

**CALL TO ORDER**

The Special Meeting of the Montgomery County Legislature for January 3, 2017 was called to order at 6:45 PM by Chairman Dimond.

**ROLL CALL**

Roll call indicated that the following Legislators were present: Kelly, Sweet, Dimond, Headwell, Jr., Wilson, Duchessi, Pepe, Isabel and Purtell

**SALUTE TO THE FLAG**

Chairman Dimond led the salute to the flag.

**STATEMENT OF PURPOSE OF MEETING**

• **RESOLUTION 7 OF 2017**

RESOLUTION AMENDING 2017 OPERATING BUDGET - CARRY OVER GRANT FUNDS-NEW YORK STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT 2015 (EMERGENCY MANAGEMENT)

**RESOLUTION 8 OF 2017**

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN INTERGOVERNMENTAL MEMORANDUM OF AGREEMENT BETWEEN THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND MONTGOMERY COUNTY (EMERGENCY MANAGEMENT/SERVICES)

**RESOLUTION 9 OF 2017**

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN GRANT AGREEMENT – DORMITORY AUTHORITY STATE OF NEW YORK, STATE AND MUNICIPAL FACILITIES PROGRAM (SAM) (EMERGENCY MANAGEMENT)

**RESOLUTION 10 OF 2017**

RESOLUTION AMENDING 2017 BUDGET FOR ESTABLISHED POSITION OF FISCAL TECHNICIAN AND ELIMINATION OF ACCOUNTANT POSITION (COUNTY TREASURER)

**RESOLUTION 11 OF 2017**

RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL AUTHORITY TO AUDITING COMMITTEE (COUNTY LEGISLATURE)

**RESOLUTION 12 OF 2017**

RESOLUTION APPOINTING MEMBER TO THE AUDIT COMMITTEE (COUNTY LEGISLATURE)

---

**RESOLUTION NO. 7 of 2017**

**DATED: 1/3/2017**

Resolution by Legislator: Wilson  
Seconded by Legislator: Pepe

**RESOLUTION AMENDING 2017 OPERATING BUDGET - CARRY OVER GRANT FUNDS-NEW YORK STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT 2015 (EMERGENCY MANAGEMENT)**

**WHEREAS**, Resolution No. 11 of 2016 accepted a \$90,000.00 State Homeland Security Grant, and

**WHEREAS**, said funds were appropriated in the 2016 Operating Budget and the unexpended balance should be carried forward into the 2017 Operating Budget,

**RESOLVED**, that the Montgomery County Legislature hereby authorizes and directs the County Treasurer to amend the 2017 Operating Budget as follows:

**INCREASE REVENUES:**

**INCREASE APPROPRIATIONS:**

A-02-4-3640-02.2250                      Technical Equipment                      \$38,449.35

**RESOLUTION VOTE**, passed with Aye(9). (1/3/2017)

**Statement of Legislative and Financial Impact:***I. Nature of Request:*

RESOLUTION AMENDING 2017 OPERATING BUDGET - CARRY OVER GRANT FUNDS-NEW YORK STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT 2015 (EMERGENCY MANAGEMENT)

*II. Justification:*

To fully expend grant monies already awarded and assist with the completion of the radio project. This money will be used to purchase subscriber units for the Emergency Services division.

*III. Legislative Impact:*

No legislative impact.

*IV. Financial Impact:*

No financial impact, 100% grant money.

---

**RESOLUTION NO. 8 of 2017****DATED: 1/3/2017**

Resolution by Legislator: Pepe  
Seconded by Legislator: Purtell

**RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN INTERGOVERNMENTAL MEMORANDUM OF AGREEMENT BETWEEN THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND MONTGOMERY COUNTY (EMERGENCY MANAGEMENT/SERVICES)**

**WHEREAS**, the Department of Emergency Management/Services seeks to participate in an Intergovernmental Memorandum of Agreement for the receipt of a Oil spill/Hazardous Chemical spill response trailer; and

**WHEREAS**, this spill response trailer will benefit Montgomery County by allowing emergency services to respond and allow all of the fire departments in the county to use this trailer during the time of need for anytype of approved use including training.

**RESOLVED**, that the Montgomery County Legislature hereby authorizes and directs the County Executive, upon review and approval by the County Attorney, to sign the Intergovernmental Memorandum of Agreement between the New York State Department of Environmental Conservation as attached hereto.

