



AGENDA
SCHOHARIE COUNTY BOARD OF SUPERVISORS
2nd Regular Meeting
February 15, 2013



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

Jim 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 – Rev. Paul Ferenczy

APPROVAL OF MINUTES – January 7, 2013; January 16, 2013; January 18, 2013

PRIVILEGE OF THE FLOOR:

- Employee Recognition
- Earl Gaskill, Town of Summit

CORRESPONDENCE:

- Schoharie County Conservation Assoc.- Newsletter
- Catskill Watershed Corp.-Feb. 2013 Board Minutes
- MOSA
 - Monthly Operations Report
 - Monthly Financial Information
 - Board Meeting #10
- The Update – Fall 2012 Newsletter
- Constitution Pipeline
 - Project update letter
 - January 2013 Newsletter
- Cornell Cooperative Ext. of Schoharie & Otsego Counties
 - 2011 Report to Board of Directors
 - Financial Statement-comparison 2010/2011
 - Unaudited Financial Statements-2010

RESOLUTIONS FROM OTHER COUNTIES/TOWNS:

Cortland County, Resolution No. 32-13, Petition NYS Governor and State Representatives Local Government Records Improvement Management Funds Authorization of Application Process and Termination of Seizure of Funds

Chenango County, Resolution # 26-13, Opposing proposed amendments to the election law

Tioga County, Resolution No. 45-13, Resolution opposing the process of enactment and certain provisions contained within the New York Safe Act

Tioga County, Resolution No. 46-13, Resolution in opposition to any attempt by the New York State Legislature to enact legislation which bundles issues relating to gun control and amendment of the freedom of information law

COMMITTEE REPORTS

RESOLUTIONS:

NO. 2 – APPROVING UNDERTAKING OF THE CHAIRMAN OF THE BOARD OF SUPERVISORS

NO. 2A – APPROVING UNDERTAKING OF THE VICE-CHAIRMAN OF THE BOARD OF SUPERVISORS

NO. 8 – APPOINTING COUNTY HISTORIAN

NO. 22 – AMENDING THE BUDGET AND TRANSFER OF FUNDS

NO. 23– RESOLUTION APPOINTING/CONFIRMING APPOINTMENTS/TERMS OF REPRESENTATIVES TO THE FULTON, MONTGOMERY AND SCHOHARIE COUNTY WORKFORCE DEVELOPMENT BOARD

NO. 24 – APPOINTING AND CONFIRMING MEMBER APPOINTMENTS TO ALTERNATIVES TO INCARCERATION PANEL

NO. 25 – RESOLUTION APPROVING AND CONFIRMING APPOINTMENTS AND TERMS OF MEMBERS TO THE SCHOHARIE COUNTY YOUTH BOARD

NO. 26 – APPORTIONMENT OF SALES TAX REVENUE SHARING AMONG RESPECTIVE TOWNS AND VILLAGES FOR 1ST QUARTER 2013

NO. 27 – OPPOSING THE PROCESS OF ENACTMENT AND CERTAIN PROVISIONS CONTAINED WITHIN THE NEW YORK SAFE ACT

NO. 28 – REQUESTING STATE LEGISLATURE TO ENACT LEGISLATION AUTHORIZING SCHOHARIE COUNTY TO CONTINUE INCREASED MORTGAGE TAX RATE

NO. 29 – REQUEST FOR STATE AUTHORIZATION TO CONTINUE COLLECTING ADDITIONAL ONE PERCENT SALES TAX

NO. 30 – APPROVING APPOINTMENT OF MEMBER TO THE SCHOHARIE COUNTY PLANNING COMMISSION

ANY OTHER BUSINESS

ADJOURNMENT

RESOLUTION NO. 2

TITLE: APPROVING UNDERTAKING OF THE CHAIRMAN OF THE
BOARD OF SUPERVISORS.

OFFERED BY: Harold Vroman Who moved its adoption.

SECONDED BY: Donald Brandow Chairman Rules & Legislation Committee

RESOLVED, that the two-year Bond No. 105883518 of the Travelers Casualty and Surety Company of America, executed on January 17, 2013 by Philip R. Skowfoe, Jr. Chairman of the Board of Supervisors of Schoharie County, as principal, to the County of Schoharie in the amount of \$50,000.00, be and it is hereby approved as to form and sufficiency of surety, pursuant to Section 450 of the County Law.

