AGENDA
SCHOHARIE COUNTY BOARD OF SUPERVISORS
10th Regular Meeting
October 19, 2012

SUPERVISORS

Robert Mann, Jr.
Blenheim

Anne Batz,
Broome

Larry Bradt,
Carlisle

Thomas Murray Jr.,
Cobleskill

Donald (Mike) Brandow,
Conesville

Earl VanWormer III,
Esperance

Philip R. Skowfoe Jr.,
Fulton

Anthony VanGlad,
Gilboa

Daniel Singletary,
Jefferson

James Buzon,
Middleburgh

Richard Lape,
Richmondville

Gene Milone,
Schoharie

J. Carl Barbic,
Seward

Sandra Manko,
Sharon

Harold Vroman,
Summit

William Goblet,
Wright

CALL TO ORDER

ROLL CALL

SALUTE TO THE FLAG

INVOCATION – Reverend Paul Ferenczy

APPROVAL OF MINUTES: August 28, 2012; September 21, 2012

PUBLIC HEARINGS

- Local Law #1-2012 – Enacting the County of Schoharie Road Preservation Law.
- Community Development Block Grant Disaster Recovery (CDBG-DR)
- Agriculture and Community Relief Fund for Schoharie County (1042IT68-11)

CORRESPONDENCE

- Schoharie County Conservation Assoc.- Newsletter
- Catskill Watershed Corp.-Oct. 2012 Board Minutes
- FMS Workforce Development Board- Sept. 2012 Board Minutes
- Schoharie County Industrial Development Agency-Annual Audit for period ending 6/30/12
- Schoharie County Capital Resource Corporation- Annual Audit for period ending 6/30/12
- MOSA
    - Monthly Operations Report
    - Monthly Financial Information
    - Board Meeting #07

RESOLUTIONS FROM OTHER COUNTIES:

Chenango County, Res. No. 168-12, Requesting Governor Cuomo To Formulate A Strategic Dairy Industry Plan For The State Of New York

COMMITTEE REPORTS

PRESENTATION:

- LaBella/BBL/Lamont- re: Mitigation of County Office Building

RESOLUTIONS:

NO. 90 A RESOLUTION AUTHORIZING CAPITAL PROJECTS IN AND FOR THE COUNTY OF SCHOHARIE, NEW YORK, AT A MAXIMUM ESTIMATED COST OF $19,000,000.00 AND AUTHORIZING THE ISSUANCE OF $19,000,000.00 BONDS TO PAY COSTS THEREOF

NO. 94 AMENDING THE BUDGET AND TRANSFER OF FUNDS

NO. 95 FIXING TIME AND PLACE OF PUBLIC HEARING ON TENTATIVE BUDGET

NO. 96 DESIGNATING SCHOHARIE COUNTY AS THE TOURISM PROMOTION AGENCY

NO. 97 APPROVING APPOINTMENTS TO THE SCHOHARIE COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

NO. 98 APPOINTING MEMBERS AND CONFIRMING APPOINTMENTS TO SCHOHARIE COUNTY OCCUPANCY TAX BOARD

NO. 99 SUPPORT FOR THE CLEANER, GREENER COMMUNITIES REGIONAL SUSTAINABILITY PLANNING PROGRAM

PRIVILEGE OF THE FLOOR:

- Earl Gaskill
- New York City DEP
    - John Vickers- Chief Operations
    - Mark Suttmeier- NYC DEP
    - Carl Davis- NYC DEP
    - Robert Kline- Gannett-Fleming

ANY OTHER BUSINESS

TOWN COOPERATIVE REPORTS

ADJOURNMENT

RESOLUTION NO. 90

TITLE: A RESOLUTION AUTHORIZING CAPITAL PROJECTS IN AND FOR THE COUNTY OF SCHOHARIE, NEW YORK, AT A MAXIMUM ESTIMATED COST OF $19,000,000.00 AND AUTHORIZING THE ISSUANCE OF $19,000,000.00 BONDS TO PAY COSTS THEREOF.

OFFERED BY: Robert Mann, Jr Who moved its adoption.