**RESOLUTION VOTE**, passed with Aye(9). (1/3/2017)

**Statement of Legislative and Financial Impact:**

*I. Nature of Request:*

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN INTERGOVERNMENTAL MEMORANDUM OF AGREEMENT BETWEEN THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION AND MONTGOMERY COUNTY (EMERGENCY MANAGEMENT/SERVICES)

*II. Justification:*

This trailer is 100% funded by NYSDEC and provided to the County to benefit its first responders and its constituents. The NYSDEC handles maintenance, re-stocking and purchase. We just need to store it, communicate its use and report any issues. This is expensive equipment that will now allow us 24 hour access without the cost.

*III. Legislative Impact:*

No legislative impact.

*IV. Financial Impact:*

No financial impact.

---

**RESOLUTION NO. 9 of 2017**

**DATED: 1/3/2017**

Resolution by Legislator: Wilson  
Seconded by Legislator: Sweet

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN GRANT AGREEMENT – DORMITORY AUTHORITY STATE OF NEW YORK, STATE AND MUNICIPAL FACILITIES PROGRAM (SAM) (EMERGENCY MANAGEMENT)**

**WHEREAS**, the County Emergency Management Office was awarded \$360,000 in grant funds from the Dormitory Authority State of New York, State and Municipal Facilities Program (SAM), and;

**WHEREAS**, said funds will be used to design and install an emergency generator at the St. Johnsville-Oppenheim Central School District High School building in St. Johnsville, NY to further assist Emergency Management during severe emergencies or disasters by allowing backup power to the facility for use as an emergency shelter location, and;

**WHEREAS**, the County shall issue a Request For Proposal (RFP) to engage a qualified professional services firm to undertake the design, the location and installation of said generator.

**NOW THEREFORE BE IT RESOLVED**, that the County Executive, following review and approval by the County Attorney, is hereby authorized and directed to sign and submit any and all grant agreements and contracts related to said grant.

**RESOLUTION VOTE**, passed with Aye(9). (1/3/2017)

**Statement of Legislative and Financial Impact:**

*I. Nature of Request:*

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN GRANT AGREEMENT – DORMITORY AUTHORITY STATE OF NEW YORK, STATE AND MUNICIPAL FACILITIES PROGRAM (SAM) (EMERGENCY MANAGEMENT)

*II. Justification:*

This grant will allow the purchase and installation of an emergency power generator at the St. Johnsville High School building

located in St. Johnsville, NY. This school is one of our approved Red Cross emergency shelters and is located within the furthest west Village making it a very important location for sheltering. This grant is also a 100% grant funded project with no match funds required. I have met with the Superintendent of schools and the school board and we have thier full support.

Once the paperwork and RFP process is complete, I will then do a resolution awarding and budgeting the money, this resolution is mainly for permission for the County Executive to sign the documents to get the process started.

**III. Legislative Impact:**

No legislative impact.

**IV. Financial Impact:**

No financial impact, 100% grant money, no match funds.

---

**RESOLUTION NO. 10 of 2017**

**DATED: 1/3/2017**

Resolution by Legislator: Headwell, Jr.  
Seconded by Legislator: Pepe

**RESOLUTION AMENDING 2017 BUDGET FOR ESTABLISHED POSITION OF FISCAL TECHNICIAN AND ELIMINATION OF ACCOUNTANT POSITION (COUNTY TREASURER)**

**WHEREAS**, pursuant to Resolution No. 211 of 2016, the County Legislature established the position of Fiscal Technician in the Treasurer's Office and eliminated the position of Accountant, and

**WHEREAS**, the 2017 Adopted Budget did not reflect the change in positions.

**RESOLVED**, that the County Treasurer is hereby authorized and directed to amend the 2017 Adopted Budget as follows:

**TRANSFER FROM:**

A-06-4-1325-00-.1110 (545)	Accountant	\$39,606
----------------------------	------------	----------

**TRANSFER TO:**

A-06-4-1325-00-.1110 (89)	Fiscal Technician	\$39,606
---------------------------	-------------------	----------

**FURTHER RESOLVED**, this resolution is effective January 1, 2017.

**RESOLUTION VOTE**, passed with Aye(9). (1/3/2017)

**Statement of Legislative and Financial Impact:**

**I. Nature of Request:**

Amendment to the 2017 Operating budget based on change made in 2016.

**II. Justification:**

Resolution 211 of 2016 created the new position and eliminated the Accountant - needs to be changed for 2017 budget.