Dated: January 3, 2013

Filed: January 3, 2013

Sherry Largeteau
Clerk-Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

[Signature]
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 _____ 2013, 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 _____, 2013.

Clerk,
Board of Supervisors of the County of Schoharie

Tabled: 1/7/13 , 1/18/13

RESOLUTION NO. 2A

TITLE: APPROVING UNDERTAKING OF THE VICE-CHAIRMAN OF THE BOARD OF SUPERVISORS.

OFFERED BY: Harold Vroman Who moved its adoption.

SECONDED BY: Donald M Brandow Member Rules & Legislation Committee

RESOLVED, that the two-year Bond No. 105883518 of the Travelers Casualty and Surety Company of America, executed on January 17, 2013 by Donald M Brandow as Vice-Chairman of the Board of Supervisors of Schoharie County, as principal, to the County of Schoharie in the amount of \$50,000.00, be and it is hereby approved as to form and sufficiency of surety, pursuant to Section 450 of the County Law.

Dated: January 3, 2013
Filed: January 3, 2013

Sherif Large
Clerk-Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

Julie Boor
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 _____, 2013, at a regular meeting of said Board and said copy is a true copy of said resolution and of the whole thereof.

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this _____ day of _____, 2013.

Clerk,
Board of Supervisors of the County of Schoharie

Tabled: 1/7/13, 1/18/13

RESOLUTION NO. 8

TITLE: APPOINTING COUNTY HISTORIAN

OFFERED BY: Harold Vroman Who moved its adoption.

SECONDED BY: Donald M. Brandow Chairman Rules & Legislation Committee

RESOLVED, that the SCHOHARIE COUNTY HISTORICAL SOCIETY, be and is hereby appointed, pursuant to Section 400 of the County Law and Section 57.07 of the Arts and Cultural Affairs Law, as County Historian to serve at the pleasure of the Board of Supervisors, at no compensation.

Dated: January 3, 2013
Filed: January 3, 2013

Sheryl Largetear
Clerk-Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

[Signature]
County Attorney

STATE OF NEW YORK
COUNTY OF SCHOHARIE ss:

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Clerk,
Board of Supervisors of the County of Schoharie

Tabled: 1/7/13 , 1/18/13

RESOLUTION NO. 22

TITLE: AMENDING THE BUDGET AND TRANSFER OF FUNDS

OFFERED BY: J. Carl Barbic 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 2013 Budget, and transfer the following amounts within said Budget:

BUDGET AMENDMENTS:

Create Reserve Account:	A899.1020	Occupancy Tax Reserve	
			BY:
Appropriate Fund Balance:	A917.0000	General Fund Unassigned Fund Bal.	12,278.75
Increase Reserve Account:	A899.1020	Occupancy Tax Reserve	12,278.75
Appropriate D.A. Reserve:	A899.1007	Seized Assets Reserve – D.A.	7,500.00
Increase Appropriation:	A1165.4802	Felony Prosecution Costs	7,500.00
Increase Appropriation Line:	A3640.2920	Companion Animal Shelter Equip.	22,630.00
Increase Appropriation Line:	A3640.4920	Companion Animal Shelter Expen.	413.00
Increase Revenue Line:	A4397	Companion Animal Shelter Grant	23,043.00
Increase Appropriation Line:	A5630.4309	Bus Maintenance	7,308.00
Increase Revenue Line:	A1789	Other Transportation Income	2,000.00
Increase Revenue Line:	A2680	Insurance Recoveries	5,308.00
Increase Appropriation Line:	A1620.4799	Flood Reconstruction Expenses	60,000.00
Increase Revenue Line:	A3785	Disaster Assistance - State	15,000.00
Increase Revenue Line:	A4785	Disaster Assistance - Federal	45,000.00
Increase Appropriation Line:	D5112.2925	Disaster Projects	50,000.00
Increase Revenue Line:	D3785	Disaster Assistance – State	12,000.00
Increase Revenue Line:	D4785	Disaster Assistance – Federal	37,500.00

(engineering services for Hauverville Road bridge, Barnerville Road and several smaller bridge projects)

Dated: February 14, 2013
Filed: February 14, 2013

Sheryl Largetan
Clerk-Board of Supervisors
[Signature]
County Attorney

APPROVED AS TO FORM AND LEGALITY.

