractor w/Broom New Holland	Highways	2020
046	2006	Tractor w/Broom New Holland	Highways	2020
085	1994	John Deere Tractor/Lawn Mower	Bldgs. & Grounds	as needed
086	1996	John Deere Tractor/Bucket	Bldgs. & Grounds	as needed
089	2001	John Deere Tractor/Lawn Mower	Bldgs. & Grounds	as needed
097	2002	John Deere Tractor	Bldgs. & Grounds	as needed
097-1	2002	John Deere Flail Mower	Bldgs. & Grounds	as needed

SPECIAL USE EQUIPMENT

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Replace</u>
088	2000	Eager Beaver Lowboy	Highways	2010
027	2008	Cam Superline Trailer	Bldgs. & Grounds	as needed
214	1999	CA/ON Ltrl Trailer	Highways	as needed
069	2000	Hurst Trailer 16.5 ft.	Bldgs. & Grounds	as needed
052	2002	Landra Trailer w/Pressure Washer	Highways	as needed
213	2007	CA/ON Ltrl Trailer	Bldgs. & Grounds	as needed

AUTOMOBILES

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Replace</u>	
002	1996	Olds Cutlass	Loaner	2010	
004	2008	Jeep Grand Cherokee Laredo	Commissioner	Leased	
310	2007	Chrysler Town & Country Van	Mail Car	Leased	Rec. 2/22/07
312	2007	Dodge Grand Caravan	Loaner	as needed	
019	2007	Chrysler	Engineering	Leased	Rec. 2/22/07

BACKHOE - SERVICE LIFE - 10 YEARS

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Replace</u>
090	1997	Samsung Excavator	Highways	2008
92	2009	Komatsu Hydraulic Excavator	Highways	2019
098	1998	JCB Backhoe/Loader	Highways	2010

DOZER - SERVICE LIFE DEPENDS ON HOURS OF USE

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Replace</u>
042	2007	Komatsu Dozer	Highways	as needed

GRADALL - SERVICE LIFE - 10 YEARS

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Replace</u>
099	2000	Gradall Excavator XL4100	Highways	2010
091	1991	Gradall Excavator G3WD	Highways	2011
052	2001	Gradall Excavator XL4100	Highways	2012

LOADERS - SERVICE LIFE - 10-15 YEARS

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Replace</u>
096	1994	Samsung Rubber Tire Loader	Multi	2009
094	2000	Deere Rubber Tire Loader	Multi	2012
095	1995	Athey Conveyor Loader	Highways	as needed

EQUIPMENT - LIMITED USE

<u>No.</u>	<u>Year</u>	<u>Description</u>	<u>Use</u>	<u>Replace</u>
033	1968	Pettibone Swing Loader	Multi	as needed
037	1959	CAT Track Loader	Highways	as needed
065	1959	FWD Truck w/Snow Go	Snow Removal	as needed
093	2008	Jungherinrich Forklift	Forklift	as needed

Revised 1/29/09

Attachment to Resolution

2009 – Resolution 57

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
As Adopted by Resolution No. 4 – January 1, 2008
As Adopted by Resolution No. 182 – May 27, 2008
As Adopted by Resolution No. 4 – January 1, 2009
As Amended by Resolution 57 of 2009 – February 24, 2009

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 (un-debatable)
2. Take a recess (un-debatable)
3. Lay on the table (un-debatable)
4. For the previous question (un-debatable)
5. Limit debate (un-debatable)
6. Refer (debatable)
7. Amend (debatable)
8. Postpone consideration (debatable)

Rule 15. No motion for the reconsideration of the vote upon any question shall be entertained unless moved by a supervisor who voted in the majority upon such question before the adjournment of the following regularly called Board meeting. When a motion for the reconsideration of any question has been made and decided, there shall be no further consideration of the same resolution.

Rule 16. A roll call vote shall be taken by the Clerk when required by law or upon the request of any supervisor. (County Law No. 153, sub 4) Such roll call shall begin with the prime sponsor or mover and must be completed before any other action is taken. During such roll call, every supervisor shall vote “Aye”, “Nay”, may abstain or pass upon the calling of the supervisor’s name. Any supervisor who passes upon the calling of the roll shall be polled at the conclusion of the roll call vote. A member may pass only once.

Rule 17. Voting Majority

A) A majority (935) of the weighted votes of the aggregate of all weighted votes of the members of the Board shall be necessary for the adoption of any resolution or local law then before the Board unless otherwise specified by State law.

B) A two-thirds majority (1,246) of the weighted votes of the aggregate of all weighted votes of the members of the Board shall be necessary for adoption of any resolution or local law establishing a two-thirds weighted vote approval requirement when such requirement is not specified by State law.

C) No supervisor may give a proxy or in any other fashion delegate his authority to vote upon any matter pending before the Board.

D) The rescission, revocation or reversal of any action, resolution, local law, motion, or other matter voted upon by the Board shall be effected by the same ratio of votes of the Board as was required for its adoption, approval or passage.

E) In the course of responding to a roll call vote, a supervisor may give an explanation of his/her vote.

Rule 18. All resolutions entered into the minutes shall record the names of those supervisors who voted in the minority and those not voting by reason of being excused or absent.

ARTICLE III – CHAIR AND VICE CHAIR OF THE BOARD

Rule 19. The Chair of the Board shall be the presiding officer, shall call the Board to order, and, except in the absence of a quorum, shall proceed to conduct business in the manner prescribed by these rules.

Rule 20. The duties of the Vice Chair shall include all duties and functions of the Chair in his/her absence, excluding the appointment of the members of standing committees.

The Vice Chair shall serve at the direction either of the Chair or the Board of Supervisors, which direction shall always supersede the Chair. The Vice Chair shall receive no additional compensation unless he/she shall act as Chair in excess of thirty (30) consecutive days after assuming the duties of Chair.

Rule 21. In the absence of the Chair at any meeting of the Board of Supervisors, the Vice Chair shall serve as Acting Chair and shall call the Board to order. In the absence of the Chair and Vice Chair, the Clerk of the Board shall, after 15 minutes, call the Board to order and the members present and voting shall select a member of the Board to serve as Acting Chair at such meeting. The Acting Chair shall have and exercise all the powers and duties of the Chair at the meeting over which he or she is called to preside. (County Law No. 151, sub 6)

Rule 22. In the case of a vacancy in the Office of Vice Chair, the Clerk of the Board of Supervisors shall accept nominations to select a successor, who shall be a member of the Board, at the next regular meeting of the Board of Supervisors. The person so selected shall serve as Vice Chair of the Board for the unexpired term of the previous Vice Chair.

Rule 23. The Chair shall preserve order and decorum and decide all questions of order, which decisions shall be final unless an appeal is taken to the Board. On an appeal from the decision of the Chair, he shall have the right to assign his reason for his decision.

Rule 24. The Chair shall decide all questions relating to the priority of business (the priority of one question or subject matter over another under the same order of business) without debate.

Rule 25. In those instances where there is disagreement concerning the interpretation of the Rules of Procedure, the County Attorney shall act as Parliamentarian to advise the Chair who shall rule on all questions of order of procedure.

ARTICLE IV – RESOLUTIONS

Rule 26. All proposed resolutions and local laws shall have a prime sponsor and at least one second and shall be reduced to writing. Proposed resolutions and local laws not originating from the committee having jurisdiction over the particular matter shall be filed with the Clerk of the Board in accordance with Rule 29.

Rule 27. Upon request of any supervisor, any amendment to a resolution shall be reduced to writing.

Rule 28. The Chair shall read the title of all resolutions and local laws filed and mailed in accordance with Rule 29, except that upon request of a member of the Board a resolution or local law shall be read in its entirety. Any resolution or local law before the Board, which has not been filed and mailed in accordance with Rule 29, shall be read in its entirety by the Clerk of the Board at the request of any supervisor.

Rule 29. Procedure

- A) All resolutions requested or proposed shall be submitted through the Clerk of the Board of Supervisors to the Chair of the Board for inclusion on the agenda of the committee principally concerned at least ten (10) calendar days prior to the committee meeting at which it is to be considered.

The Clerk of the Board shall issue a tracking number and title to each proposed resolution and maintain a list to be provided to the supervisors each month as to the status of each requested and proposed resolution.

- B) Resolutions containing proposals for “new” programs not currently budgeted shall be accompanied by an informational memorandum detailing the following information:
- 1) Statement of Intent
 - 2) Plans, Goals, and Objectives
 - 3) Program Description
 - 4) Operational Impact – Services
 - 5) Fiscal Impact – Cost Resources
 - 6) Method of Financing
 - 7) Intra-agency Coordination (if applicable)
 - 8) Anticipated Benefits
 - 9) Anticipated Problems
- C) Supervisors, in lieu of the information memorandum above, may appear before the appropriate committee to discuss any resolution(s) they wish to propose.
- D) The Chair of the Board, together with the chair of said committee, shall determine items to be scheduled for consideration at Committee, Regular and Special Board meetings.
- 1) At least five (5) calendar days prior to the appropriate meeting at which a proposed resolution is to be considered by the Committee, the Clerk of the Board shall forward a copy of the Committee Agenda and proposed resolutions to each member of the Committee, all other supervisors, and the County Attorney either by mail or by personal delivery.
 - 2) At least five (5) calendar days prior to the Regular Meeting at which a resolution is to be considered by the Board, the Clerk of the Board shall forward to each Board member and the County Attorney a list of all resolutions to be considered at the meeting along with a copy of the corresponding informational memorandum.

- E) Neither the Chair of the Board nor any committee chair shall exclude from an agenda for discussion any item requested by a supervisor unless written notification citing the reason for the exclusion is provided to the sponsor of the resolution and the entire board at least five (5) calendar days prior to the regular meeting.

Any decision by the Chair of the Board or a committee chair to exclude a resolution or discussion item from an agenda can be overruled by a motion to discharge the resolution. A motion to discharge must have a sponsor and a second, which may differ from the resolution's primary sponsor and second. A majority weighted vote (935) for regular board meetings shall be sufficient to pass the motion to discharge, which will place the resolution on that meeting's agenda. A simple majority vote (non-weighted) shall be sufficient to pass the motion to discharge in committee, which will place the resolution on that committee's agenda.

Rule 30. An emergency resolution (one which concerns any matter where delay in the consideration thereof would adversely affect the interests of the County, the Board of Supervisors, or any department, official or agency of the County or the public) may be placed on the agenda at any Regular Meeting of the Board by a vote of two-thirds (1,246) of the aggregate weighted votes of the members present.

ARTICLE V. – COMMITTEES

Rule 31. Committee reports and recommendations shall not be binding upon the Board because standing and special committees shall not use weighted vote

Rule 32. Each committee shall review all issues forwarded by the Clerk of the Board for its consideration. Committees shall report on each item and may provide a recommendation for approval or disapproval by the affirmative vote of a simple majority of committee members. If a committee disapproves a resolution or local law by the affirmative vote of a simple majority of the members of the committee referred for its consideration, the Chair of the Committee shall notify the sponsor of such resolution or local law of its disapproval and the committee shall file a report with the Board stating its disapproval and outlining the reasons therefore. No item is to be reported out of committee without a recommendation by at least a simple majority of the members of the committee or in accordance with these Rules.

Rule 33. The Chair of the Board shall appoint the members and designate the chair of all standing committees within ten (10) days following his election. He or she shall also appoint the members and designate the chair of all special committees or subsequently created standing committees within ten (10) days following their creation. (County Law, Section 154, sub 3)

Rule 34. The Board may from time to time create special committees. Any resolution creating a special committee shall specify the powers and duties of the committee and the

number of its members. Each member of any special committee shall serve for the period specified in such resolution, but in any event not longer than the term for which he or she shall have been elected as a supervisor. (County Law, Section 154, sub 2)

Rule 35. Standing committees shall consist of the designated supervisors for that Committee exclusive of the Chair of the Board. The presence of a majority of committee members, inclusive of the Chair of the Board (or Vice Chair in the Chair's absence), shall constitute a quorum for the purpose of conducting committee business.

Rule 36. The members of all standing committees shall be appointed for the duration of one year. Nothing herein contained shall be construed to allow any person to continue to serve on any committee after he or she ceases to be a supervisor.

Rule 37. The Chair of the Board of Supervisors (or Vice Chair, in Chair's absence) shall be an ex-officio member of all standing and special committees of the Board and as such shall have the right to participate in all functions of such committees including the right to vote. The Chair shall be counted in determining the presence of a quorum. (County Law, Section 450, sub. 1)

Rule 38. The Chair of the Board shall fill any vacancy occurring on any standing or special committee within thirty (30) days after such vacancy occurs. In the event such vacancy occurs in the position of committee chair, he or she shall designate a new committee chair within ten (10) days after such vacancy occurs. (County Law, Section 154, sub 4)

Rule 39. Neither the chair nor any other member of a standing committee shall be removed during the term of which the committee was appointed without prior consent of the member.

Rule 40. The chair of each standing or special committee shall be the presiding officer and shall cause the members thereof to be notified in advance of each meeting. The committee chair shall call all necessary meetings. Upon his or her refusal or neglect to call any meeting, the Clerk of the Board, upon written request signed by the Chair of the Board or by a majority of the committee, shall call such meeting. Committee meetings of an emergency nature (identified as such by a vote of two-thirds (1,246) of the aggregate of the weighted votes of the total membership of the Board) will be permitted during a Regular Meeting of the Board.