III. *Legislative Impact:*

Legislative approval is needed for changes to the budget

IV. *Financial Impact:*

No financial impact - amount for both positions are the same

---

**RESOLUTION NO. 11 of 2017**

**DATED: 1/3/2017**

Resolution by Legislator: Kelly  
Seconded by Legislator: Sweet

**RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL AUTHORITY TO AUDITING COMMITTEE  
(COUNTY LEGISLATURE)**

**WHEREAS**, the Montgomery County Legislature is authorized to annually delegate to an official responsible for the payment of bills upon the audit of the appropriate municipal corporation the power to approve the correction of the tax rolls 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 Montgomery County Legislature chooses to delegate this power to the Auditing Committee; and

**WHEREAS**, the Real Property Director maintains responsibility for investigating each Erroneous Assessment application and for making recommendations regarding said applications.

**NOW THEREFORE BE IT RESOLVED**, that the Montgomery County Legislature chooses to delegate the power to approve the correction of the tax rolls and tax bills, where said correction does not exceed \$2,500, and cover tax credits/refunds, in an amount less than \$2,500 to the Auditing Committee; and

**BE IT FURTHER RESOLVED**, that the Montgomery County Legislature retains authority to determine action regarding all instances in which said Director recommends application denial and in all instances where a recommended correction exceeds \$2,500; and

**BE IT FURTHER RESOLVED**, when the Real Property Tax Director makes a recommended correction that does not exceed \$2,500, the Real Property Tax Director shall transmit the written report of the investigation and recommendation, together with both copies of the application; and

**BE IT FURTHER RESOLVED**, when the Auditing Committee makes a recommendation to deny a correction that is recommended by the Real Property Direction, they shall transmit to the Montgomery County Legislature the written report of investigation and recommendation of the Real Property Tax Director with copies of the application and the reason that the Auditing Committee recommends denying the correction; and

**BE IT FURTHER RESOLVED**, that the Auditing Committee shall submit a report of corrections processed during the preceding month, indicating the name of each recipient, the location of the property and the amount of the correction to the Montgomery County Legislature on or before the fifteenth day of each month.

**RESOLUTION VOTE**, passed with Aye(9). (1/3/2017)

***Statement of Legislative and Financial Impact:***

I. *Nature of Request:*

Delegating authority to the Auditing Committee to handle Erroneous Assessments for 2017.

II. *Justification:*

Real Property Tax Law Sections 554 & 556 allow the delegating of the approval of corrections under \$2,500 to an official.

*III. Legislative Impact:*

Real Property Tax Law Sections 554 & 556 allow the delegating of the approval of corrections under \$2,500 to an official.

*IV. Financial Impact:*

none

---

**RESOLUTION NO. 12 of 2017**

**DATED: 1/3/2017**

Resolution by Legislator: Wilson  
Seconded by Legislator: Headwell, Jr.

**RESOLUTION APPOINTING MEMBER TO THE AUDIT COMMITTEE (COUNTY LEGISLATURE)**

**WHEREAS**, pursuant to Section 2.10 of the Montgomery County Charter and Section 2.03 (A) xiv of the Rules of Procedure of the Montgomery County Legislature, there shall be an Audit Committee composed of the Chairperson of the Legislature, the Chairperson of the Standing Committee on Budget & Finance and one additional Legislator; and

**WHEREAS**, the Montgomery County Legislature appoints a member each month to fill the position of the additional Legislator on the Audit Committee; and

**RESOLVED**, \_\_\_\_\_ is hereby appointed to serve on the Audit Committee for the month of January 2017; and

**FURTHER RESOLVED**, \_\_\_\_\_ is hereby appointed to serve on the Audit Committee for the month of February 2017.

**MOTION TO AMEND** by Legislator Purtell, seconded by Legislator Pepe, passed with Aye(9). (1/3/2017)

**RESOLUTION VOTE**, passed with Aye(9). (1/3/2017)

***Statement of Legislative and Financial Impact:***

*I. Nature of Request:*

APPOINTING MEMBER TO THE AUDIT COMMITTEE

*II. Justification:*

The Legislature has chosen to make appointments to fill the third position on the Audit Committee.

*III. Legislative Impact:*

Pursuant to Section 2.10 of the Montgomery County Charter and Section 2.03 (A) xiv of the Rules of Procedure of the Montgomery County Legislature, there shall be an Audit Committee composed of the Chairperson of the Legislature, the Chairperson of the Standing Committee on Budget & Finance and one additional Legislator.

*IV. Financial Impact:*

To ensure that there is no negative impact of the Operating Budget.

---

**ADJOURNMENT**

MOTION TO ADJOURN by Legislator Sweet, seconded by Legislator Wilson, passed with Aye(9).

Chairman Dimond adjourned the meeting at 7:05 p.m.

Respectfully submitted,

Cheryl A. Reese  
Clerk of the Montgomery County  
Legislature