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
_____ 2013 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 _____, 2013.

Clerk,
Board of Supervisors of the County of Schoharie

RESOLUTION NO. 23

TITLE: RESOLUTION APPOINTING/CONFIRMING APPOINTMENTS/TERMS OF REPRESENTATIVES TO THE FULTON, MONTGOMERY AND SCHOHARIE COUNTY WORKFORCE DEVELOPMENT BOARD

OFFERED BY: Sandra Manko Who moved its adoption

SECONDED BY: Donald Brandow Chairman Rules & Regulation Committee

RESOLVED, that the Board of Supervisors does hereby appoint/confirm the appointment of the following persons to represent Schoharie County on the Workforce Development Board Council, for the terms hereinafter set forth:

<u>NAME</u>	<u>SECTOR REPRESENTING</u>	<u>TERM EXPIRES</u>
Arthur Graulich	Private	June 30, 2013
Larry Kath	Private	June 30, 2013
Frank A. Natalie	Public [replacing Todd Banks]	June 30, 2013
Amber McGiver	Private	June 30, 2013
Charles Finin	Private	June 30, 2013
Terry Hughes	Public	June 30, 2013
Jeannette Spaulding	Public	June 30, 2014
Ellen Mosley	Private	June 30, 2014
Donald Snoop	Private	June 30, 2014
Sarah L. Blood	Public [replacing Sean Jordan]	June 30, 2014
Paul Brady	Public	June 30, 2014

Dated: February 14, 2013
Filed: February 14, 2013

Sheriff Largeteau
Clerk Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

[Signature]
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 _____ 2013, 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 _____ 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 _____, 2013.

Clerk,
Board of Supervisors of the County of Schoharie

RESOLUTION NO. 24

TITLE: APPOINTING AND CONFIRMING MEMBER APPOINTMENTS TO
ALTERNATIVES TO INCARCERATION PANEL

OFFERED BY: Larry Bradt Who moved its adoption.

SECONDED BY: Donald Brandow Chairman Rules & Legislation Committee

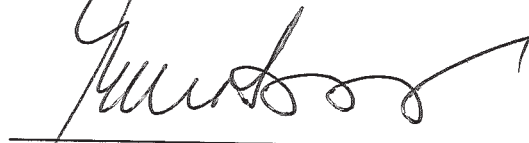
RESOLVED, that the following individuals are hereby appointed as members of the Alternatives to Incarceration Panel, to serve at the pleasure of the Board of Supervisors without compensation:

<u>NAME</u>	<u>REPRESENTING</u>
Philip Skowfoe, Jr.	Chairman Board of Supervisors
Hon. George R. Bartlett, III	County Court Judge
Anthony Desmond	Sheriff
Ronald Stevens	Under Sheriff
Bonnie Post	Director Community Services
Larry Bradt	Law Enforcement Chairman
Dinga Betancourt Swingle	Executive Director Catholic Charities
James Sackett	District Attorney
Denise Minton	Probation Director
Sandra Johnson	Broome Town Justice
Kathleen Reinhart	Program Coordinator, CSR
Clinton Avent	County Court
Gerald Felter	Blenheim Highway Superintendent
Thomas Garner	Defense Attorney
John Jarvis	Pastoral Care Manager
Larry Travis	Chief Cobleskill Village Police

Dated: February 14, 2013
Filed: February 14, 2013


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 _____, 2013, 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 _____, 2013.

Clerk,
Board of Supervisors of the County of Schoharie

RESOLUTION NO. 25

TITLE: RESOLUTION APPROVING AND CONFIRMING APPOINTMENTS
AND TERMS OF MEMBERS TO THE SCHOHARIE COUNTY
YOUTH BOARD

OFFERED BY: Sandra Manko Who moved its adoption.