SECONDED BY: Donald Brandow Chairman Rules & Legislation Committee

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Board of Supervisors of the County of Schoharie, New York, as follows:

Section 1. The following projects and improvements are hereby authorized in and for the County of Schoharie, New York:

(a) The reconstruction of the County Office Building, at a maximum estimated cost of $9,000,000.00, being a specific object or purpose having a period of probable usefulness of twenty-five years pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law; and

(b) The reconstruction of the County Jail, at a maximum estimated cost of $10,000,000.00, being a specific object or purpose having a period of probable usefulness of twenty-five years pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. The plan for the financing of the aforesaid purposes consists of the issuance of $19,000,000.00 bonds of said County, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law, which shall be allocated as per the maximum estimated costs set forth in Section 1 hereof. The amount of bonds to be issued shall be reduced to the extent of State and Federal aid received therefor which is currently estimated to cover the aggregate maximum estimated costs.

Section 3. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 4. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said County of Schoharie, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 6. The validity of such bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) The provisions of law which should be complied with as the date of publication of this resolution are not substantially complied with and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of said County designated for such purpose, together with a notice of the Clerk of the County Board of Supervisors in substantially the form set forth in paragraph a of Section 81.00 of the Local Finance Law.

Dated: September 20, 2012
Filed: September 20, 2012

Sheryl Daigneau
Clerk-Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

I, the undersigned, Clerk of the Board of Supervisors of the County of Schoharie, New York, DO HEREBY CERTIFY that I have compared the above copy of a resolution with the original resolution adopted by the Board of Supervisors of said County on the _____ day of _____ 2012, at a regular meeting of said Board and said copy is a true copy of said resolution and of the whole thereof.

I, FURTHER CERTIFY, that at the time said resolution was adopted said Board was comprised of 16 members, with total weighted vote of 2974 and votes were cast as follows: Yes _____, No, _____, _____, Absent _____,_____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2012.

_____ Clerk,
Board of Supervisors of the County of Schoharie

Tabled 9/21/12

RESOLUTION NO. 94

TITLE: AMENDING THE BUDGET AND TRANSFER OF FUNDS

OFFERED BY: Robert Mann, Jr Who moved its adoption.

SECONDED BY: Donald Brandow Chairman Rules & Legislation Committee

RESOLVED, that the Schoharie County Treasurer is hereby authorized and directed to amend the 2012 Budget, and transfer the following amounts within said Budget:

BUDGET TRANSFERS:

FROM	TO	AMOUNT
A1010.1026 Dep. Clerk/Auditor	A1010.1023 Board/Clerk Auditor	6,100.00
A1010.1026 Dep. Clerk/Auditor	A1010.1024 Dep. Clerk/Auditor	2,300.00
A1325.1014 Sr. Account Clerk	A1325.1007 Tax Clerk	7,371.00
A1325.2201 Office Equipment	A1325.2306 Photocopier	750.00
A1325.4305 Printing	A1340.4305 Budget Printing	1,000.00
A1410.1011 DMV Rep. II	A1410.4303 Travel Expenses	500.00
A1420.4109 Law Publications	A1420.4101 Office Supplies	100.00
A1420.4301 Telephone	A1420.4101 Office Supplies	750.00
A1420.4202 Witness Fees	A1420.4306 Misc. Expenses	200.00
A1490.1020 Bridge/Bldg. Super	A1620.1005 Maintenance Mechanic	1,036.00
A1490.1600 Longevity Pay	A1490.1901 Overtime	143.00
A1620.1019 Asst. Maint. Mech.	A1620.1005 Maintenance Mechanic	33,053.00
A1620.4600 PSF Maintenance	A1490.4251 Training & Education	1,800.00
A1620.4402 Electricity	A1620.4301 Telephone Service	65,000.00
A1620.4504 Maint. Contracts	A1620.4542 Old Hwy Garage Maint.	6,500.00
A1620.4504 Maint. Contracts	A1620.4403 Water and Sewer Charges	3,000.00
A1990.4298 Contingent Account	A1420.4673 Legal Fees	50,000.00
A3021.4310 Cell Phones	A3021.4306 Misc. Expenses	50.00
A3150.4210 Inmate Medical	A3110.1901 Road Patrol Overtime	5,000.00
A3150.4210 Inmate Medical	A3150,1901 Jail Overtime	5,000.00
A6101.4314 Transport/Medical	A6010.1385 Prin. Account Clerk	6,948.00
A6101.4314 Transport/Medical	A6010.1387 Support Investigator	2,597.00
DM5130.2503 Pickup Truck	DM5130.2915 Mobil Radios	550.00
DM5130.4306 Misc. Expenses	DM5130.2915 Mobil Radios	6,500.00