Rule 41. For the purposes of aiding and assisting the Board in the transaction of its business, there shall be the following standing committees, which shall provide general supervision for the County departments, agencies, and activities as designated. Their duties shall be as required by law, as directed by the Chair of the Board or as designated herein.

41.1 HEALTH AND HUMAN SERVICES

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

Office for the Aging	Public Health Service
Veterans Services Agency	Youth Bureau
Youth Board	Mental Health
Office of Community Services	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	Solid Waste
Data Processing	Solid Waste Coordinator
Transportation	

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	Safety Officer

as well as the radio communications, computer-aided dispatch and all other related matters referred to the Committee.

41.5 ECONOMIC DEVELOPMENT/PLANNING

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	Mobility Coordinator

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

41.6 EDUCATION AND GOVERNMENT

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

Fulton Montgomery Community College	Rules of Procedure
Policies	Intergovernmental Relations
County Attorney	Clerk of the Board
County Administrative Officer	Board of Elections

as well as the review and modification of the structure of county government, review of government management, effectiveness and efficiency, and all other related matters referred to the Committee.

41.7 PERSONNEL

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

Employee Benefits	Civil Service
Employee Training	Employee Insurance
Personnel Department	Grievances
Collective Bargaining	

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

ARTICLE VI. – RULES OF ORDER

Rule 42. The rules contained in the most recent edition of “Robert’s Rules of Order” shall govern the Board of Supervisors in all cases to which they are applicable and in which they are not inconsistent with:

1. These Rules of Procedures;
2. Any special rules of order the Board may adopt;
3. Any statutes applicable to the Board.

ARTICLE VII. – MISCELLANEOUS

Rule 43. The Clerk of the Board shall serve as secretary of standing committees of the Board, provided that the Clerk of the Board may designate another County Officer or employee as secretary with the approval of the committee chair.

Rule 44. The Clerk of the Board shall provide, monthly, a set of brief minutes of meeting for all committee meetings taking place during that month to all supervisors as part of the information packet supplied to the Board of Supervisors prior to that month’s regular meeting of the Board of Supervisors.

Rule 45. These rules may be amended with the approval of a simple majority (935) of the weighted vote of the members of the Board by adoption of a resolution filed and distributed in accordance with Rule 29, except for rules prescribed by state statute or county law. To the extent that a state or county law, which prescribes these rules, is amended, these standing rules shall stand amended consistent with such amended statute or law without formal action by the Board.

Attachment to Resolution

**2009 – Resolution 57
Amended**

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
As Adopted by Resolution No. 4 – January 1, 2008
As Adopted by Resolution No. 182 – May 27, 2008
As Adopted by Resolution No. 4 – January 1, 2009
As Amended by Resolution 57 of 2009 – February 24, 2009

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 (un-debatable)
2. Take a recess (un-debatable)
3. Lay on the table (un-debatable)
4. For the previous question (un-debatable)
5. Limit debate (un-debatable)
6. Refer (debatable)
7. Amend (debatable)
8. Postpone consideration (debatable)

Rule 15. No motion for the reconsideration of the vote upon any question shall be entertained unless moved by a supervisor who voted in the majority upon such question before the adjournment of the following regularly called Board meeting. When a motion for the reconsideration of any question has been made and decided, there shall be no further consideration of the same resolution.

Rule 16. A roll call vote shall be taken by the Clerk when required by law or upon the request of any supervisor. (County Law No. 153, sub 4) Such roll call shall begin with the prime sponsor or mover and must be completed before any other action is taken. During such roll call, every supervisor shall vote “Aye”, “Nay”, may abstain or pass upon the calling of the supervisor’s name. Any supervisor who passes upon the calling of the roll shall be polled at the conclusion of the roll call vote. A member may pass only once.

Rule 17. Voting Majority

A) A majority (935) of the weighted votes of the aggregate of all weighted votes of the members of the Board shall be necessary for the adoption of any resolution or local law then before the Board unless otherwise specified by State law.

B) A two-thirds majority (1,246) of the weighted votes of the aggregate of all weighted votes of the members of the Board shall be necessary for adoption of any resolution or local law establishing a two-thirds weighted vote approval requirement when such requirement is not specified by State law.

C) No supervisor may give a proxy or in any other fashion delegate his authority to vote upon any matter pending before the Board.

D) The rescission, revocation or reversal of any action, resolution, local law, motion, or other matter voted upon by the Board shall be effected by the same ratio of votes of the Board as was required for its adoption, approval or passage.

E) In the course of responding to a roll call vote, a supervisor may give an explanation of his/her vote.

Rule 18. All resolutions entered into the minutes shall record the names of those supervisors who voted in the minority and those not voting by reason of being excused or absent.

ARTICLE III – CHAIR AND VICE CHAIR OF THE BOARD

Rule 19. The Chair of the Board shall be the presiding officer, shall call the Board to order, and, except in the absence of a quorum, shall proceed to conduct business in the manner prescribed by these rules.

Rule 20. The duties of the Vice Chair shall include all duties and functions of the Chair in his/her absence, excluding the appointment of the members of standing committees.

The Vice Chair shall serve at the direction either of the Chair or the Board of Supervisors, which direction shall always supersede the Chair. The Vice Chair shall receive no additional compensation unless he/she shall act as Chair in excess of thirty (30) consecutive days after assuming the duties of Chair.

Rule 21. In the absence of the Chair at any meeting of the Board of Supervisors, the Vice Chair shall serve as Acting Chair and shall call the Board to order. In the absence of the Chair and Vice Chair, the Clerk of the Board shall, after 15 minutes, call the Board to order and the members present and voting shall select a member of the Board to serve as Acting Chair at such meeting. The Acting Chair shall have and exercise all the powers and duties of the Chair at the meeting over which he or she is called to preside. (County Law No. 151, sub 6)

Rule 22. In the case of a vacancy in the Office of Vice Chair, the Clerk of the Board of Supervisors shall accept nominations to select a successor, who shall be a member of the Board, at the next regular meeting of the Board of Supervisors. The person so selected shall serve as Vice Chair of the Board for the unexpired term of the previous Vice Chair.

Rule 23. The Chair shall preserve order and decorum and decide all questions of order, which decisions shall be final unless an appeal is taken to the Board. On an appeal from the decision of the Chair, he shall have the right to assign his reason for his decision.

Rule 24. The Chair shall decide all questions relating to the priority of business (the priority of one question or subject matter over another under the same order of business) without debate.

Rule 25. In those instances where there is disagreement concerning the interpretation of the Rules of Procedure, the County Attorney shall act as Parliamentarian to advise the Chair who shall rule on all questions of order of procedure.

ARTICLE IV – RESOLUTIONS

Rule 26. All proposed resolutions and local laws shall have a prime sponsor and at least one second and shall be reduced to writing. Proposed resolutions and local laws not originating from the committee having jurisdiction over the particular matter shall be filed with the Clerk of the Board in accordance with Rule 29.

Rule 27. Upon request of any supervisor, any amendment to a resolution shall be reduced to writing.

Rule 28. The Chair shall read the title of all resolutions and local laws filed and mailed in accordance with Rule 29, except that upon request of a member of the Board a resolution or local law shall be read in its entirety. Any resolution or local law before the Board, which has not been filed and mailed in accordance with Rule 29, shall be read in its entirety by the Clerk of the Board at the request of any supervisor.

Rule 29. Procedure

- A) All resolutions requested or proposed shall be submitted through the Clerk of the Board of Supervisors to the Chair of the Board for inclusion on the agenda of the committee principally concerned at least ten (10) calendar days prior to the committee meeting at which it is to be considered.

The Clerk of the Board shall issue a tracking number and title to each proposed resolution and maintain a list to be provided to the supervisors each month as to the status of each requested and proposed resolution.

- B) Resolutions containing proposals for “new” programs not currently budgeted shall be accompanied by an informational memorandum detailing the following information:
- 1) Statement of Intent
 - 2) Plans, Goals, and Objectives
 - 3) Program Description
 - 4) Operational Impact – Services
 - 5) Fiscal Impact – Cost Resources
 - 6) Method of Financing
 - 7) Intra-agency Coordination (if applicable)
 - 8) Anticipated Benefits
 - 9) Anticipated Problems
- C) Supervisors, in lieu of the information memorandum above, may appear before the appropriate committee to discuss any resolution(s) they wish to propose.
- D) The Chair of the Board, together with the chair of said committee, shall determine items to be scheduled for consideration at Committee, Regular and Special Board meetings.
- 1) At least five (5) calendar days prior to the appropriate meeting at which a proposed resolution is to be considered by the Committee, the Clerk of the Board shall forward a copy of the Committee Agenda and proposed resolutions to each member of the Committee, all other supervisors, and the County Attorney either by mail or by personal delivery.
 - 2) At least five (5) calendar days prior to the Regular Meeting at which a resolution is to be considered by the Board, the Clerk of the Board shall forward to each Board member and the County Attorney a list of all resolutions to be considered at the meeting along with a copy of the corresponding informational memorandum.

- E) Neither the Chair of the Board nor any committee chair shall exclude from an agenda for discussion any item requested by a supervisor unless written notification citing the reason for the exclusion is provided to the sponsor of the resolution and the entire board at least five (5) calendar days prior to the regular meeting.

Any decision by the Chair of the Board or a committee chair to exclude a resolution or discussion item from an agenda can be overruled by a motion to discharge the resolution. A motion to discharge must have a sponsor and a second, which may differ from the resolution's primary sponsor and second. A majority weighted vote (935) for regular board meetings shall be sufficient to pass the motion to discharge, which will place the resolution on that meeting's agenda. A simple majority vote (non-weighted) shall be sufficient to pass the motion to discharge in committee, which will place the resolution on that committee's agenda.

Rule 30. An emergency resolution (one which concerns any matter where delay in the consideration thereof would adversely affect the interests of the County, the Board of Supervisors, or any department, official or agency of the County or the public) may be placed on the agenda at any Regular Meeting of the Board by a vote of two-thirds (1,246) of the aggregate weighted votes of the members present.

ARTICLE V. – COMMITTEES

Rule 31. Committee reports and recommendations shall not be binding upon the Board because standing and special committees shall not use weighted vote

Rule 32. Each committee shall review all issues forwarded by the Clerk of the Board for its consideration. Committees shall report on each item and may provide a recommendation for approval or disapproval by the affirmative vote of a simple majority of committee members. If a committee disapproves a resolution or local law by the affirmative vote of a simple majority of the members of the committee referred for its consideration, the Chair of the Committee shall notify the sponsor of such resolution or local law of its disapproval and the committee shall file a report with the Board stating its disapproval and outlining the reasons therefore. No item is to be reported out of committee without a recommendation by at least a simple majority of the members of the committee or in accordance with these Rules.

Rule 33. The Chair of the Board shall appoint the members and designate the chair of all standing committees within ten (10) days following his election. He or she shall also appoint the members and designate the chair of all special committees or subsequently created standing committees within ten (10) days following their creation. (County Law, Section 154, sub 3)

Rule 34. The Board may from time to time create special committees. Any resolution creating a special committee shall specify the powers and duties of the committee and the

number of its members. Each member of any special committee shall serve for the period specified in such resolution, but in any event not longer than the term for which he or she shall have been elected as a supervisor. (County Law, Section 154, sub 2)

Rule 35. Standing committees shall consist of the designated supervisors for that Committee exclusive of the Chair of the Board. The presence of a majority of committee members, inclusive of the Chair of the Board (or Vice Chair in the Chair's absence), shall constitute a quorum for the purpose of conducting committee business.

Rule 36. The members of all standing committees shall be appointed for the duration of one year. Nothing herein contained shall be construed to allow any person to continue to serve on any committee after he or she ceases to be a supervisor.

Rule 37. The Chair of the Board of Supervisors (or Vice Chair, in Chair's absence) shall be an ex-officio member of all standing and special committees of the Board and as such shall have the right to participate in all functions of such committees including the right to vote. The Chair shall be counted in determining the presence of a quorum. (County Law, Section 450, sub. 1)

Rule 38. The Chair of the Board shall fill any vacancy occurring on any standing or special committee within thirty (30) days after such vacancy occurs. In the event such vacancy occurs in the position of committee chair, he or she shall designate a new committee chair within ten (10) days after such vacancy occurs. (County Law, Section 154, sub 4)

Rule 39. Neither the chair nor any other member of a standing committee shall be removed during the term of which the committee was appointed without prior consent of the member.

Rule 40. The chair of each standing or special committee shall be the presiding officer and shall cause the members thereof to be notified in advance of each meeting. The committee chair shall call all necessary meetings. Upon his or her refusal or neglect to call any meeting, the Clerk of the Board, upon written request signed by the Chair of the Board or by a majority of the committee, shall call such meeting. Committee meetings of an emergency nature (identified as such by a vote of two-thirds (1,246) of the aggregate of the weighted votes of the total membership of the Board) will be permitted during a Regular Meeting of the Board.