SECONDED BY: Donald Brandow Chairman Rules & Legislation Committee

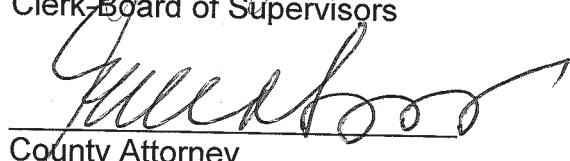
RESOLVED, the following appointments made by the Chairman of the Board of Supervisors, as members of the Schoharie County Youth Board, are hereby approved and/or confirmed for the term indicated:

<u>APPOINTEE</u>	<u>TOWN</u>	<u>TERM EXPIRES</u>
Desiree Rivenburgh [youth rep.]	Richmondville	December 31, 2013
Brody Smith [youth rep.]	Fulton	December 31, 2013
Angelica Armlin-Sorgen [youth rep.]	Gilboa	December 31, 2013
Kira Weaver [youth rep.]	Gilboa	December 31, 2013
Owen Neid [youth rep.]	Richmondville	December 31, 2013
Anton Gruning [youth rep.]	Middleburgh	December 31, 2013
Edson Lindsey [youth rep.]	Middleburgh	December 31, 2013
Cameron Scibek [youth rep.]	Cobleskill	December 31, 2013
Angela Simone [youth rep.]	Central Bridge	December 31, 2013
Kim Godin	Wright	December 31, 2015
Karen Karker	Richmondville	December 31, 2015
Timothy Snyder	Cobleskill	December 31, 2015
Maggie Jackman Pryor	Cobleskill	December 31, 2013
Stella McKenna	Cobleskill	December 31, 2013
Linda Holmes	Cobleskill	December 31, 2013
Rebecca Thillet	Cobleskill	December 31, 2013
Matthew Wilms	Seward	December 31, 2013
Joanne Weimer	Cobleskill	December 31, 2013
Thomas Bowes	Richmondville	December 31, 2014
Cherie Clapper	Fulton	December 31, 2014
Stanley A. France, Jr.	Middleburgh	December 31, 2014
Rosemarie Corcione Keller	Member at Large	December 31, 2014
Vicki Swartout	Richmondville	December 31, 2014
Nelta Miller	Gilboa	December 31, 2015
Shivaun Schulte	Jefferson	December 31, 2015
Deveral Watson	Fulton	December 31, 2015

Dated: February 14, 2013
Filed: February 14, 2013


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 _____, 2013.

Clerk,
Board of Supervisors of the County of Schoharie

RESOLUTION NO. 26

TITLE: APPORTIONMENT OF SALES TAX REVENUE SHARING AMONG
RESPECTIVE TOWNS AND VILLAGES FOR 1ST QUARTER 2013

OFFERED BY: J. Carl Barbic Who moved its adoption.

SECONDED BY: Donald Brandow Chairman Rules & Legislation Committee

RESOLVED, that the Schoharie County Treasurer is hereby authorized and directed to pay and distribute the 1st Quarter of 2013 Sales Tax Revenue to the various Towns and Villages of Schoharie County, as follows:

<u>TOWN</u>	<u>MUNICIPALITY SHARE</u>
BLENHEIM	\$6,915.75
BROOME	6,904.67
CARLISLE	8,242.00
COBLESKILL [T]	8,448.25
COBLESKILL [V]	22,557.71
CONESVILLE	6,779.94
ESPERANCE [T]	5,707.34
ESPERANCE [V]	1,059.07
FULTON	7,960.37
GILBOA	20,864.82
JEFFERSON	9,156.40
MIDDLEBURGH [T]	8,776.81
MIDDLEBURGH [V]	5,893.36
RICHMONDVILLE [T]	9,438.77
RICHMONDVILLE [V]	2,669.86
SCHOHARIE [T]	9,658.45
SCHOHARIE [V]	4,692.76
SEWARD	6,476.33
SHARON [T]	5,361.50
SHARON [V]	6,638.40
SUMMIT	6,531.73
WRIGHT	9,456.20

\$180,190.50

Dated: February 14 2013
Filed: February 14 2013

APPROVED AS TO FORM AND LEGALITY.


Clerk-Board of Supervisors


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 _____ 2013, 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 _____, 2013.