BUDGET AMENDMENTS: BY:

Create Appropriation Line:	A1420.4673 County Attorney Legal Fees	
	DM5130.2504 Dump Truck Beds	
	A1325.1007 Tax Clerk – Grade 7	
	A1620.1005 Maintenance Mechanic – Grade 13	
Increase Appropriation Line:	A4310.4224 MH Clinic Expenses	43,079.00
Increase Appropriation Line:	A4321.4618 MH Rehab/Support Services	4,642.00
Increase Revenue Line	A3472 Community Support Group	47,721.00
Increase Appropriation Line:	A5630.4309 Bus Maintenance	4,207.00
Increase Revenue Line:	A2680 Insurance Recoveries	4,207.00
Increase Appropriation Line:	A6010.4280 Child Abuse Team	25,000.00
Increase Revenue Line:	A3610 DSS Administration	25,000.00
Increase Appropriation Line:	DM5130.2506 Sanding Unit	7,500.00
Increase Appropriation Line:	DM5130.2504 Dump Truck Beds	28,000.00
Increase Appropriation Line:	DM5130.4100 Materials and Supplies	22,000.00
Increase Revenue Line:	DM2680 Insurance Recovery	57,500.00

Increase Appropriation Line:	A1620.4799	Flood Reconstruction/re-equip	225,000.00
Increase Appropriation Line:	A1620.4786	Temporary Office Expenses	50,000.00
Increase Revenue Line:	A3785	Disaster Assistance-State	68,750.00
Increase Revenue Line:	A4785	Disaster Assistance-Federal	206,250.00

[for: DPW generator; temp. chiller rental; Sheriff ID equip; Records Mgt. shelving; Labella; BBL; Lamont Engineers; etc.]

Increase Appropriation Line:	D5112.2925	Disaster Projects	250,000.00
Increase Revenue Line:	D3785	Disaster Assistance-State	62,500.00
Increase Revenue Line:	D4785	Disaster Assistance-Federal	187,500.00

[for: guiderail repairs; Beards Hollow Road engineering and culvert repair]

Increase Appropriation Line:	A3110.4801	Drug Enforcement	7,740.00
Appropriate Reserve	A899.1005	Crime Forfeitures/Sheriff	7,740.00
Increase Appropriation Line:	A3150.1019	Deputy Sheriff-Jail	6,775.00
Increase Appropriation Line:	A3150.1035	Corrections Deputy	6,775.00
Increase Appropriation Line:	A3150.1036	Deputy Sheriff-Jail	6,775.00
Increase Appropriation Line:	A3150.1040	Deputy Sheriff-Jail	6,775.00
Increase Appropriation Line:	A3150.1043	Deputy Sheriff-Jail	5,839.00
Increase Revenue Line:	A2261	Sheriff Contracts	32,939.00

Dated: October 18, 2012
Filed: October 18, 2012

Clerk-Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

I, the undersigned, Clerk of the Board of Supervisors of the County of Schoharie, New York, DO HEREBY CERTIFY that I have compared the above copy of a resolution with the original resolution adopted by the Board of Supervisors of said County on the _____ day of _____ 2012 at a regular meeting of said Board and said copy is a true copy of said resolution and of the whole thereof.

I, FURTHER CERTIFY, that at the time said resolution was adopted said Board was comprised of 16 members, with total weighted vote of 2974 and votes were cast as follows: Yes _____, No, _____, _____, Absent _____,_____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2012.

_____ Clerk,
Board of Supervisors of the County of Schoharie

RESOLUTION NO. 95

TITLE: FIXING TIME AND PLACE OF PUBLIC HEARING ON TENTATIVE BUDGET

OFFERED BY: Robert Mann, Jr Who moved its adoption.