Rule 41. For the purposes of aiding and assisting the Board in the transaction of its business, there shall be the following standing committees, which shall provide general supervision for the County departments, agencies, and activities as designated. Their duties shall be as required by law, as directed by the Chair of the Board or as designated herein.

41.1 HEALTH AND HUMAN SERVICES

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

Office for the Aging	Public Health Service
Veterans Services Agency	Youth Bureau
Youth Board	Mental Health
Office of Community Services	Meadows Residential Health Care Facility
Department of Social Services	

and all other related matters referred to the Committee.

41.2 GENERAL SERVICES

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

Public Works	Buildings and Grounds
Reforestation	Roads and Bridges
Central Printing and Supply	<i>Solid Waste</i>
Data Processing	<i>Solid Waste Coordinator</i>
<i>Transportation</i>	

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	Safety Officer

as well as the radio communications, computer-aided dispatch and all other related matters referred to the Committee.

41.5 ECONOMIC DEVELOPMENT/PLANNING

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	<i>Mobility Coordinator</i>

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

41.6 EDUCATION AND GOVERNMENT

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

Fulton Montgomery Community College	Rules of Procedure
Policies	Intergovernmental Relations
County Attorney	Clerk of the Board
County Administrative Officer	Board of Elections

as well as the review and modification of the structure of county government, review of government management, effectiveness and efficiency, and all other related matters referred to the Committee.

41.7 PERSONNEL

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

Employee Benefits	Civil Service
Employee Training	Employee Insurance
Personnel Department	Grievances
Collective Bargaining	

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

ARTICLE VI. – RULES OF ORDER

Rule 42. The rules contained in the most recent edition of “Robert’s Rules of Order” shall govern the Board of Supervisors in all cases to which they are applicable and in which they are not inconsistent with:

1. These Rules of Procedures;
2. Any special rules of order the Board may adopt;
3. Any statutes applicable to the Board.

ARTICLE VII. – MISCELLANEOUS

Rule 43. The Clerk of the Board shall serve as secretary of standing committees of the Board, provided that the Clerk of the Board may designate another County Officer or employee as secretary with the approval of the committee chair.

Rule 44. The Clerk of the Board shall provide, monthly, a set of brief minutes of meeting for all committee meetings taking place during that month to all supervisors as part of the information packet supplied to the Board of Supervisors prior to that month’s regular meeting of the Board of Supervisors.

Rule 45. These rules may be amended with the approval of a simple majority (935) of the weighted vote of the members of the Board by adoption of a resolution filed and distributed in accordance with Rule 29, except for rules prescribed by state statute or county law. To the extent that a state or county law, which prescribes these rules, is amended, these standing rules shall stand amended consistent with such amended statute or law without formal action by the Board.

Attachment to Resolution

2009 – Resolution 61

**RESOLUTION #61 ATTACHMENT
SBL LIST OF HOMES TO BE DEMOLISHED**

- | | |
|----------------|--------------|
| ➤ 87.1-1-1 | ➤ 117.9-1-45 |
| ➤ 87.1-1-3 | ➤ 117.9-1-46 |
| ➤ 117.9-1-23.1 | ➤ 117.9-2-26 |
| ➤ 117.9-1-28 | ➤ 117.9-1-18 |
| ➤ 117.9-1-30 | ➤ 63.62-1-13 |
| ➤ 117.9-1-31 | ➤ 57.3-1-23 |
| ➤ 117.9-1-32 | |
| ➤ 117.9-1-36 | ➤ 63.63-1-3 |
| ➤ 117.9-1-38 | ➤ 63.63-1-2 |
| ➤ 117.9-1-9 | ➤ 63.63-2-11 |
| ➤ 117.9-1-43 | ➤ 63.63-2-37 |
| ➤ 117.9-1-44 | |

Attachment to Resolution

2009 – Resolution 62

Contemporary Business Casual Friday Dress Code Policy

It is management's intent that work attire should complement an environment that reflects an efficient, orderly, and professionally operated organization. This policy is intended to define appropriate "contemporary business casual Friday attire" during normal business operations on Fridays.

The County recognizes the growing popularity of contemporary business casual dress and the positive effects of this shift to boost employee morale, improve quality, encourage more open communication and increased productivity, therefore, creating a more comfortable work environment. Therefore, contemporary business casual attire will be permitted on Fridays. The County reserves the right to continue, extend, revise or revoke this policy at its discretion. Enforcement of this guideline is the responsibility of Company management and supervisory personnel.

The key point to sustaining an appropriate contemporary business casual attire program is the use of common sense and good judgment, and applying a dress practice that the County deems conducive to our business environment. If you question the appropriateness of the attire, it probably isn't appropriate.

Contemporary Business Casual

Jeans and sneakers are permitted if worn with a dressy top or collared shirt. Jeans and sneakers must be clean and in good condition. No holes, rips or tears permitted.

Enforcement

Department managers and supervisors are responsible for monitoring and enforcing this policy. The policy will be administered according to the following action steps:

1. If questionable attire is worn in the office, the respective department supervisor/manager will hold a personal, private discussion with the employee to advise and counsel the employee regarding the inappropriateness of the attire.
2. If an obvious policy violation occurs, the department head/supervisor will hold a private discussion with the employee and ask the employee to go home and change his/her attire immediately.
3. Repeated policy violations will result in disciplinary action.

Distribution

All employees will be provided with a copy of this policy.

Review and Revision

The County reserves the right to rescind and/or amend this, and all County policies, at any time.

Attachment to Resolution

2009 – Resolution 65

County of Montgomery Smoking Policy

1. Pursuant to Resolution 65 of 2009 by the Board of Supervisors of the County of Montgomery, smoking (the burning or carrying of a lighted cigar, cigarette, pipe or any other substance which contains tobacco) by staff, visitors or volunteers in Montgomery County buildings is prohibited in:

- 1a) all interior areas
- 1b) all County vehicles
- 1c) all outdoor areas within 25 feet of an entrance/door

2. Private tenants of County-owned buildings:

2a) Private tenants occupying space within County facilities, shall comply with the County's smoking ban. Such compliance shall be immediate in the case of month-to-month tenants; such compliance shall, in the case of those tenants who occupy space pursuant to a written lease, be effective upon the expiration of the present lease. All subsequent leases shall prohibit smoking within the County facility.

ENFORCEMENT:

- 1. Ultimate enforcement of the NYS Clean Indoor Air Act in Montgomery County rests with the New York State Department of Environmental Health, Herkimer District Office, who has been designated as the enforcement officer, pursuant to Article 13E, Section 1399 t of the NYS Public Health Law. The Montgomery County Smoking Policy requires that each department head must appoint a designated agent to enforce this smoking policy at the immediate worksite. It is the responsibility of all supervisory and management staff to investigate all complaints of violations of this policy and take appropriate disciplinary action, if necessary, consistent with County rules and regulations. In addition, security staff must ensure that guests and visitors to County facilities are aware of the County's smoking policy and ensure that it is enforced. Security shall also report employees who violate the smoking policy to the employee's supervisor or Department Head.
- 2. This policy must be posted and given to each employee and/or potential employee.

Attachment to Resolution

2009 – Resolution 66

COUNTY OF MONTGOMERY
PROCUREMENT POLICIES AND PROCEDURES

INTRODUCTION

These Procurement Policies and Procedures were adopted by the Montgomery County Board of Supervisors to comply with the provisions of the General Municipal Law, Section 104-b.

The Board of Supervisors shall annually review these Policies and Procedures no later than June 30th of each year to comply with the provisions of the General Municipal Law, Section 104-b.

ADOPTED: February 24, 2009 per Resolution 66 of 2009

COUNTY OF MONTGOMERY
PROCUREMENT POLICIES AND PROCEDURES

TABLE OF CONTENTS

- I. Procedures for Determining Whether a Procurement is Subject to Competitive Bidding
- II. Procedures for Non-Bid Procurements
- III. Procedures for Procurements That are Exempt from Competitive Bidding Requirements
- IV. Procedures for Procurements from Vendors Not Offering the Lowest Dollar Amount
- V. Exceptions to the Procurement Policies and Procedures
- VI. Procedure for Competitive Bid Review and Award Process
- VII. Procedure for Request for Proposals Process

ADOPTED: February 24, 2009 per Resolution 66 of 2009

COUNTY OF MONTGOMERY
PROCUREMENT POLICIES AND PROCEDURES

I. Procedures for Determining Whether a Procurement is Subject to Competitive Bidding

A. Analysis of Proposed Procurement

1. The official responsible for making the procurement decision will determine if it is a purchase or public works contract. Guidelines issued by the Office of the State Comptroller will be used.
2. The official responsible for making the procurement decision will determine whether any of the statutory exceptions to competitive bidding apply. If an exception applies, it will be documented as outlined in Section III.

B. Documenting The Decision If The Procurement Is Not Subject To Competitive Bidding

1. Board resolutions
2. Opinions of the County Attorney
3. Opinions of the State Comptroller
4. Verbal or written quotes; catalog prices
5. Compilation of the amounts expended for like items in previous years
6. Compilation of current appropriations for like items

ADOPTED: February 24, 2009 per Resolution 66 of 2009

COUNTY OF MONTGOMERY
PROCUREMENT POLICIES AND PROCEDURES

II. Procedures For Non-Bid Procurements

A. Purchase Contracts Below \$10,000.00:

<u>Dollar Amount</u>	<u>Procedure</u>
\$1 – 999	At the discretion of the Purchasing Department
\$1,000 – 4, 999	Documented verbal price quotes from at least three vendors
\$5,000 – 9,999	Formal written price quotes from at least three vendors

B. Public Works Contracts Below \$20,000.00:

(Includes Service/Maintenance Agreements and Equipment Repairs)

<u>Dollar Amount</u>	<u>Procedure</u>
\$1 – 999	At the discretion of the Purchasing Department
\$1,000 – 6,999	Documented verbal price quotes from at least three or more vendors
\$7,000 – 19,999	Formal written price quotes from at least three or more vendors. Board approval is required for contracts over \$10,000.00.

*A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

ADOPTED: February 24, 2009 per Resolution 66 of 2009

COUNTY OF MONTGOMERY
PROCUREMENT POLICIES AND PROCEDURES

III. Procedures For Procurements That Are Exempt From Competitive Bidding Requirements

A. Emergency Purchases

1. The department head having responsibility for the situation will authorize procurements made under emergency conditions. The department head is responsible for insuring that the procurement meets all of the statutory criteria.
2. The department head will provide the Board of Supervisors and Purchasing Agent with a written description of the facts giving rise to the emergency within a reasonable time period.

B. Purchases from State Contracts

1. The official responsible for making the procurement decision will consult the state contract for any commodity that is covered.
2. If procurement can be made for less than state contract pricing, the County shall follow the procedures set forth in either Sections I or II of these policies and procedures as appropriate.
3. If a department head wishes to purchase an item that is different from the item on state contract and the price is higher, the procedures for “Procurements from Other Than the Lowest Dollar Offer” must be followed.

ADOPTED: February 24, 2009 per Resolution 66 of 2009

COUNTY OF MONTGOMERY
PROCUREMENT POLICIES AND PROCEDURES

C. Sole Source Procurements

1. The department head requesting the purchase will provide a statement of the benefits to be achieved from purchasing that particular product. The statement will prove that the product has no reasonable equivalent and will explain why the item is required in the public interest.
2. The sole source determination will be substantiated by a statement from the manufacturer or agent attesting to the fact that the product is available from only one source.

D. Second Hand Equipment from Other Governments

1. Three verbal or written price quotes will be obtained from vendors or similar equipment.
2. The department head requesting the purchase will provide a written statement outlining the benefits to be achieved from the procurement.
3. Board approval is required for any item over \$10,000.00

E. True Leases

1. Three verbal or written price quotes will be obtained for similar equipment.
2. The department head requesting the lease will provide a written statement outlining the benefits to be achieved from the lease. A cost-benefit analysis of leasing versus purchasing will be included.

ADOPTED: February 24, 2009 per Resolution 66 of 2009

COUNTY OF MONTGOMERY
PROCUREMENT POLICIES AND PROCEDURES

3. The Purchasing Department will verify the lease is a true lease and not an installment purchase contract.
4. Board approval is required for leases that total over \$10,000.00 during their term.

F. Professional Services

1. Professional Services will be acquired by following the Request for Proposal procedure outlined in section VII.

G. Insurance

1. Procurement will be acquired by following the Request for Proposal procedure outlined in section VII.
2. Board approval is required for all insurance contracts.

IV. Procedures For Procurements From Vendors Not Offering The Lowest Dollar Amount

- A. Three written price quotes will be obtained for similar products.
- B. The department head requesting the purchase will provide a written statement outlining the benefits to be achieved from the procurement.
- C. Board approval is required for procurements over \$5,000.00.

ADOPTED: February 24, 2009 per Resolution 66 of 2009

COUNTY OF MONTGOMERY
PROCUREMENT POLICIES AND PROCEDURES

V. Exceptions To The Procurement Policies and Procedures

The Montgomery County Board of Supervisors hereby establishes the following exceptions to the requirement for solicitation of alternative proposals or price quotes.

