

## **CALL TO ORDER**

Chairman Headwell called the Regular Meeting of the Montgomery County Legislature for January 23, 2018 to order at 7:00 PM.

## **ROLL CALL OF MEMBERS**

Legislators present were:

Martin P. Kelly, Legislator, District 1  
Brian D. Sweet, Legislator, District 2  
Roy S. Dimond, Chairman, Legislator, District 3  
Robert Headwell, Jr., Legislator, District 4  
Daniel P. Wilson, Legislator, District 5  
John M. Duchessi, Legislator, District 6  
Michael J. Pepe, Legislator, District 7  
Joseph A. Isabel, Legislator, District 8

Absent was:

Robert A. Purtell, Legislator, District 9

## **SALUTE TO THE FLAG**

Legislator Dimond led the salute to the flag

## **MOMENT OF SILENCE**

Chairman Headwell asked for a moment of silence.

## **PUBLIC COMMENT AND PRESENTATION**

Proclamations were given to:

- Pat Prill, Retired Montgomery County Veterans Service Officer
- Larry Coddington, Retired Town of Glen Supervisor

## **COMMUNICATIONS**

## **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

**MOTION TO ADOPT MINUTES OF PREVIOUS SESSION** by Legislator Kelly, seconded by Legislator Pepe, passed with Aye(8).  
Legislator Purtell was absent.

## **ACCEPTANCE OF BUDGETARY TRANSFERS**

**MOTION TO ACCEPT BUDGETARY TRANSFERS** by Legislator Sweet, seconded by Legislator Wilson, passed with Aye(8).  
Legislator Purtell was absent.

## **ACCEPTANCE OF PROCUREMENT RECORD**

**ACCEPTANCE OF PROCUREMENT RECORD** by Legislator Pepe, seconded by Legislator Isabel, passed with Aye(8).  
Legislator Purtell was absent.

## **OLD BUSINESS**

## **MOTION TO AMEND THE AGENDA**

**MOTION TO AMEND AGENDA** by Legislator Wilson, seconded by Legislator Dimond, passed with Aye(8). Legislator Purtell was absent.

**NEW BUSINESS**

A. Resolutions

B. Other

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**RESOLUTION NO. 9 of 2018**

**DATED: 1/23/2018**

Resolution by Legislator: Purtell  
Seconded by Legislator: Wilson

**RESOLUTION CORRECTING APPLICATION FOR 2018 TOWN AND COUNTY TAX ROLL (REAL PROPERTY)**

**WHEREAS**, an Applications have been filed for Correction of the 2018 County & Town Tax Rolls, pursuant to Section 554 of the Real Property Tax Law, with the Real Property Director, alleging errors on the 2018 Tax Roll, and

**WHEREAS**, said Director has investigated and filed reports, pursuant to said statute, and

**WHEREAS**, the Montgomery County Legislature has reviewed the Real Property Tax Director's reports and application, and

**WHEREAS**, the Montgomery County Legislature finds that there was an Clerical Error that is applicable in the application for correction.

Application for Correction to the 2018 County and Town Tax Rolls

Approved -

See Attached List -

The Clerical Error is that there was an incorrect entry on the tax roll of a relieved school tax which was previously paid. The school relevy should be removed for each of these parcels.

**WHEREAS**, Resolution 6 of 2018 only allows the Auditing Committee to sign correction that does not exceed \$2,500

**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 corrected extension of taxes, and

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

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

**RESOLVED**, that the County Director shall mail Notices of Approval of the Application to the applicants and the Auditing Department shall submit a monthly report, setting forth all corrections and/or refunds processed, to the Legislators, and

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

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

**FURTHER RESOLVED**, that the 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 the Treasurer is directed to notify the appropriate districts, prior to May 1, 2018 or any relevy cancelled by this resolution and will be charged back on the ensuing tax roll.

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

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

*I. Nature of Request:*

Approving the applications for correction to the 2018 County and Town Tax Rolls

*II. Justification:*

Review of the application for Correction of Errors

*III. Legislative Impact:*

Pursuant to the RPTL 554, applications for corrections were filed with the Real Property Tax Director. The Real Property Tax Director is recommending that the applications be approved, for over the \$2,500 limit, making them subject to review by the Montgomery County Legislature.

*IV. Financial Impact:*

Loss to the County is \$0

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**RESOLUTION NO. 10 of 2018**

**DATED: 1/23/2018**

Resolution by Legislator: Kelly  
Seconded by Legislator: Sweet

**RESOLUTION APPOINTING MEMBERS 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**, Legislator Duchessi is hereby appointed to serve on the Audit Committee for the month of February 2018 and Legislator Kelly is hereby appointed to serve on the Audit Committee for the month of March 2018.