SECONDED BY: Donald Brandow Chairman Rules & Legislation Committee

WHEREAS, as required by Section 354 of the County Law, the Budget Officer duly filed the Tentative Budget for the fiscal year beginning January 1, 2013 with the Clerk of the Board of Supervisors on October 15, 2012 pursuant to Section 359 of the County Law and Local Law No. 1-1976, and

WHEREAS, the Clerk of the Board of Supervisors forthwith transmitted a copy thereof to the Chairman of the Finance Committee, now therefore be it

RESOLVED, that at 10:00 a.m. on the 13th day of November, 2012, in the Board of Supervisors Chambers, Third Floor, County Office Building, in the Village of Schoharie, New York, the Board of Supervisors shall hold, pursuant to Section 359 of the County Law, a public hearing on the Tentative Budget for 2013, at which time any person may be heard, and be it further

RESOLVED, the Clerk of the Board of Supervisors is directed to cause notice of this public hearing to be given in the manner provided by law.

Dated: October 18, 2012
Filed: October 18, 2012

Sheryl Largeteau
Clerk-Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

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I, FURTHER CERTIFY, that at the time said resolution was adopted said Board was comprised of 16 members, with total weighted vote of 2974 and votes were cast as follows: Yes _____, No, _____, _____, Absent _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2012.

_____ Clerk,
Board of Supervisors of the County of Schoharie

RESOLUTION NO. 96

TITLE: DESIGNATING SCHOHARIE COUNTY AS THE TOURISM PROMOTION AGENCY

OFFERED BY: Thomas M Murray, Jr Who moved its adoption.

SECONDED BY: Donald Brandow Chairman Rules & Legislation Committee

WHEREAS, the Tourism Industry is a significant contributor to Schoharie County's economy, and

WHEREAS, Schoharie County has established an Occupancy Tax to fund promotion work that will increase the number of overnight stays in the County's lodging establishments, and

WHEREAS, Schoharie County is eligible for the Matching Funds program administered by New York State that will compliment and expand the local program to promote the County now, therefore, be it hereby,

RESOLVED, that Schoharie County is hereby designated as the Tourism Promotion Agency [TPA] for the year 2013 for the "I Love New York" Matching Funds program year, and be it further

RESOLVED, that Schoharie County commits up to $60,000.00 from its Occupancy Tax Revenue to match up to $60,000.00 from the "I Love New York" Matching Funds Program.

Dated: October 18, 2012
Filed: October 18, 2012

Sheryl Largetear
Clerk Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

I, the undersigned, Clerk of the Board of Supervisors of the County of Schoharie, New York, DO HEREBY CERTIFY that I have compared the above copy of a resolution with the original resolution adopted by the Board of Supervisors of said County on the _____ day of _____ 2012, at a regular meeting of said Board and said copy is a true copy of said resolution and of the whole thereof.

I, FURTHER CERTIFY, that at the time said resolution was adopted said Board was comprised of 16 members, with total weighted vote of 2974 and votes were cast as follows: Yes _____, No, _____, _____, Absent _____,_____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2012.

_____, Clerk
Board of Supervisors of the County of Schoharie

RESOLUTION NO. 97

TITLE: APPROVING APPOINTMENTS TO THE SCHOHARIE COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

OFFERED BY: Thomas M Murray, Jr Who moved its adoption

SECONDED BY: Donald Brandow Chairman Rules & Regulation Committee

WHEREAS, by Resolution No. 94 of 1993, the Schoharie County Board of Supervisors created the Schoharie County Agricultural and Farmland Protection Board pursuant to Section 302, Article 25 AA of the Agriculture and Markets Law, as amended through November 1, 1999; and

WHEREAS, two terms expire on October 1, 2012, now therefore be it hereby,

RESOLVED, that the appointment of the following individuals as members of the Schoharie County Agricultural and Farmland Protection Board, by the Chairman of this Board, to serve at his pleasure, are hereby approved for the following terms to expire:

APPOINTEE		TERM EXPIRES
Jerry Lape – Cobleskill	(FARMER)	October 1, 2016
Cindy Shelley – Cobleskill	(FARMER)	October 1, 2016

Dated: October 18, 2012
Filed: October 18, 2012

Sheryl Largeteau
Clerk-Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

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I, FURTHER CERTIFY, that at the time said resolution was adopted said Board was comprised of 16 members, with total weighted vote of _____ and votes were cast as follows: Yes _____, No, _____, _____, Absent _____, _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2012.