- A. Emergencies where time is a crucial factor.
- B. Procurements of professional services that are confidential in nature.

VI. Procedure for Competitive Bid Review and Award Process

1. Prior to the advertisement of any bid, the specifications shall be provided to the appropriate department head(s) involved to be reviewed and approved.
2. Following the public opening of any bid, the Purchasing Agent shall send all appropriate bidding information to the appropriate department head(s) for their review.
3. The department head(s) shall review appropriate material, and shall notify the Clerk of the Board of Supervisors, in resolution form, of their recommendation.

The department head(s) shall also send a copy of the resolution to the Purchasing Agent.
4. The Board of Supervisors will not take action on any proposed resolution to award a bid without a recommendation from the department head(s) to the Clerk of the Board.

ADOPTED: February 24, 2009 per Resolution 66 of 2009

COUNTY OF MONTGOMERY
PROCUREMENT POLICIES AND PROCEDURES

VII. Procedure for Request for Proposal Process

1. Department head(s) shall determine the need for a professional service.
2. The need for such services shall be reflected by allocation in the County's budget.
3. The department head(s) shall draft a written document, which will state the particulars needed for a proposal.
4. The Board of Supervisors shall review such recommendation to solicit Requests for Proposals, and shall approve, or deny, same by Resolution.
5. If approval to advertise or solicit an RFP has been granted by the Board of Supervisors, the department head(s) shall contact three or more applicable firms and invite them to submit proposals.
6. Such proposals returned will be presented to the Board of Supervisors for review.
7. The department head(s) may make a recommendation to accept a particular proposal. The department head(s) shall review appropriate material, and shall notify the Clerk of the Board of Supervisors, in resolution form, of their recommendation. The department head(s) shall also send a copy of the resolution to the Purchasing Agent.
8. The Board of Supervisors reserves the right to accept or reject any and all such proposals, set the duration of an agreement, and establish a maximum payment amount.
9. The County Attorney must review the contract to be executed with the selected firm.

ADOPTED: February 24, 2009 per Resolution 66 of 2009

Attachment to Resolution

2009 – Resolution 80

Attachment to Resolution

2009 – Resolution 95

Montgomery County Coordinated Transportation Plan



Updated – March 2009

Executive Summary

A “Locally Developed, Coordinated Public Transit-Human Services Transportation Plan” is a plan that identifies the transportation needs of individuals with disabilities, older adults, and people with low incomes, provides strategies for meeting those local needs, and prioritizes transportation services for funding and implementation.

Under the new provisions of SAFETEA-LU the establishment of a “locally developed, coordinated public transit-human services transportation plan” is required for several FTA programs for underserved populations: the Elderly Individuals and Individuals with Disabilities program (Section 5310); the Job Access and Reverse Commute program (Section 5316); and the New Freedom program (section 5317).

The provisions of a coordinated plan aim to improve transportation services for persons with disabilities, older Americans, and individuals with lower incomes. The provisions ensure that communities coordinate transportation resources provided through multiple Federal programs. A coordinated plan for human services transportation enhances transportation access, minimizes duplication of Federal services, and encourages the most cost-effective transportation possible. The following FTA programs are described herein.

Elderly Individuals and Individuals with Disabilities Program (Section 5310):

FTA formula program for public transportation capital projects planned, designed, and carried out to meet the special needs of elderly individuals and individuals with disabilities. (49 U.S.C. 5310)

Jobs Access Reverse Commute (5316):

FTA formula program for projects relating to the development and maintenance of transportation services designed to transport welfare recipients and eligible low-income individuals to and from jobs and activities related to their employment. Additionally, to a public transportation project designed to transport residents of urbanized areas and non-urbanized areas to suburban employment opportunities.

New Freedom Program (Section 5317):

FTA formula grant program for new public transportation services and public transportation alternatives beyond those required by the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) that assist individuals with disabilities with transportation, including transportation to and from jobs and employment support services. (49 U.S.C. 5317)

INTRODUCTION

Montgomery County has initiated the development of a coordinated plan, which is designed to be a collaborative effort involving the County and member agencies representing public, private & human service transportation service providers. The County will receive ongoing input on development of this Coordinated Plan and incorporate transportation issues from its Transportation Committee into this plan on an ongoing basis.

Starting in August 2005, Montgomery County has worked in collaboration with the public, private, & human service agencies to respond to SAFETEA-LU requirements, which were adopted into law. The County's Transportation Committee, appointed by the Chairman of the Board of Supervisors, has met to work together in this coordinated plan. For simplicity sake, the term Montgomery County Transportation Plan (MCTP) will be used to describe this document and Montgomery County Transportation Committee (MCTC) will be used to describe this group.

The purpose of the MCTP is to help improve transportation services for persons with disabilities, older adults, and individuals with lower incomes within Montgomery County in order to provide a more effective and comprehensive public transportation service throughout the County. The MCTP provides a framework for the development of transportation projects, which address the needs of the target population. By preparing this plan the MCTC and its human service agencies can ensure the continuation of funding resources offered through various Federal Transit Administration (FTA) programs. The end result of this plan will be a Montgomery County mobility program, which offers a wide range of mobility options to both the public and private sectors, while ensuring efficient and effective use of community resources. This structure will become a part of this area's ongoing Mobility Program, which will include all federally funded transportation projects involving Job Access and Reverse Commute (JARC, Section 5316), New Freedom (Section 5317) funding, Elderly and Individuals with Disabilities (Section 5310) funding into a cohesive structure. Also part of the outreach efforts by the County will be to identify other initiatives throughout the community that are focused on coordinating transportation resources such as: collaborative planning, shared maintenance opportunities, group fuel purchasing, etc. The ultimate goal is to utilize transportation resources in a more efficient manner, which will result in enhanced access for clients, minimized duplication of service, and more cost-effective service. The coordination process includes the identification of gaps in transportation service, based on a demographic and demand assessment profile, and to fill those gaps with appropriate transportation projects/services. The plan will include a mechanism for ongoing continuing control over the mobility program to assure compliance is maintained and funding continues to be attainable. The idea is to gradually build a coordinated, cohesive mobility system that can be used by all who wish access. The plan is intended to be flexible with an "OPEN DOOR" policy allowing agencies the comfort and convenience to join at any time.

Current Service Providers

MONTGOMERY COUNTY AREA XPRESS (MAX)

Funding: Federal 5311, STOA, JARC and Farebox

Service Area: County of Montgomery

Service Type: Fixed Route Transportation with $\frac{3}{4}$ mile deviation

Days and Hours of Service: 5:00 am to 5:00 pm – Monday thru Friday

Coordinated Transportation: Montgomery County DSS, Amsterdam Community Transit, Brown Coach Commuter Transportation

Fleet Composition: None at this time – operation is provided through a vendor

Annual One-Way Trips: 4,250

MONTGOMERY COUNTY/BROWN COACH COMMUTER TRANSPORTATION

Funding: Federal 5311, STOA, and Farebox

Service Area: Commuter Service from Montgomery County to the Greater Albany Area

Service Type: Fixed Route Public Transportation

Days and Hours of Service: 6:00 am to 6:00 pm Monday thru Friday

Coordinated Transportation: Montgomery Area Xpress

Fleet Composition: 2 Coach

Annual One-Way Trips: 25,063

AMSTERDAM COMMUNITY TRANSIT

Funding: Federal 5311, STOA, Farebox, Exterior Advertising

Service Area: City & Town of Amsterdam, Town of Florida, Fonda, FMCC, Village of Ft Johnson, Wolf Rd, DOT & NY State Campus

Service Type: Fixed route public transportation with $\frac{3}{4}$ mile deviation. Paratransit Service – door-to-door service offered for individuals with a disability that prevents them from accessing fixed route buses. These appointments must be booked 24hrs in advance.

Days and Hours of Service: 5:30 am to 6:00 pm Monday thru Friday

Coordinated Transportation: Montgomery County DSS, FMCC, Gloversville Transit, Montgomery Area Xpress

Fleet Composition: (4)-18Pax buses, (1) MCI Commuter Coach. All vehicles are ADA accessible

Annual One-Way Trips: 77,984

LIBERTY – Montgomery County Chapter - NYSARC

Funding: Federal 5310

Service Area: Montgomery County

Service Type: Specialized Transportation/Paratransit for clients with disabilities to and from their homes to various grant programs located within Montgomery County

Days and Hours of Service: 6:00 am to 5:30 pm Monday thru Friday

Coordinated Transportation: Amsterdam Community Transit

Fleet Composition: 12 Buses

Annual One-Way Trips: 75,637

GLOVERSVILLE TRANSIT

Funding: Federal 5311, JARC, STOA, Farebox, Exterior Advertising,

Contracted Services with other agencies.

Service Area: Fulton County, City of Amsterdam, Town of Amsterdam

Service Type:

- Fixed Routes-GTS operates 5 fixed routes originating from the City of Gloversville and providing transportation within the City of Gloversville as well as various towns and villages within Fulton County.
- Route Deviation-All fixed routes will deviate up to $\frac{3}{4}$ of a mile from its route to provide transportation to individuals.
- Paratransit Service-A curb to curb service offered to individuals with a disability that prevent them from accessing GTS's regular fixed route service. Individuals determined to be eligible may schedule trips for any purpose.
- Demand response service is also available with 24 hr notice.

Days and Hours of Service: Monday-Friday 6am-6pm, 4 fixed route and all Paratransit Services are offered Saturday from 9am – 1:00pm

Coordinated Transportation: Fulton County DSS, VESID

Fleet Composition: 10 buses

Annual One-Way Trips: 28,253

FULMONT COMMUNITY ACTION AGENCY

Funding: Federal 5310

Service Area: Fulton and Montgomery Counties

Service Type: Highly Specialized Transportation, which is provided to clients to from various organizational programs

Days and Hours of Service: 8:00 am to 5:00 pm Monday thru Friday

Coordinated Transportation: N/A

Fleet Composition: 2 Buses

Annual One-Way Trips: 10,283

MONTGOMERY COUNTY OFFICE FOR THE AGING

Funding: III B

Service Area: Montgomery Counties

Service Type: Services for Montgomery County residents age 60 and above

Days and Hours of Service: 8:30 am to 3:30 pm Monday thru Friday

Coordinated Transportation: N/A

Fleet Composition: 1 Van, 2 Cars

Annual One-Way Trips: 4,825

MONTGOMERY COUNTY DEPARTMENT OF SOCIAL SERVICES

Funding: Federal /State Medicaid, General Services

Service Area: Montgomery County recipients are taken to medical appointments within Montgomery County and many other outlying areas where medical appointments are necessary.

Service Type: Specialized Transportation Services provided for Montgomery County DSS clients for participation in many programs which include education, training, employment, non-emergency medical, adult services, child services, foster care

Days and Hours of Service: 6:00am to 6:00pm, Monday through Friday

Coordinated Transportation: Montgomery Area Express, Amsterdam Community Transit, Access, Yellow Cab, Capa/Uptown Taxi, Sheriff's Office

Fleet Composition: 6 Vans

Annual One-Way Trips: Not available

MONTGOMERY COUNTY VETERANS SERVICE AGENCY

Funding: Montgomery County

Service Area: Montgomery County residents to Albany VA

Service Type: Services for Montgomery County Veterans

Days and Hours of Service: Monday – Friday, 6:00am – 5:00pm

Coordinated Transportation: Fulton County Veterans

Fleet Composition: 3 Vans

Annual One-Way Trips: 3,600

Demographic Analysis:

TABLE 1: Population

	Total Population (2007 Census Bureau Estimated)	Total Population (2000 Census)	Total Population (1990 Census)
City of Amsterdam	17,572	18,355	20,714
Montgomery County	48,695	49,708	51,981

Source: US Census

The City of Amsterdam and surrounding Montgomery County reflect a population decrease from 1990 to present. The City and County are currently undergoing an extensive revitalization and strategically relocating businesses to the area. Although housing prices seem to be holding at lower rates than surrounding areas, this trend could reverse due to the proximity of Amsterdam to the Capital District, the low cost of housing and the rural character of the area.

TABLE 2: Senior Population

	Age 65 and Over (2000)	Age 65 and Over (1990)	% Age 65 and Over (2000)	U.S. Average (2000)
City of Amsterdam	4,074	4,858	22.2%	12.4%
Montgomery County	9,537	10,100	19.2%	12.4%

Source: US Census

TABLE 3: Poverty and Housing

	% Families Below Poverty Level (2000)	% US Families Below Poverty Level (2000)	Median Housing Value	US Median Housing Value
City of Amsterdam	12.4%	9.2%	\$67,400	\$119,600
Montgomery County	9.0%	9.2%	\$67,600	\$119,600

Source: US Census

TABLE 4: Labor and Income

	% In Labor Force (2000)	% US In Labor Force (2000)	Median Household Income	US Median Household Income	Mean Travel Time to Work
City of Amsterdam	54.8%	63.9%	27,517	41,994	21.4
Montgomery County	59.2%	63.9%	32,128	41,994	23.3

Source: US Census

Existing Conditions

Public transportation service in Montgomery County has historically been limited to Commuter Service from the County to the City of Albany, and Transit Service in the City of Amsterdam, which also has a Commuter component to the major Albany employment centers. Beginning in 2008 a new, intra county service, called the Montgomery Area Xpress or MAX began service on the Route 5 and 5S corridor – a major east-west corridor in the County, which links the various hamlets and villages along this route to the City of Amsterdam and beyond. The new service targets employees working at large manufacturing and warehousing centers along this route.

