

Adopted by Resolution #162 dated July 22, 1980

LOCAL LAW NO. 1 - 1980

STATE OF NEW YORK  
DEPARTMENT OF STATE  
FILED AUG 19 1980

*Barth J. Peterson*

An Act Prohibiting the Spreading or Dumping of Certain Sludges  
Upon Lands in the County of Montgomery

Section 1: Purpose

The Board of Supervisors of the County of Montgomery hereby finds that the spreading or dumping of certain sludges as hereinafter defined constitute a health hazard which is detrimental to the safety and welfare of the citizens of the County of Montgomery.

Section 2: Definitions

- A. "Person" means any natural person, partnership, association or corporation.
- B. "County" means the County of Montgomery.
- C. "Industrial Sludge" means wastes from a sewage or waste treatment facility or air pollution control facility which receives and processes sewage, liquid, or gaseous discharges or other wastes which emanate from industrial, commercial or mining operations.
- D. "Spreading or dumping" means the placement of sludge as herein defined on, or in the soil in any form liquid, semi-liquid or solid.

Section 3: Prohibited Acts

No person shall spread or dump industrial sludge upon any lands in the County of Montgomery.

Section 4: Exemptions

- A. Nothing herein contained shall be deemed to prohibit the deposit of industrial sludge in any solid waste land-fill operated by the County of Montgomery pursuant to the provisions of the statutes of the State of New York or the rules and regulations of the New York State Department of Environmental Conservation or in any privately operated solid waste landfill operated pursuant to the said statutes, rules and regulations.
- B. Nothing herein contained shall be deemed to prohibit the spreading or dumping of non-industrial sludges as herein defined.

Section 5: Penalty

Any person violating the provisions of this local law shall be subject to a fine not exceeding \$500.00 for each offense. Each day of violation shall be deemed a separate violation. A violation of this local law shall be a misdemeanor.

Section 6: Effective Date

This local law shall take effect on the 15th day of August, 1980.

Section 7: Termination

This law shall terminate and be of no further force or effect on and after the 1st day of August 1985.

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BOARD OF SUPERVISORS

rs hereby approved the expansion of the health services in the Montgomery County Nursing Service to twenty-four hours per day, seven days per week, and authorizes the Director of the Montgomery County Nursing Service to take such necessary steps as to provide for said expansion, effective immediately.

y adopted upon roll call, all members present (18) voting aye.

Ayes - 1,003.

HAROLD L. PHILBROOK,  
Clerk, Board of Supervisors

WILLIAM E. MOORE,  
County Attorney

cc: County Treasurer  
County Administrator  
Nursing Service

RESOLUTION NO. 162 - 1980

DATED: Fonda, N.Y., July 22, 1980

Resolution Adopting Local Law No. 1  
for the Year 1980

Resolution by Supervisor Wojcik:  
Seconded by Supervisor Bellinger:

WHEREAS, on July 22, 1980, a proposed local law for the County of Montgomery entitled, "Prohibiting the Spreading of Industrial Sludge on County Agricultural Land" was presented to the Board of Supervisors for consideration, and

WHEREAS, on the 8th day of July, 1980, a resolution was adopted by the Board of Supervisors authorizing and directing a public hearing to be held by this Board on the 22nd day of July, 1980 at the Supervisors' Chambers, County Office Building, Fonda, N.Y., and

WHEREAS, notice of such hearing on such proposed local law was duly published as required by law and the said hearing having been duly held on the 22nd day of July, 1980, at the time and place appointed, and this Board of Supervisors having filed its minutes of said hearing, and

NOW, THEREFORE, be it and it hereby is

RESOLVED, that said Local Law, known as Local Law No. 1 for the year 1980 entitled, "Prohibiting the Spreading of Industrial Sludge on County Agricultural Land", be, and it hereby is, adopted and approved, and it is further

RESOLVED, that the Clerk of the Board of Supervisors of Montgomery County be, and he hereby is, authorized, empowered and directed to file one certified copy thereof with the County Clerk of the County of Montgomery, one certi-

PROCEEDINGS OF THE BOARD OF SUPERVISORS

fied copy thereof in the office of the State Comptroller and three certified copies thereof in the office of the Secretary of State of the State of New York.

Duly adopted upon roll call, all members present (11) voting aye.

Ayes - 560, Nays - 443 Healy, Johnson, Spencer, Conboy, Bunker, Knoeck, and Becker.

HAROLD L. PHILBROOK,  
Clerk, Board of Supervisors

WILLIAM E. MOORE,  
County Attorney

cc: County Treasurer  
County Administrator  
County Clerk  
State Comptroller  
Secretary of State (3)

Resolution 157 - Authorizing attendance at Conferences. Mr. McNamara moved to amend by deleting members of the Public Works Committee. Seconded by Mr. Spencer and carried, 807 aye, 196 naye, Dallesandro, Knoeck and Matis. The amended resolution passed 787 Aye, 216 Naye, Healy, Tonko and Spencer.

Resolution 162 - Adopting Local Law No. 1 for the year 1980. Mr. Knoeck moved to table, seconded by Mr. Conboy. Defeated 661 Naye, 33 Aye, Valikonis, Klobukowski, Tonko, Conboy and Knoeck. Mr. Wojcik moved to amend by adding section 7: Term of Law. (The law will remain in effect to August 15, 1985.) Seconded by Mr. Tonko and carried 820 Aye, 183 Naye, Healy, Bunker and Knoeck. The amended resolution passed 560 Aye, 443 Naye, Healy, Johnson, Spencer, Conboy, Bunker, Knoeck and Becker.

Resolution reading concluded.

Chairman Guiffre made the following appointments: Supervisor Paul Tonko - Chairman of Traffic Safety Committee. Planning Board: Mrs. Joan Conboy, R.D. 1, Fort Plain, N.Y., term to expire June 30, 1982; Mr. Irving Orkin, P.O. Box 86, Randall, N.Y., term to expire June 30, 1983; Mr. Gary Shults, R.D. 1 Clinton Rd., Canajoharie, N.Y., term to expire June 30, 1983.

At 11:16 p.m., there being no further business to come before the meeting, on the motion of Mrs. Dallesandro, seconded by Mr. Bunker and carried the meeting adjourned until its next regular meeting, Tuesday, August 12, 1980 at 4:00 p.m.

THOMAS GUIFFRE, Chairman

HAROLD L. PHILBROOK, Clerk

AUGUST

REGULAR

At 4:43 p.m. the meeting to open in the Pledge of Allegiance.

Roll call - all present.

The County Attorney agenda by deleting the motion of Mr. Mrs. Valikonis and approved as amended.

Chairman Guiffre reported on the infirmary inquiry the air-conditioning last couple of weeks excess of 90 degrees by patients, relation Both Chairman Guiffre and Welfare noted that provision budget for room air it was explained that developed a hold over. Both Mr. Healy the action had been Wojcik said he had class at the infirmary of the patients who was told that survey indicated that old appreciate air-con their individual room.

Mr. Johnson reported Board decided to allocate for air-conditioning would be over. He solution. He said that a number of back- If indeed they would be hooked up, he the dining and active.

Mr. William Guiffre from Mr. Stone announced date of testing. sponded that there tions with D.E.C. determined exactly price tag put on it, supervisors would testing. This is going to the point and going to continue for non-compliance conflicting directives in authority, said was upset with criticism and dem the scope of the Works Department rection, you'll get p.m. the public section.

The minutes of the meeting were approved and seconded by Mr. Knoeck.