_____ Clerk,
Board of Supervisors of the County of Schoharie

RESOLUTION NO. 98

TITLE: APPOINTING MEMBERS AND CONFIRMING APPOINTMENTS TO SCHOHARIE COUNTY OCCUPANCY TAX BOARD

OFFERED BY: Thomas M Murray, Jr Who moved its adoption.

SECONDED BY: Donald Brandow Member Rules & Legislation Committee

WHEREAS, Local Law #2 of 2009 provided for the collection of Occupancy Tax in Schoharie County, and also provided for the appointment of members to a Schoharie County Occupancy Tax Board who shall not serve for more than two [2] full consecutive terms, now, therefore, be it hereby

RESOLVED, that the appointment of the following members of the Schoharie County Occupancy Tax Board for the terms expiring as indicated are hereby approved and confirmed:

NAME	REPRESENTING	FULL TERM#	TERM EXPIRING
Thomas Murray	Chair Historical/Planning Committee		Term of Office
Kathy Smith	Lodging Facility Subject to Tax	1	10/31/14
Michael McKeighan	Lodging Facility Subject to Tax	unexpired term	10/31/15
Sue Loden	Retail Business	2	10/31/15
Chris Hubbard	Restaurant Business	1	10/31/13
Carle Kopecky	Tourist Attraction	1	10/31/13
Erynne Ansel-McCabe	Tourist Attraction	1	10/31/14
Mary Ann Larkin	Industry	1	10/31/15
John O'Donnell	Industry	1	10/31/13

RESOLVED, that the Director of the Schoharie County Tourism Promotion Agency [TPA] or her designee, shall serve as ex-official member.

Dated: October 18, 2012
Filed: October 18, 2012

Sheryl Dargetean
Clerk-Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

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I, FURTHER CERTIFY, that at the time said resolution was adopted said Board was comprised of 16 members, with total weighted vote of 2974 and votes were cast as follows: Yes _____, No, _____, _____, Absent _____, _____

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2012.

_____ Clerk,
Board of Supervisors of the County of Schoharie

RESOLUTION NO. 99

TITLE: SUPPORT FOR THE CLEANER, GREENER COMMUNITIES REGIONAL SUSTAINABILITY PLANNING PROGRAM

OFFERED BY: Thomas M Murray, Jr Who moved its adoption

SECONDED BY: Donald Brandow Chairman Rules & Regulation Committee

WHEREAS, the Cleaner Greener Communities [CGC] Regional Sustainability Planning Program administered by the New York State Energy Research and Development Authority [NYSERDA] and announced by Governor Andrew M. Cuomo in 2011 will provide data collection and funding to create more sustainable communities in the Mohawk Valley Economic Development Region, of which Schoharie County is a part, and

WHEREAS, Otsego County was awarded a CGC grant on behalf of the Mohawk Valley, and will be working with Ecology and Environment, Inc. and partnering with public and private experts across a wide range of fields, along with community residents, to lead the development of a regional sustainability plan and implementation strategy for Phase I of the program, and

WHEREAS, completion of a regional sustainability plan and implementation strategy is required before the region becomes eligible for Phase II, a competitive round of funding for specific projects that might benefit the economy of the County, now, therefore, be it

RESOLVED, that the Board of Supervisors supports the Cleaner, Greener Communities Regional Sustainability Planning Program, and be it further

RESOLVED, the Schoharie County Planning and Development Agency is authorized to provide whatever other support is required, consistent with other counties in the region.

Dated: October 18, 2012
Filed: October 18, 2012

Sheryl Rangeteau
Clerk-Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2012.

_____ Clerk,
Board of Supervisors of the County of Schoharie