Montgomery County is a host to a wide variety of employers, which are in the health and human services, manufacturing, distribution and local government sectors of the economy. The largest employers in Montgomery County are listed below:

TABLE 5: Montgomery County Employers

NAME OF EMPLOYER	NUMBER OF EMPLOYEES
St. Mary's Hospital	997
Target	664
Amsterdam Printing & Litho	645
Kasson Keller/Keymark	611
Liberty Enterprises	585
Greater Amsterdam School District	538
Beechnut Nutrition	505
Amsterdam Memorial Hospital	442
Montgomery County Employees	395

Coordination Efforts

Montgomery Area Xpress and Amsterdam Community Transit are currently working closely with Montgomery County DSS to be a major provider of transportation to its clients.

Montgomery Area Xpress is coordinating with Gloversville Transit to provide route access for Montgomery County residents to the Johnstown Industrial Park and Fulton-Montgomery Community College (FMCC)

Facilitated discussions have taken place over the course of the past year within Montgomery County and now with Fulton County involving agencies that provide some form of mobility to County residents, such as the Mental Health Department at St. Mary's Hospital, the FMCC Bridge Program, and others.

The current Montgomery County Transportation Committee is comprised of representatives from the following:

Montgomery County Mobility Coordination
New York State Education Department –VESID
FMS Workforce Development
Montgomery County Mental Health
Liberty – Montgomery County NYSARC Chapter
Amsterdam Community Transit
M. C. Office for the Aging
Montgomery County DSS
Brown Coach, Inc.
Citizen Advocate
FulMont Community Action Agency
Fulton Montgomery Community College
Gloversville Transit
City of Amsterdam
Montgomery County Board of Supervisors
Resource Center for Independent Living
St. Mary's Hospital
Montgomery County Chamber of Commerce
Montgomery County Veterans Agency

Needs Analysis

The following points have been identified by various County transportation users and providers as achievable opportunities for coordinating transportation:

- The Montgomery Area Express will coordinate with Amsterdam Community Transit and the Montgomery County Commuter Run at a hub in Fonda. In this manner, County and City buses can transfer riders at a single point of contact throughout Montgomery County and well as Fulton-Montgomery Community College and the Capital Region. Duplication can be avoided between all providers while increasing transit service efficiency and reducing local tax dollars.
- Both Amsterdam Community Transit and Montgomery County Area Xpress have been working to meet the needs of Montgomery County Department of Social Services (DSS) clients by providing rides to and from the DSS building in Fonda as well as employment, education, training and medical appointment coordination.

- Future coordination with the Gloversville Transit System (GTS) in Fonda has also been discussed. Transit Manager Al Schutz is eager to work with providers in Montgomery County to eventually offer a seamless regional system.
- Expanding service to Johnstown Industrial Park
- Increasing the number of bus routes
- Working with all providers that have vehicles and employ drivers to determine the rules and regulations of their transport services and whether or not their runs can be better coordinated with public transportation.
- Extending the hours of service, especially in the evening, possibly on the weekend
- Increase access to the City of Amsterdam by western area residents

Attachment to Resolution

2009 – Resolution 130

Montgomery Area Xpress
Proposed Advertising Policy

1. Purpose.

- A. These guidelines are adopted by the Board of Supervisors of Montgomery County (the "Board"), the governing body of Montgomery County, New York (the "County"). The County operates the Montgomery Area Xpress (MAX) public transit bus service.
- B. These guidelines are intended to maximize the overall revenue-generating capacity of the MAX, by ensuring that advertising appearing on the system does not threaten the ability to generate revenue from patronage by riders and from other advertising. The Board recognizes that such revenue may be threatened if advertising appearing on the system property causes adverse reactions from other advertisers, system patrons, or the neighborhoods in which the system must operate in order to generate revenue. These guidelines also are intended to:
 - i. avoid any public perception that the MAX, the Board, or the County endorse the content of advertising appearing on the system
 - ii. avoid having advertising on MAX property contribute to any potential safety hazard;
 - iii. ensure that MAX property is readily identifiable as such to the public; and
 - iv. ensure that advertising appearing on MAX property does not interfere with proper maintenance and upkeep of that property.
- C. These guidelines are intended to create definite, objective, uniform, and enforceable standards for advertising appearing on MAX property.
- D. The Board intends that the system shall not be allowed or caused to become a "public forum" for the dissemination, discussion, or debate of ideas. The Board adopts these guidelines with the express intent of preventing any County property from becoming a public forum.
- E. The Board may amend these guidelines at any time.
- F. Subject to contractual obligations, at any time the Board may ban completely all advertising on the system, remove any advertisements on such property, and direct that no new advertisements be accepted for display. If the Board directs that advertising previously paid for be removed or not accepted for display, a pro rata refund shall be made.

- G. These guidelines do not apply to advertisements for services provided directly by the MAX or by any agency of government under the direct control of the Board. The Board retains complete discretion to control all such advertising in any manner it deems best serves the interests of the County. However, all such advertising shall comply with standards as described below in Section 3 relating to size, materials, and placement.

2. Advertising Standards.

All advertising on the MAX must meet the following standards:

- A. Only advertisements for commercial goods or services that lawfully may be purchased in the County by residents of the County, regardless of age and without the consent of any other person, are permitted.
- B. Notwithstanding the provisions of subsections A above:
 - i. False, misleading, deceptive, or libelous advertising is not permitted.
 - ii. Advertisements portraying or describing nudity, obscenity, sexual conduct are not permitted.
 - iii. Advertisements portraying or describing alcoholic beverages, tobacco products, or controlled substances are not permitted.
 - iv. Advertisements supporting, opposing, portraying, or describing any political candidate, issue, or cause, or any public service, issue or cause, or any religion, denomination, creed, tenet, or belief are not permitted.
 - v. Advertisements disparaging the use of mass transit or promoting unsafe conduct with respect to mass transit are not permitted.
 - vi. Advertisements appearing to contain an explicit or implicit endorsement of any product or service by the System, the Board, or the County are not permitted.
 - vii. In the event any advertisement appears to be permitted by one standard set out herein but not permitted by another such standard, the advertisement is not permitted. In any case where there is any reasonable doubt whether an advertisement is permitted by these standards, the advertisement is not permitted. Under no circumstances will any employee or contractor of the MAX or the County have the discretion to permit or not permit any advertisement, but instead all such employees and contractors shall adhere strictly to these standards.

3. Size, Materials, and Placement. The Department of Economic Development and Planning shall specify standards relating to the size, materials, and placement of advertisements on MAX property in order to ensure that such advertisements do not create a potential safety hazard, obscure features of the property identifying it as part of the MAX system, or interfere with maintenance or upkeep of the property. Only advertisements meeting those standards are permitted on MAX property.

Attachment to Resolution

2009 – Resolution 170

2009-12 BID AWARD RECOMMENDATION

TRANSPORTATION SERVICES

NYSED PRESCHOOL SPECIAL EDUCATION and NYSDOH EARLY INTERVENTION PROGRAMS

KEY: BLUE = BLUE LINE COMMUTER INC.

KEY: RED = BROWN TRANSPORTATION

ROUTE #	PROVIDER	SITE	PROGRAM TIME		2009-2010: PROVIDER BIDS				BID AWARD RECOMMENDATION (See Analysis Spreadsheet)		
					2010-2011: BOTH BID 2009-10 RATE + CPI						
					BROWN'S		BLUE LINE				
			From	To	1st Child	Ea. Add'l.	1st Child	Ea. Add'l.	2009-10	2010-11	2011-12
1	CENTER FOR DISABILITY SERVICES	St.Mary's School, Amsterdam	8:30 A.M.	11:00 A.M.	\$196.00	\$20.50	\$165.00	\$18.90	BLUELINE	BLUELINE	BLUELINE
2	CENTER FOR DISABILITY SERVICES	St.Mary's School, Amsterdam	12:00 P.M.	2:30 P.M.	\$198.00	\$20.50	\$181.00	\$31.77	BLUELINE	BLUELINE	BLUELINE
3	CENTER FOR DISABILITY SERVICES	St.Mary's School, Amsterdam	8:30 A.M.	1:30 P.M.	\$196.00	\$20.50	\$165.00	\$18.90	BLUELINE	BLUELINE	BLUELINE
4	CENTER FOR DISABILITY SERVICES	Boulevard Elementary School, Gloversville	9:00 A.M.	11:30 A.M.	\$212.00	\$19.25	\$166.00	\$19.25	BLUELINE	BLUELINE	BLUELINE
5	CENTER FOR DISABILITY SERVICES	Boulevard Elementary School, Gloversville	12:30 P.M.	3:00 P.M.	\$212.00	\$19.75	\$166.00	\$19.25	BLUELINE	BLUELINE	BLUELINE
6	CENTER FOR DISABILITY SERVICES	Masonic Temple, Johnstown	8:30 A.M.	11:00 A.M.	\$212.00	\$20.45	\$167.00	\$19.50	BLUELINE	BLUELINE	BLUELINE
7	CENTER FOR DISABILITY SERVICES	Masonic Temple, Johnstown	12:00 P.M.	2:30 P.M.	\$212.00	\$19.75	\$167.00	\$19.50	BLUELINE	BLUELINE	BLUELINE
8	CENTER FOR DISABILITY SERVICES	314 S. Manning Blvd., Albany	9:00 A.M.	2:00 P.M.	\$261.00	\$36.00	\$169.00	\$21.75	BLUELINE	BLUELINE	BLUELINE
9	CENTER FOR DISABILITY SERVICES	Helping Hand Lane, Glenville	8:30 A.M.	11:00 A.M.	\$229.00	\$29.00	\$225.00	\$18.77	BLUELINE	BLUELINE	BLUELINE
10	CENTER FOR DISABILITY SERVICES	Helping Hand Lane, Glenville	8:30 A.M.	1:30 P.M.	\$229.00	\$29.00	\$260.00	\$18.88	BROWN'S	BROWN'S	BROWN'S
11	CAPITAL DISTRICT BEGINNINGS	500 Balltown Road, Niskayuna	9:00 A.M.	1:00 P.M.	\$229.00	\$29.00	\$184.00	\$26.50	BLUELINE	BLUELINE	BLUELINE
12	CAPITAL DISTRICT BEGINNINGS	25 LaFayette Street, Schenectady	8:30 A.M.	12:30 P.M.	\$229.00	\$32.00	\$215.00	\$27.50	BLUELINE	BLUELINE	BLUELINE
13	CAPITAL DISTRICT BEGINNINGS	1840 VanVranken Ave., Schenectady	9:00 A.M.	1:00 P.M.	\$229.00	\$36.00	\$215.00	\$27.50	BLUELINE	BLUELINE	BLUELINE
14	CAPITAL DISTRICT BEGINNINGS	3 Blue Streak Blvd., Saratoga	8:30 A.M.	1:30 P.M.	\$236.00	\$36.00	\$205.00	\$21.50	BLUELINE	BLUELINE	BLUELINE
15	CROSSROADS	547 Saratoga Road, Glenville	9:00 A.M.	2:30 P.M.	\$229.00	\$26.00	\$264.00	\$37.50	BROWN'S	BROWN'S	BROWN'S
16	NEW MEADOW	100 Saratoga Village Blvd., Malta	9:00 A.M.	1:00 P.M.	\$206.00	\$31.00	\$203.00	\$18.75	BLUELINE	BLUELINE	BLUELINE
17	SCHONOWE PRESCHOOL	244 North Ballston Ave., Scotia	9:00 A.M.	11:30 A.M.	\$216.00	\$31.00	\$194.00	\$29.50	BLUELINE	BLUELINE	BLUELINE
18	SCHONOWE PRESCHOOL	590 Giffords Church Road, Schenectady	9:00 A.M.	11:30 A.M.	\$214.00	\$26.00	\$194.00	\$27.50	BLUELINE	BLUELINE	BLUELINE
19	SCHONOWE PRESCHOOL	590 Giffords Church Road, Schenectady	12:30 P.M.	3:00 P.M.	\$214.00	\$24.90	\$239.00	\$27.50	BROWN'S	BROWN'S	BROWN'S
20	SCHONOWE PRESCHOOL	590 Giffords Church Road, Schenectady	9:00 A.M.	1:00 P.M.	\$214.00	\$24.50	\$194.00	\$27.50	BLUELINE	BLUELINE	BLUELINE
21	WHISPERING PINES PRESCHOOL	395 North Grand Street, Cobleskill	8:45 A.M.	11:15 A.M.	\$221.00	\$34.00	\$182.00	\$22.95	BLUELINE	BLUELINE	BLUELINE
22	WHISPERING PINES PRESCHOOL	395 North Grand Street, Cobleskill	8:45 A.M.	1:45 P.M.	\$221.00	\$34.00	\$182.00	\$27.50	BLUELINE	BLUELINE	BLUELINE
23	WHISPERING PINES PRESCHOOL	395 North Grand Street, Cobleskill	11:15 A.M.	1:45 P.M.	\$221.00	\$34.00	\$182.00	\$27.50	BLUELINE	BLUELINE	BLUELINE
24	WHISPERING PINES PRESCHOOL	2841 Thousand Acre Road, Delanson	8:45 A.M.	11:15 A.M.	\$196.00	\$32.00	\$196.00	\$28.25	BLUELINE	BLUELINE	BLUELINE
25	WHISPERING PINES PRESCHOOL	2841 Thousand Acre Road, Delanson	8:45 A.M.	1:45 P.M.	\$198.00	\$29.00	\$196.00	\$28.25	BLUELINE	BLUELINE	BLUELINE
26	WHISPERING PINES PRESCHOOL	2841 Thousand Acre Road, Delanson	11:15 A.M.	1:45 P.M.	\$196.00	\$29.80	\$196.00	\$28.25	BLUELINE	BLUELINE	BLUELINE
27	WHISPERING PINES PRESCHOOL	43 Henrietta Blvd., Amsterdam	8:45 A.M.	11:15 A.M.	\$206.00	\$21.00	\$154.00	\$21.25	BLUELINE	BLUELINE	BLUELINE
28	WHISPERING PINES PRESCHOOL	43 Henrietta Blvd., Amsterdam	11:45 A.M.	1:45 P.M.	\$206.00	\$19.80	\$161.00	\$22.25	BLUELINE	BLUELINE	BLUELINE
29	WHISPERING PINES PRESCHOOL	43 Henrietta Blvd., Amsterdam	8:45 A.M.	1:45 P.M.	\$206.00	\$19.80	\$167.00	\$18.45	BLUELINE	BLUELINE	BLUELINE
30	EARLY CHILDHOOD EDUCATION CENTER	3437 Carmen Road, Schenectady	9:00 A.M.	1:00 P.M.	\$208.00	\$22.00	\$195.00	\$27.50	BLUELINE	BLUELINE	BLUELINE
31	UNITY SUNSHINE SCHOOL	2247 13th Street, Troy	8:50 A.M.	12:50 P.M.	\$289.00	\$40.00	\$202.00	\$27.50	BLUELINE	BLUELINE	BLUELINE
32	UNITY SUNSHINE SCHOOL	1915 5th Avenue, Troy	8:30 A.M.	11:00 A.M.	\$289.00	\$40.00	\$200.00	\$29.50	BLUELINE	BLUELINE	BLUELINE
33	UNITY SUNSHINE SCHOOL	1915 5th Avenue, Troy	12:00 P.M.	2:30 P.M.	\$289.00	\$55.00	\$225.00	\$34.00	BLUELINE	BLUELINE	BLUELINE
34	ROME SCHOOL FOR THE DEAF	401 Turin Street, Rome (Mondays Only)	9:15 A.M.	3:30 P.M.	\$298.00	\$21.00	\$315.00	\$12.50	BROWN'S	BROWN'S	BROWN'S
34	ROME SCHOOL FOR THE DEAF	401 Turin Street, Rome (Tuesday-Friday)	7:50 A.M.	2:30 P.M.	\$319.00	\$21.00	\$315.00	\$12.50	BLUELINE	BLUELINE	BLUELINE