Board of Supervisors of the County of Schoharie Clerk

RESOLUTION NO. 27

TITLE: OPPOSING THE PROCESS OF ENACTMENT AND CERTAIN PROVISIONS
CONTAINED WITHIN THE NEW YORK SAFE ACT

OFFERED BY: Larry Bradt Who moved its adoption.

SECONDED BY: Donald Brandow Member Rules & Legislation Committee

WHEREAS, the right of the people to keep and bear arms is guaranteed as an individual right under the Second Amendment to the United States Constitution; and

WHEREAS, the right of the people to keep and bear arms for defense of life, liberty, and property is regarded as an inalienable right by the people of Schoharie County; and

WHEREAS, the lawful ownership of firearms is, and has been, a valued tradition in Schoharie County, and the rights protected by the Second Amendment to the United States Constitution are exercised by many of our residents; and

WHEREAS, the people of Schoharie County derive economic and environmental benefits from all safe forms of recreation involving firearms, including, but not limited to, hunting and target shooting while utilizing all types of firearms available under the Constitution of the United States; and

WHEREAS, members of the Schoharie County Board of Supervisors being elected to represent the people of Schoharie County, are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS, members of the New York State Assembly and the New York State Senate, being elected by the people of New York State, are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS, the enactment of the NY SAFE Act (Chapter 1 of the Laws of 2013) has engendered significant controversy over both the process by which it was enacted and certain provisions contained within it; and

WHEREAS, it is our understanding that many State Legislators had less than one hour to read this legislation, which contained approximately twenty-five thousand words, before being forced to vote on it; and

WHEREAS, having reviewed the legislation and time constraints, it is our conclusion that there is no possible way any individual could have read the entire bill and understood its full implications prior to voting on it; and

WHEREAS, our State Legislators most certainly could not have had the time to request, and receive, the input of their constituents regarding this matter; and

WHEREAS, seeking, and considering, such public input is a standard to which we hold ourselves in the Schoharie County Board of Supervisors; and

WHEREAS, this legislation has 60 sections, of which only three take effect immediately; and

WHEREAS, in our opinion, there was no reason for the Governor to use a message of necessity to bring this bill to vote immediately and bypass the three day maturing process for all legislation; and

WHEREAS, the mishandling of the process in crafting the NY SAFE Act resulted in complex policy changes, many of which have been left up to interpretation, and are confusing even to the State Legislators who voted on them, and the law enforcement officials who are required to enforce and explain them; and

WHEREAS, requiring law-abiding gun owners to verify ownership of certain types of firearms every 5 years, in addition to registering them on their permits, which now also must be renewed every 5 years, does not increase the safety of the public and is unnecessarily burdensome to the residents of New York State; and

WHEREAS, there will be a significant financial impact due to the thousands upon thousands of Schoharie County permits that will have to be renewed requiring additional manpower and computer systems; and

WHEREAS, this legislation prohibits the sale of firearm magazines with a capacity larger than seven rounds; and

WHEREAS, those firearm magazines with a capacity larger than seven rounds, which are authorized to be retained by existing owners, may only be loaded with seven rounds and eventually must be permanently altered to only accept seven rounds or be disposed of, this constituting a seizure of legally owned personal property with no provision for compensation; and

WHEREAS, few or no low capacity (7 rounds or less) magazines currently exist for many of the firearms commonly possessed by law-abiding residents of New York State; and

WHEREAS, limiting the number of rounds to seven versus ten is arbitrary and capricious, has no correlation to public safety, unfairly burdens law-abiding gun owners, and puts an undue burden on gun manufacturers to retool their manufacturing plants; and

WHEREAS, the only persons who will comply with the new high-capacity magazine ban are law-abiding citizens, leaving the same high-capacity magazines in the hands of those who choose not to obey the law; and

WHEREAS, requiring documentation of all ammunition sales in New York State, as provided for in this legislation, is a significant unfunded mandate on business; and

WHEREAS, the New York State Combined Ballistic Identification System, which wasted \$44 million in taxpayer money and resulted in zero convictions, illustrates the propensity of government to waste taxpayer resources when legislation is not properly reviewed; and