Attachment to Resolution

2009 – Resolution 184

MONTGOMERY COUNTY ECONOMIC DEVELOPMENT PROGRAM

Revolving Loan Fund REGULATIONS

1.0 PROGRAM ADMINISTRATION

Funding for the Revolving Loan Fund is provided from Community Development Block Grants (CDBG) awarded to Montgomery County by the U.S. Department of Housing and Urban Development (HUD) and subsequent program income (repayment of principal and interest of past and current loans). The use of CDBG funds is governed by regulations of HUD which are detailed in the Code of Federal Regulations at 24 CFR Part 570. Responsibility for compliance with these regulations remains with the County and/or agencies to which specific administrative authority may be delegated.

1.1 Office of the Revolving Loan Administrator

The Montgomery Department of Economic Development and Planning, in conjunction with the Montgomery County Industrial Development Agency will assume primary responsibility for the administration of the Revolving Loan Fund. Specific tasks may be delegated to other County offices or other agencies. Outside professional assistance may be secured as necessary to assist with processing of loan applications and to provide other support or assistance required for proper administration of the Revolving Loan Fund. The Department of Economic Development and Planning will assemble application materials and documentation, complete an analysis of each application for action to the Industrial Development Agency.

1.2 Montgomery County Industrial Development Agency

The County Board of Supervisors will assist the Montgomery County Industrial Development Agency which includes not fewer than 3 nor more than 7 individuals who will provide the skills and experience needed for this program (i.e. business, finance, marketing, legal, etc.). Members of this board will serve without compensation, except that the MCIDA may authorize reimbursement of direct expenses incurred in connection with the activities of the board. The Chairman of the Montgomery County Industrial Development Agency shall, upon receipt of all required documents, make a formal recommendation to the entire Board of the Montgomery County Industrial Development Agency, which may include any of the following actions:

- A. Recommend the loan as proposed
- B. Recommend the loan with specific modifications to terms, conditions, etc., or
- C. Disapprove the loan for reasons which will be specified in writing.

If the application is endorsed, the next action will be predicated by the County Board of Supervisors. The Supervisors may choose to submit the application for further review by another loan committee or may opt for action by the entire Board of Supervisors.

The Department of Economic Development and Planning in conjunction with the office of the County Attorney will take the necessary action to close and execute required loan documents, obtain added information or inform the applicant of the County's rejection of the loan application.

2.0 ELIGIBILITY REQUIREMENTS

Each of the following criteria must be satisfied before an application for loan assistance can be considered under the Revolving Loan Fund.

2.1 Location

Before any funds may be advanced under this program, the business to be assisted must be located in Montgomery County. Proper evidence will be required.

2.2 Business Activity

The project for which financing is requested must be a commercial or industrial activity which employs people in the production, sale, distribution or handling of goods or services for sale to individuals, companies or organizations other than the applicant.

2.3 Real Estate Taxes

All real estate taxes (i.e. Town, County, School) applicable to the property for which financing is requested must be current or at a minimum, the landowner must have a valid and current agreement with the effected taxing jurisdiction concerning payments or delinquent amounts before a loan is approved under the Revolving Loan Fund.

2.4 Insurance

Applicants must provide suitable evidence that adequate insurance coverage has been obtained for any real estate and/or improvements financed under the Revolving Loan Fund.

2.5 Eligible Costs

Loan assistance obtained under the Revolving Loan Fund may be used to finance any of the following activities in or related to eligible properties or businesses;

- A. Land acquisitions including legal, engineering, survey, title, mapping site improvements and related expenses necessary to acquire the project site and prepare it for use by the business.
- B. Building construction or rehabilitation including legal, engineering, architectural and related costs necessary to acquire and/or construct or rehabilitate structures required by the business.
- C. Machinery and equipment including legal, engineering, shipping, erection and other costs necessary to acquire and install equipment used in the business.
- D. Carrying costs incurred during the construction period before the facility is completed and ready for operation (i.e. insurance, taxes, construction interest, utilities, etc.).
- E. Working Capital necessary to finance inventory payables and other cash requirements before income is generated from business operation.
- F. Refinancing of existing debt necessary to make the project feasible.

3.0 MINIMUM STANDARDS

The following standards and criteria have been established in the Application for CDBG funding for the Montgomery County Revolving Loan Fund and/or in federal regulations applicable to all local CDBG activities. These standards must be met as a minimum by any project approved for loan assistance under the Revolving Loan Fund.

3.1 Job Creation/Retention

For every \$30,000 of loan assistance under the Revolving Loan Fund, the applicant must provide satisfactory evidence that at least one full time job has been created or retained at the project site. In the case of job retention, clear evidence must be provided which demonstrates that jobs would be lost at the project site if the requested loan assistance were not available.

3.2 Benefit to Low or Moderate Income Persons

Documentation must be maintained in the project files showing that at least 51% of the jobs created with the Revolving Loan Fund assistance are available to low or moderate income persons. This standard is applied to each project individually.

3.3 Leverage

The CDBG funds are typically used to bridge the financing gap between public and private funding sources and the total project costs. Financing for those costs not covered with the loan may be provided from any other source including bank loans, personal savings, other public or private funding programs or contribution of real property (i.e. land, building, capital equipment) needed for the business.

3.4 HUD Regulations

In the event CDBG funds are used to finance all or part of the cost of any building construction or renovation, the applicant must provide suitable assurance and documentation that all applicable labor standards (including payment of prevailing wages as required by the Davis-Bacon Act) have been or will be satisfied in connection with the project.

3.5 Program Income

All of the provisions of these regulations shall apply equally to project assisted with CDBG funding provided by the County and to projects assisted with Program Income generated from the repayment of other loans (principal and interest) under the program.

4.0 FINANCIAL ASSISTANCE

The following terms and conditions apply to all loan assistance considered under the Revolving Loan Fund with CDBG funding or Program Income. Other conditions or modifications may be imposed by the Department of Economic Development and Planning and/or the Montgomery County Industrial Development Agency on a case-by-case basis, as necessary, to protect the interests of the County and to assure compliance with applicable federal state, and/or local regulations.

4.1 Credit Analysis

No loan will be reviewed by the Montgomery County Industrial Development Agency until a basic credit analysis is completed for the project being proposed for assistance under this program. The credit analysis will document the ability of the borrower to repay the loan on the basis of projection, historical financial statements, the assets of the borrower or other factors considered relevant to each case.

4.2 Loan Terms

A. INTEREST: As a general standard, all loans will be written on the following terms unless an

exception is specifically authorized by the Montgomery County Board of Supervisors to reflect special circumstances of the project:

Prime -3% Interest,	5 Year Term
Prime -3% Interest,	6 Year Term
Prime -3% Interest,	7 Year Term
Prime -2% Interest,	8 Year Term
Prime -2% Interest,	9 Year Term
Prime -2% Interest,	10 Year Term
% negotiated over 10 years	

Note: In the case that Prime -2%/3% is less than 2%, then the rate shall be 2%.

B. TERM: Loan terms may vary depending on the proposed use of the loan proceeds and the security given for each loan, as follows:

Maximum 20 year Term for Buildings
Maximum 10 year Term for Capital Equipment
Maximum 5 Year Term for any project including Working Capital

C. LOAN AMOUNT: The loan amount cannot be greater than 30% of the total project costs. In addition, in the case that funds are being borrowed for working capital, the loan amount cannot exceed 15% of the total project costs.

C. DEFERRALS: The Montgomery County Board of Supervisors may authorize deferral of principle and/or interest payments for any portion of the loan term if necessary to ensure that each project is financially sound. Such deferrals may be made after the determination that adequate security is available and projections demonstrate that adequate resources will be available to make loan payments as scheduled.

4.3 Loan Security

Montgomery County will take a security interest in all assets financed with loan proceeds under this program. This security interest may be subordinated to private lenders who supply other financing necessary for the project. The Montgomery County Industrial Development Agency will determine the amount, quality and position of security interest necessary for each project after review and recommendation by the Economic Development and Planning Department. The County will request personal guarantees of the principals of the borrower. Adequate personal net worth must be documented in the form of personal financial statements for each principal and appropriate notes and guaranty documents must be executed before loan proceeds are advanced.

4.4 Loan Accountability

The Montgomery County Treasurer would report and account for all monies dispersed and/or collected relative to the loans made from the County Revolving Loan Fund. All loans would be subject to independent audit to be conducted by a certified public accountant on an annual basis. In addition, the County Treasurer in conjunction with the Economic Development and Planning Department would supply to the Board of Supervisors on a monthly or quarterly basis, a report detailing the status of all loans.

5.0 APPLICATION PROCESS

This section outlines the steps involved in processing an application for loan assistance under the Revolving Loan Fund. Information and documentation required at each step is detailed where appropriate.

5.1 Application

All requests for financial assistance shall require an application to have been first completed and filed an application form submitted to the Economic Development and Planning Department. Said form shall be submitted

on the official application form as required by the County Board of Supervisors.

5.2 Supporting Documentation

When a project is determined eligible for consideration by the Economic Development and Planning Department, additional information and/or documentation will be requested in order to complete a detailed credit analysis and begin processing the loan request. Such information may include, without limitation, the following:

- A. Financial Statements - 3 years, including one not more than a month old
- B. Proforma Projections - maximum 5 year projections detailing income and expense, cash flow and balance sheets for the company/project proposed for loan assistance.
- C. Cost Documentation - detailing all costs to be financed with the proposed loan and other financing under the project, including:
 - land acquisition
 - site improvements
 - building construction/rehabilitation
 - capital equipment
 - other equipment
 - materials/supplies/inventory
 - fees (legal/accounting/design)
 - interest/taxes/insurance
- D. Job Projections - including existing positions to be retained and new positions to be created under the proposed project.
- E. Private Financing - detailing the amount, status and terms of all other financing required for the proposed project, including commitment letters.
- F. Management - including resumes for key managers or employees detailing relevant successful experience with the types of project proposed for loan assistance.

5.3 Credit Analysis

Before any loan application can be approved by the Montgomery County Industrial Development Agency, the Department of Economic Development and Planning will complete a Credit Analysis which documents the fiscal soundness of the proposed venture and the availability of resources adequate to repay the loan on a schedule which complies with these regulations. The Department of Economic Development and Planning may recommend specific loan terms on the basis of this analysis or suggest conditions that should be imposed on the project if a loan is approved.

5.4 Economic Impact

All loan applications will be analyzed to assure that the basic eligibility criteria detailed in Section 3.0 above are satisfied before a loan is considered by the Montgomery County Industrial Development Agency. In addition, the Department of Economic Development and Planning will review each proposal and assess its overall impact on economic conditions in the County. This analysis may include, without limitation:

- A. Job creation -- number, type, timing
- B. Job suitability -- compared to skills and needs in the local work force
- C. Market --(i.e. sales to local businesses or individuals vs. larger market areas which bring in new revenues in addition to recycling local resources).
- D. Taxes -- including real estate, sales and local user fees (water, sewer, etc.) generated by the project
- E. Relations to other local business (i.e. major supplier or customer)
- F. Other factors considered relevant to the loan assistance requests.

5.5 Review/Approval

The Montgomery County Industrial Development Agency will consider loan application after all analysis has been completed by the Department of Economic Development and Planning. If all information is complete and the loan is approvable, the Board may authorize the loan subject to approval and release of CDBG funding by the County. The Board may also modify the terms, conditions, security requirements, etc., or impose any conditions or restrictions deemed necessary.

5.6 Loan Documents

Following the loan approval, documents may be prepared by the County attorney or attorneys designated by the Montgomery County Industrial Development Agency and approved by the Montgomery County Board of Supervisors for each project. Loan documents will include a Loan Agreement detailing the terms and conditions of the loan, Notes and/or Mortgages as required and Security Agreement or other documents required to perfect the security interest of the County in the approved project. The cost of preparing all documents will be borne by the borrower. Assurance liens will be filed with the County Clerk and New York State.

5.7 Loan Advances

Loan funds may be advanced pro-rata with any private financing required for the project. Accordingly, funds will be advanced on the specific authorization of the Director of Economic Development based on documentation of costs incurred on the project and other funds actually received from private financing sources.

5.8 Loan Servicing

All loans will be repaid into the Revolving Loan Fund and become available for subsequent loans to support more investment and development in the area. Complete records of each loan and all payments, deferrals or other transactions will be maintained by the Economic Development and Planning Department and the County Treasurer. Periodic reports will be made to [both] the Montgomery County Industrial Development Agency, the County Treasurer and the County Board of Supervisors detailing the status of the Revolving Loan Fund and each loan in the portfolio. The Economic Development and Planning Department will periodically review site visits.

6.0 Conflict of Interest

Section 570.611 of the CDBG regulations indicate that any person who is an employee, agent, consultant, officer, elected official or appointed official of the recipient, or any designated public agencies, or subrecipients receiving funds have a conflict of interest. This section further provides that no person who exercise or have exercised any functions or responsibilities with respect to CDBG activities or who are in a position to participate in a decision making process or gain inside information with regards to such activities may obtain a personal or financial interest or benefit from a CDBG assisted activity, or have an interest in any contract, subcontract or agreement with respect thereto, or the proceeds there-under, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

7.0 COST

Costs are associated with the Revolving Loan Fund.

7.1 Agency Cost

The Department of Economic Development and Planning will fulfill the functions expended in the document and be eligible for reimbursement of time and expenses from the fund.

7.2 Financial Assistance Fee

All completed requests for financial assistance shall require a non-refundable application fee in an amount equal to one-half of one percent (1/2%) of the amount of financial assistance requested payable to "Montgomery County."

7.3 Additional Costs

Legal cost will be needed for the program while additional engineering and/or accounting costs may be needed to be appropriated for this program. These additional costs will be incorporated into the cost of closing.

Attachment to Resolution

2009 – Resolution 311

**MONTGOMERY COUNTY
POLICY AND PROCEDURE**

CORPORATE COMPLIANCE

Date Drafted: 12/07/09

Date Approved: 12/15/09

Date(s) Revised: _____

I. POLICY:

It is the policy of Montgomery County to promote compliance with all federal, state, and local statutes, regulations and program requirements pertinent to the accomplishment of our corporate mission. Corporate compliance has been embraced as a central theme for all current programs of Montgomery County and every reasonable attempt will be made to prevent, detect, and address errors, omissions, fraud and abuse in our daily operations.

II. GENERAL GUIDELINES:

1. The foundation of the Corporate Compliance Policy is the network of internal controls, policies and procedures in place within Montgomery County. The success of the plan is predicated on the continuous monitoring of effective managerial systems and investigation and correction of real and potential problems.
2. All employees are required by this policy to discuss potential errors or irregularities with their chain of command and/or directly with the Montgomery County Compliance Officer. Under no circumstances will retaliation be permitted against employees who voice legitimate concerns to management.
3. The Corporate Compliance Policy follows the Health & Human Services (HHS) Office of Inspector General's Compliance Program Guidance for Health Care Facilities but is equally applicable to the requirements of all other governmental entities.

III. PROCEDURE FOR ADMINISTRATION OF THE CORPORATE COMPLIANCE PROGRAM

1. The County Auditor will function as the Corporate Compliance Officer. External reviewers will be utilized in any circumstance where the Compliance Officer has a conflict of interest with the compliance function. The Compliance Officer will coordinate system wide compliance initiatives and be responsible for the following tasks:

CORPORATE COMPLIANCE
(Continued)

- a. Reviewing and updating the Montgomery County Compliance Program on a regular basis.
 - b. Maintaining all records and documentation of compliance related activities.
 - c. Reporting on compliance matters to the Board of Supervisor's Committee quarterly.
 - d. Conducting ad hoc training on compliance related issues and helping to develop compliance elements for the standard orientation and inservicing program.
 - e. Serving as the point of contact for employees with questions or concerns about potential compliance problems within Montgomery County. Agency training and literature will reinforce this option for employees and stress that their inquiries will be kept confidential to the extent possible and that they will be protected from retaliation.
 - f. Reviewing all monitoring and auditing functions within the various internal control systems of Montgomery County to ensure that potential problems are identified and dealt with in a timely manner and for developing and implementing new systems as needed.
 - g. Working with the Chairman of the Board of Supervisors and the Director of Personnel to ensure that employees who have compliance related violations are appropriately disciplined according to the standards contained in the Montgomery County Policy Manual and for monitoring compliance issues with independent contractors and vendors.
 - h. Conducting and/or coordinating internal investigations into potential compliance issues and working with the Chairman of the Board of Supervisors and the Director of Personnel on developing appropriate courses of action.
2. All staff members are required to read and abide by the policies contained in the Montgomery County Policy Book. All management, and LEICC members in a position to affect agency billing and purchasing decisions are further required to read and execute an annual Code of Ethics statement as described in county administrative policy. Violations of the terms and conditions stated in these documents expose the individual to disciplinary actions up to and including dismissal and removal.
 3. All vendors and independent contractors will be held to the same standard of compliance as Montgomery County employees. Contracts will be reviewed by legal counsel (the County Attorney) as needed for potential issues, and any instances of noncompliance will be considered grounds for severing the business relationship.

CORPORATE COMPLIANCE
(Continued)

4. The Board of Supervisors and all Department Heads are responsible for continually reviewing and updating the policies, procedures and systems of internal controls within their areas of responsibility. It is contingent upon them to remain current and informed on all changes and modifications to the regulatory environment in which they operate. To this end, Montgomery County is committed to supporting continuing professional education through tuition reimbursement, seminars, industry publications and online research.
5. The Board of Supervisors and all Department Heads are responsible for enforcing adherence to the policies, procedures, and systems of internal controls within their areas of responsibility. Training staff members, monitoring their work directly or through managerial systems, and timely correction of problems that come to light are critical to the prevention and detection of errors, omissions, fraud and abuse.
6. The Personnel Department and all Department Heads are responsible for conducting and/or coordinating all new employee orientation, certification classes and mandatory inservicing in conjunction with other involved department managers. Specific training for individual risk areas will be organized or outsourced as needed.

IV. PROCEDURE FOR ENSURING QUALITY OF CARE COMPLIANCE

1. It is the policy of Montgomery County to provide the highest quality of care to its patients and clients. Montgomery County believes that state and federal regulations provide a minimum baseline of standards in which all staff will strive to exceed in the provision of care and services.
2. The Montgomery County Department Heads conduct monitoring and evaluation activities relating to the quality and appropriateness of patient care. The policies and procedures of Montgomery County are incorporated by reference into this Compliance Plan.
3. The Montgomery County Departmental Quality Assurance Committees, and Medical Review Committees, assemble, review, and draw conclusions about the quality and appropriateness of patient care in conjunction with the Medical Director as needed. The team maintains its own data files, analytical reports and minutes of meetings. The records, internal controls, policies and procedures of the team are incorporated by reference into this Compliance Plan.
4. The Quality Assurance, and Medical Review Committees review quality issues in a broader perspective. The records, internal controls, policies, and procedures of the committee are incorporated by reference into this Compliance Plan.

V. Procedure for Ensuring Patient Rights' Compliance

1. It is the policy of Montgomery County, as required by state and federal law, not to discriminate in the admission, retention and care of patients because of race, color, blindness, national origin, sex, sexual preference, religion, sponsorship, or source of payment.
2. The Board of Supervisors, Department Heads and managerial supervisors monitor adherence to all federal and state guidelines and address all patient and family complaints and concerns.

VI. PROCEDURE FOR ENSURING BILLING AND FINANCIAL/REGULATORY REPORTING COMPLIANCE

1. Montgomery County has an obligation to its patients, third-party payers, and the state and federal government to exercise diligence, care and integrity when submitting claims for payment or statutory reports.
2. The Montgomery County Policy and Procedure Manual, as well as the standing system of internal controls and software controls, are incorporated by reference into this Compliance Plan. The County Treasurer will continuously monitor compliance with the fiscal systems, making modifications and corrections as needed.
3. Financial statements will be prepared and presented by the County Treasurer on a regular basis. Utilization of services, cash position and operational performance compared to the approved budget will be reviewed and discussed.
4. An independent accountant possessing significant healthcare expertise will audit the year-end financial statements.
5. Department Heads will oversee the preparation of all required departmental Medicare Cost Reports in strict compliance with HIM-11 and Fiscal Intermediary guidelines.
6. Department Heads will oversee the preparation of all required departmental Medicaid Cost Reports in strict compliance with NYSDOH guidelines. The independent accountant is required to certify key components of the Medicaid Cost Report prior to its submission.
7. The Montgomery County Treasurer will ensure preparation of the annual federal and state non-profit tax returns for Montgomery County if so indicated, ensuring reporting and disclosure requirements are met.
8. Periodically, an outside entity will review a sample of Medicare Part A and Part B claims to ensure the following:

CORPORATE COMPLIANCE (Continued)

- a. Eligibility of patient for benefits

- b. The presence of all necessary physician orders
 - c. Appropriate care plans and clinical notes
 - d. Descriptions of procedures/treatments performed
 - e. Supporting OASIS and HRGS documentation
 - f. Accuracy of information on the UB-02 or HCFA 1500
- 9. Other payer claims will be reviewed by this entity during the engagement on an as-needed basis
- 10. The Quarterly Medicare Credit Balance Report, if applicable, will be reviewed and filed by the department's designated employee.
- 11. All audit reports and focused medical reviews will be reviewed by the Department Head, designated Managerial Supervisors and Billing Department.
- 12. All NYS Department of Health draft audits will be reviewed by the Department Head, designated Managerial Supervisors and Billing Department.
- 13. Complaints and concerns of private-pay patients will be reviewed by the Montgomery County Departmental Quality Assurance Committees, and Medical Review Committees.

VII. PROCEDURE FOR ENSURING EMPLOYEE SCREENING COMPLIANCE

- 1. It is the policy of Montgomery County to exercise due care in the recruitment and hiring of employees.
- 2. The Department Heads and the Personnel Department share joint responsibility for the screening and processing of new employees.
- 3. Any new hire or rehire is required to complete the Montgomery County Civil Service employment application and certify its accuracy. Any disclosure of criminal offense or healthcare related noncompliance will be reviewed and may serve as grounds for refusal to hire. Falsification of the employment application will serve as grounds for immediate termination.
- 4. All prospective employees who will be providing direct care will be checked against an appropriate databank for sanctions.
- 5. Professional certifications or licensures will be checked on line or by other means.
- 6. References will be checked for all patient care positions.
- 7. Periodically, the Personnel Department has the option of reviewing a sample of new hires to ensure compliance with the above standards.

CORPORATE COMPLIANCE
(Continued)

VIII. PROCEDURE FOR DETECTING KICKBACKS, INDUCEMENTS AND SELF-REFERRALS

1. Federal and state laws prohibit Montgomery County and its employees from offering or accepting anything of value in exchange for patient referrals or orders for goods and services that involve payments from either Medicare or Medicaid. These circumstances can be quite complex and require close scrutiny from all involved staff.
2. All new contracts will be reviewed by the County Attorney and Compliance Officer for potential conflicts with federal and state statutes and regulations. Existing contracts that come under question will also be subject to review and possible termination or renegotiation.