WHEREAS, Governor Cuomo has proposed spending \$36 million dollars in his 2013-2014 Executive budget for the implementation of NY SAFE Act at a time when New York residents are crying out for tax relief; and

WHEREAS, this legislation severely impacts the possession and use of firearms now employed by the residents of Schoharie County for defense of life, liberty, and property; and

WHEREAS, this legislation severely impacts the possession and use of firearms now employed for safe forms of recreation including, but not limited to, hunting and target shooting; and

WHEREAS, the state already has laws prohibiting individuals from possessing fully automatic rifles, along with limitations on high-capacity magazines for ammunition; and

WHEREAS, there is absolutely no need to change current gun-control laws because it's not the honest people who commit crime; and

WHEREAS, while there are some areas of the legislation that the Schoharie County Board of Supervisors finds encouraging such as addressing glaring shortcomings in the mental health system, the strengthening of Kendra's Law and Mark's law, as well as privacy protections for certain pistol permit holders, by-and-large, we find the legislation does little more than negatively impact lawful gun ownership; and

WHEREAS, this legislation fails to offer any meaningful solutions to gun violence and places increased burdens where they do not belong, squarely on the backs of law-abiding citizens; and

WHEREAS, this legislation effectively turns countless New York State law-abiding gun owners into criminals; and

WHEREAS, the manner in which this legislation was brought forward for vote in the State Legislature is deeply disturbing to the Schoharie County Board of Supervisors, now therefore, be it

RESOLVED, that the Schoharie County Board of Supervisors does hereby oppose and request the repeal of, any legislation, including the sections within the NY SAFE Act (Chapter 1 of the Laws of 2013), which infringe upon the right of the people to keep and bear arms; and further be it

RESOLVED, the Schoharie County Board of Supervisors considers such laws to be unnecessary and beyond lawful legislative authority granted to our State representatives; and further be it

RESOLVED, that the Schoharie County Board of Supervisors strongly encourages members of the New York State Legislature to hold public hearings to address the issue of gun violence in a way that will produce meaningful results; and further be it

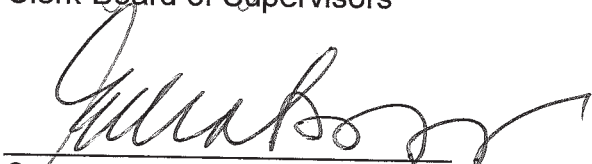
RESOLVED, that the Schoharie County Board of Supervisors requests the members of the New York State Senate and Assembly who represent all, or part of Schoharie County to reply, in writing, with their views on, and actions taken in support of, or opposition to, the NY SAFE Act; and further be it

RESOLVED, that copies of this resolution be sent to President Barack Obama, Vice President Joseph Biden, Governor Andrew Cuomo, Senator Charles Schumer, Senator Kirsten Gillibrand, Congressman Chris Gibson, New York State Senator James Seward, Assembly Speaker Sheldon Silver, and New York State Assembly member Peter Lopez.

Dated: February 14, 2013
Filed: February 14, 2013


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 _____, 2013, 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 _____, 2013.

Clerk,
Board of Supervisors of the County of Schoharie

RESOLUTION NO. 28

TITLE: REQUESTING STATE LEGISLATURE TO ENACT LEGISLATION
AUTHORIZING SCHOHARIE COUNTY TO CONTINUE INCREASED
MORTGAGE TAX RATE

OFFERED BY: J. Carl Barbic Who moved its adoption.

SECONDED BY: Donald Brandow Chairman Rules & Legislation Committee

WHEREAS, the Schoharie County Board of Supervisors adopted Resolution No. 104 on December 16, 2005 requesting permission from the New York State Legislature to begin collecting an additional mortgage tax of .25¢ for each \$100.00 in mortgage value recorded in the County Clerk's Office in addition to the previously existing mortgage taxes of .75¢ per \$100.00 and to use those additional funds to assist in the operations of county government and thereby help keep property taxes lower; and

WHEREAS, the Governor and the State Legislature of the State of New York granted such permission by signing Senate bill number 6677-A as Chapter 333 of the laws of 2006 on July 26, 2006; and