IX. PROCEDURE FOR CONFIDENTIALITY, DOCUMENTATION AND RECORDS' RETENTION

1. It is the policy of Montgomery County to properly safeguard and manage all sensitive and privileged information pertaining to patients, clients, and employees. This philosophy pertains to agency operations in general and compliance related tasks in particular.
2. All pertinent federal and state guidelines for confidentiality and record retention, as well as Montgomery County policies and procedures are incorporated by reference into this Compliance Plan.
3. All potential compliance issues noted by staff and management will be documented in writing and submitted to the Compliance Officer, who will maintain the central files on compliance issues.
4. Privacy and confidentiality of patient and employee data will be ensured, to the extent possible, by all parties to compliance investigations. Information on patients and staff may have to be provided to federal and state authorities in the course of their investigations.

X. PROCEDURE FOR EVALUATING EMPLOYEE PERFORMANCE RELATING TO COMPLIANCE

1. Montgomery County is committed to training all staff in regulatory issues and keeping them current with developing trends. Compliance with all applicable laws, regulations, ethical standards and policies is an expectation for all staff, and violations of the same will not be tolerated.
2. Training records will be maintained along with other mandated orientation and inservice records and will be a component of the employee's annual appraisal.

CORPORATE COMPLIANCE
(Continued)

3. Failure to follow Montgomery County policies and procedures or report instances of misconduct will be cause for an unfavorable performance appraisal and/or progressive discipline.
4. Gross misconduct, fraudulent or abusive behavior uncovered as part of a compliance investigation will result in immediate termination and potential legal ramifications.
5. Management and supervisory personnel will be evaluated in part based on their department's adherence to compliance related policies and procedures. Failure to train and monitor staff or to detect obvious compliance issues within the scope of their authority will result in disciplinary action against the manager or supervisor.

XI. PROCEDURE FOR ENSURING RISK MANAGEMENT AND EMPLOYEE INCIDENT COMPLIANCE

1. It is the policy of Montgomery County to promote the safest environment possible for patients, staff, and visitors.
2. The management, supervisory, and field staff monitor patient, visitor, and employee incidents for trends and causes and develops corrective actions. The records, internal controls, policies and procedures of the team are incorporated by reference into this Compliance Plan.
3. The management staff reviews all pertinent federal and state regulations and coordinates systemic changes, building modifications and staff training as necessary.
4. The Board of Supervisors and Safety Officer will monitor all reporting to and from insurance companies and will coordinate involvement of legal counsel where warranted.

12/07/2009

2nd
Attachment
to
Resolution

2009 – Resolution 311

THE COUNTY OF MONTGOMERY

POLICIES AND PROCEDURES

FALSE CLAIMS AND WHISTLEBLOWER PROTECTIONS

POLICY

It is the obligation of the County of Montgomery (the “County”) to prevent and detect any fraud, waste and abuse in its organization related to Federal and State health care programs (Medicare, Medicaid and other governmental payer programs). To this end, the County maintains a vigorous Compliance Program and strives to educate our work force regarding the importance of submitting accurate claims and reports to Federal and State governments, as well as regarding the requirements, rights and remedies of Federal and State laws governing the submission of false claims, including the rights of employees to be protected as whistleblowers under such laws. The County prohibits the knowing submission of a false claim for payment in relation to a Federal or State funded health care program. Such a submission violates the Federal False Claims Act as well as various state laws, and may result in significant civil and/or criminal penalties.

PURPOSE

Under the Deficit Reduction Act (“DRA”) of 2005, and Chapter 442 of the laws of 2006, which established the New York State Office of the Medicaid Inspector General (hereinafter the “OMIG”), created a new Social Services Law 363-d, the County is committed to the education and requirement of all employees, medical staff, volunteers, contractors, vendors, and residents that the County is committed to prevent fraud and abuse through.

SCOPE

This policy applies to all County employees, contractors, medical staff, volunteers, vendors, and residents.

PROCEDURE

A. Fraud and Abuse Detection, Prevention and Employee Protection

To assist the County in meeting its legal and ethical obligations, the Health System expects and encourages any employee who is aware of or reasonably suspects the preparation of submission of a false claim or report or any other potential fraud, waste, or abuse related to a Federally or State funded health care program, to report such information to his/her supervisor, the General Counsel or the Corporate Compliance Officer, any employee who reports such information will have the right and opportunity to do so anonymously and will be protected against retaliation for making the report. The County obligates itself to swiftly and thoroughly investigate any reasonably credible report of fraud, waste, or abuse or any reasonable suspicion thereof through the County Compliance Program. Please note that the

County retains the right to take appropriate action against an employee who has participated in a violation of law or hospital or County Policy.

B. State and Federal Fraud and Abuse Detection, Prevention and Employee Protection

What is the Federal False Claims Act?

The False Claims Act (31 USC 3729-33) (“FCA”) makes it a crime for any person or organization to knowingly make a false record or file a false claim with the government for payment. “Knowingly” means actual knowledge, deliberate ignorance or reckless disregard of facts that make the claim false.

The FCA does not require proof of a specific intent to defraud the United States government; instead health care providers can be prosecuted for a wide variety of conduct that leads to the submission of fraudulent claims to the government, including but not limited to the following:

- a. Knowingly billing for services that were not provided;
- b. Knowingly billing for services that were not ordered by the physician;
- c. Double-billing for items or services
- d. Submitting bills for services never performed or items never furnished;
- e. Billing for services that are not necessary for the treatment of patient;
- f. Billing for services that are more complex and at a higher reimbursement than the actual service provided (i.e., Up coding);
- g. Billing for services separately instead of billing the code that includes multiple services (i.e., Unbundling);
- h. Falsifying a diagnosis of justify test, surgeries or other procedures that are not medically necessary.

What are the FCA Penalties?

Violators of the FCA are liable under a civil penalty for each claim of not less than \$5,500 and not more than \$11,000, plus up to three times the amount of damages sustained by the federal government.

How is the FCA Enforced? What is a “Qui Tam” Lawsuit?

The FCA is enforced by a civil action commenced by either the government or private citizens. To encourage individuals to come forward and report misconduct involving ‘false claims’, the federal FCA includes a “qui tam” or whistleblower provision. This provision allows any person with actual knowledge of allegedly false claims to the government to file a lawsuit on behalf of the US government. Such a person is referred to as a “realtor”. Individuals seeking whistleblower status must meet several criteria. The whistleblower/realtor must file his/her lawsuit on behalf of the government in a federal district court. The lawsuit will be “under seal” meaning the lawsuit is kept confidential while the government reviews and investigates the allegation.

If the government decides not to join in the lawsuit the whistleblower may pursue the action alone. (The government may still join in later if it demonstrates good cause in doing so.)

What are the Whistleblower Protections?

The FCA also protects anyone who files a false claims lawsuit from being fired, demoted, threatened or harassed by his/her employer for filing the suit. If a court finds that the employer retaliated, the court can order the employer to re-hire the employee and to pay the employee twice the amount of back pay that is owed, plus interest and attorney fees.

New York State Labor Law Protections

New York Labor Law-740 provides that an employer may not take any retaliatory action against an employee if the employee discloses information about the employer's policies, practices or activities to a regulatory law enforcement or other similar agency or public official. The employee's disclosure is protected only if the employee first brought up the matter with a supervisor and gave the employer a reasonable opportunity to correct the alleged violation.

Whistleblower Rewards and Penalties

As an incentive to bring there cases, the FCA provides that whistleblowers who file a qui tam action my receive a reward of 15-30% of the monies recovered for the government plus attorneys' fees and costs. This reward may be reduced, however, if for example the court finds the whistleblower planned and initiated the violation. The FCA also provides that "whistleblowers" who bring frivolous qui tam claims can be held liable to a defendant for its attorneys' fees and costs.

New York State Laws

(a) Administrative and Civil Laws

1. Social Services Law Section 145-c - If any person applies for a or receives public assistance, including Medicaid, by internationally making a false or misleading statement, or intending to do so, the person's the person's family's needs are not taken into account for six months if a first offense, twelve months if a second (or once if benefits received are \$1,000-3,900), eighteen months if a third (or once if benefits received are over \$3,900) and five years for four or more offenses.
2. Social Services Law Section 145-b False Statements - It is a violation to knowingly obtain or attempt to obtain payment for items or services furnished under any Social Services program, including Medicaid, by use of a false statement, deliberate concealment or other fraudulent scheme or device.
3. The State or the local Social Services district may recover three times the amount incorrectly paid. In addition, the Department of Health may impose a civil penalty of up to \$2,000 per violation. If repeat violations occur within five years,

a penalty up to \$7,500 per violation may be imposed if they involve more serious violations of Medicaid rules, billing for services not rendered or providing excessive services.

(b) Criminal Laws

1. Social Services Law Section 145 Penalties. Any person who submits false statements or deliberately conceals material information in order to receive public assistance, including Medicaid, is guilty of a misdemeanor.
2. Social Services Law Section 366-b, Penalties for Fraudulent Practices.
 - a. Any person who obtains or attempts to obtain, for himself or others, medical assistance by means of a false statement, concealment of material facts, impersonation or other fraudulent means is guilty of a Class A misdemeanor.
 - b. Any person who, with intent to defraud, presents for payment any false or fraudulent claim for furnishing services, knowingly submits false information to obtain greater Medicaid compensation or knowingly submits false information in order to obtain authorization to provide items or services is guilty of a Class A misdemeanor.
3. Penal Law Article 1555, Larceny. The crime of larceny applies to a person who, with intent to deprive another of his property, obtains, takes or withholds the property by means of trick, embezzlement, false pretense, false promise, including a scheme to defraud, or other similar behavior. It has been applied to Medicaid fraud cases.
 - a. Fourth degree grand larceny involves property valued over \$1,000. It is a Class E felony.
 - b. Third degree grand larceny involves property valued over \$3,000. It is a class D felony.
 - c. Second-degree grand larceny involves property valued over \$50,000. It is a class C felony.
 - d. First-degree grand larceny involves property valued over \$1 million. It is a Class B felony.
4. Penal Law Article 175, False Written Statements. Four crimes in this Article relate to filing false information or claims and have applied in Medicaid fraud prosecutions:

- a. Section 175.05, falsifying business records involves entering false information, omitting material information or altering an enterprise's business records with the intent to defraud. It is a Class A misdemeanor.
 - b. Section 175.10, falsifying business records in the first degree includes the elements of the Section 175.05 offense and includes the intent to commit another crime or conceal its commission. It is a Class E felony.
 - c. Section 175.30, offering a false instrument for filing in the second degree involves presenting a written instrument (including a claim for payment) to a public office knowing that it contains false information. It is a Class A misdemeanor.
 - d. Section 175.35, offering a false instrument for filing in the first degree includes the elements of the second-degree offense and must include an intent to defraud the state or a political subdivision. It is a Class E felony.
- 5. Penal Law Article 176, Insurance Fraud, applies to claims for insurance payment, including Medicaid **or other health insurance** and contains six crimes:
 - a. Insurance fraud in the 5th degree involves intentionally filing a health insurance claim knowing that it is false. It is a Class A misdemeanor.
 - b. Insurance fraud in the 4th degree is filing a false insurance claim for over \$1,000. It is a Class E felony.
 - c. Insurance fraud in the 3rd degree is filing a false insurance claim for over \$3,000. It is a Class D felony
 - d. Insurance fraud in the 2nd degree is filing a false insurance claim for over \$50,000. It is a Class C felony.
 - e. Insurance fraud in the 1st degree is filing a false insurance claim for over \$1 million. It is a Class B felony.
- 6. Penal Law Article 177, Health Care Fraud, applies to health insurance payment, including Medicaid and contains five crimes:
 - a. Health care fraud in the 5th degree is knowingly filing, with intent to defraud, a claim for payment that intentionally has false information or omissions. It is a Class A misdemeanor.
 - b. Health care fraud in the 4th degree is filing false claims and annually receiving over \$3,000 in aggregate. It is a Class E felony.

- c. Health care fraud in the 3rd degree is filing false claims and annually receiving over \$10,000 in aggregate. It is a Class D felony.
- d. Health care fraud in the 2nd degree is filing false claims and annually receiving over \$50,000 in aggregate. It is a Class C felony.
- e. Health care fraud in the 1st degree is filing false claims and annually receiving over \$1 million in aggregate. It is a Class B felony.

Whistleblower Protection

1. New York Labor Law Section 740

- a. An employer may not take any retaliatory action against an employee if the employee discloses information about the employer's policies, practices, or activities to a regulatory law enforcement or other similar agency or public official. Protected disclosures are those that assert that the employer is in violation of a law that created a substantial and specific danger to the public health and safety. The employee's disclosure is protected only if the employee first brought up the matter with a supervisor and gave the employer a reasonable opportunity to correct the alleged violation.
- b. If an employer takes a retaliatory action against the employee, the employee may sue in state court for reinstatement to the same, or an equivalent position, any lost back wages and benefits and attorneys' fees. If the employer is a health provider and the court finds that the employer's retaliatory action was in bad faith, it may impose a civil penalty of \$10,000 on the employer.