WHEREAS, this law authorized Schoharie County to collect the mortgage tax from November 1, 2006 through December 1, 2009, which was thereafter extended by action of the Governor and State Legislature for the period of December 1, 2009 through December 1, 2011, in response to adoption by the Board of Supervisors of Resolution No. 29 on February 20, 2009; and which again was thereafter extended by action of the Governor and State Legislature for the period of December 1, 2011 through December 1, 2013, in response to adoption by the Board of Supervisors of Resolution No. 131 of 2010; and


WHEREAS, the Board of Supervisors of the County of Schoharie originally adopted Local Law No. 2 of 2006 on September 15, 2006 imposing this mortgage tax of .25¢ for each \$100.00 in mortgage value recorded, which has subsequently been extended, the last extension being adoption of Local Law No. 2 of 2011 on November 15, 2011; therefore

BE IT RESOLVED, that Schoharie County hereby petitions the New York State Senate and our Senator, the Honorable James Seward, and the New York State Assembly and our Assemblyman, the Honorable Peter D. Lopez, to grant authorization for Schoharie County to continue collecting an additional mortgage tax of .25¢ for each \$100.00 in mortgage value recorded in the County Clerk's Office. There being several counties in the state who have been given open-ended permission by the State Legislature to collect this tax with no expiration date, Schoharie County requests similar status, but at a minimum, we request said permission to collect the additional mortgage tax from December 1, 2013 through December 1, 2015.

Dated: February 14, 2013
Filed: February 14, 2013


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 _____, 2013, 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 _____, 2013.

_____, Clerk
Board of Supervisors of the County of Schoharie

RESOLUTION NO. 29

TITLE: REQUEST FOR STATE AUTHORIZATION TO CONTINUE COLLECTING
ADDITIONAL ONE PERCENT SALES TAX

OFFERED BY: J. Carl Barbic Who moved its adoption.

SECONDED BY: Donald Brandow Chairman Rules & Legislation Committee

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SCHOHARIE AS
FOLLOWS:

SECTION 1. and SECTION 4-A of Resolution No. 21, enacted by the Board of Supervisors of the
County of Schoharie on January 20, 1984, 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 December 1, 2013, and ending November 30, 2015. 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 or applicable to the
administration and collection of the taxes imposed by such Sections 2 and 4 shall apply to the additional
taxes imposed in 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 [c] of subdivision [1] of Section 11 of Resolution No. 21, enacted by the
Board of Supervisors of the County of Schoharie on January 20, 1984, imposing sales and use taxes, is
amended to read as follows:

[c] With respect to the additional tax of one percent imposed for the period beginning
December 1, 2013, and ending November 30, 2015, in respect to the use of property used by the
purchaser in this county prior to June 1, 2004.

SECTION 3. This enactment shall take effect February 15, 2013.

Dated: February 14 2013

Filed: February 14 2013

APPROVED AS TO FORM AND LEGALITY.

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 _____ 2013, 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 _____, 2013.

Clerk,
Board of Supervisors of the County of Schoharie

RESOLUTION NO. 30

TITLE: APPROVING APPOINTMENT OF MEMBER TO THE SCHOHARIE
COUNTY PLANNING COMMISSION

OFFERED BY: Sandra Manko Who moved its adoption.

SECONDED BY: Donald Brandow Member Rules & Legislation Committee

WHEREAS, June 30, 2015 was the expiration date of one term of a member of the Schoharie County Planning Commission; and

WHEREAS, the member has asked to leave the Commission; and

WHEREAS, one vacancy exists on the Schoharie County Planning Commission, and now therefore be it hereby

RESOLVED, that the appointment of the following person as a member of the Schoharie County Planning Commission for the term expiring as indicated is hereby approved:

<u>NAME</u>	<u>TOWN</u>	<u>BACKGROUND</u>	<u>TERM EXPIRING</u>
Craig Morlang	Cobleskill	ZBA and Attorney	6/30/15

Dated: February 14, 2013
Filed: February 14, 2013

Sheryl Larcetian
Clerk-Board of Supervisors

APPROVED AS TO FORM AND LEGALITY.

[Signature]
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 _____ 2013 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 _____, 2013.

Clerk,
Board of Supervisors of the County of Schoharie