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

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

*I. Nature of Request:*

APPOINTING MEMBERS 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.

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**RESOLUTION NO. 11 of 2018**

**DATED: 1/23/2018**

Resolution by Legislator: Kelly  
Seconded by Legislator: Dimond

**RESOLUTION APPROVING ABSTRACT OF AUDITED CLAIMS (COUNTY LEGISLATURE)**

**WHEREAS**, pursuant to the Audit Guidelines, Section 13.2 (2), requires after examination and review of the claims by the audit committee, and there being no objection to any of the claims by any committee or Board member, shall move that the claims as audited are approved and presented to the Board for approval of payment; and

**WHEREAS**, the Audit Committee has audited claims for the period of December 19, 2017 through January 23, 2018 and recommends the payment of the claims as attached hereto in the "Abstract of Audited Claims".

**RESOLVED**, after examination and review of the claims by the Audit Committee, the claims are audited and attached hereto, are hereby approved for payment by the Montgomery County Legislature.

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

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

*I. Nature of Request:*

APPROVING ABSTRACT OF AUDITED CLAIMS

*II. Justification:*

Pursuant to the Audit Guidelines, Section 13.2 (2), requires after examination and review of the claims by the audit committee, and there being no objection to any of the claims by any committee or Board member, shall move that the claims as audited are approved and presented to the Board for approval of payment.

*III. Legislative Impact:*

Pursuant to the Audit Guidelines, Section 13.2 (2), requires after examination and review of the claims by the audit committee, and there being no objection to any of the claims by any committee or Board member, shall move that the claims as audited are approved and presented to the Board for approval of payment.

*IV. Financial Impact:*

No impact to the fund balance

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**RESOLUTION NO. 12 of 2018**

**DATED: 1/23/2018**

Resolution by Legislator: Pepe

## RESOLUTION AMENDING THE 2018 OPERATING BUDGET - PUBLIC WORKS EQUIPMENT

**WHEREAS**, Montgomery County is a supporter of Shared Services, and

**WHEREAS**, Montgomery County Department of Public Works and the Emergency Management Office have agreed to secure a piece of equipment beneficial to both department's, and

**WHEREAS**, the Commissioner of Public Works is requesting a transfer of funds to help with the purchase of a new truck to be shared between the Department of Public Works and the Emergency Management Office'

**RESOLVED**, that the County Treasurer is authorized and directed to amend the 2018 operating budget as follows:

**TRANSFER FROM:**

DM-5130-00-.2230 Motor Vehicle Equipment \$9,918.00

**TRANSFER TO:**

A-02-4-3640-00-.2230 Motor Vehicle Equipment \$9,918.00

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

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

*I. Nature of Request:*

For Authorization allowing the County Treasurer to transfer funds from the DM Fund of DPW to the A Fund Equipment for Emergency Management

*II. Justification:*

For the purchase of a new Shared Service vehicle between DPW and EMO.

*III. Legislative Impact:*

Pursuant to Article 2 of the Montgomery County Charter, the Legislature has the power to make appropriations.

*IV. Financial Impact:*

No financial impact- Funds were budgeted in the 2018 Operating Budget

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**RESOLUTION NO. 13 of 2018**

**DATED:** 1/23/2018

Resolution by Legislator: Wilson  
Seconded by Legislator: Kelly

## RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW A OF 2018 (LOCAL LAW 1 OF 2018) - A LOCAL LAW AMENDING SECTIONS 2.11 AND 5.01 OF THE MONTGOMERY COUNTY CHARTER , LOCAL LAW 2 OF 2012 (COUNTY LEGISLATURE)

**WHEREAS**, pursuant to §15.02 of the Charter of Montgomery County, the County Legislature is empowered to clarify and elaborate on any provision of said Charter in a local law; and

**WHEREAS**, § 2.11 and §5.01 of the Charter has been deemed to require clarification and elaboration for the efficient operation of County business; and

**WHEREAS**, a copy of this law has been on the desks of all legislators for a period of ten days.

**RESOLVED**, that Introductory Local Law A of 2018 (LOCAL LAW 1 of 2018) hereby is submitted to the Montgomery County Legislature for consideration:

**A LOCAL LAW AMENDING SECTIONS 2.11 AND 5.01 OF THE MONTGOMERY COUNTY CHARTER, LOCAL LAW 2 OF 2012**

**BE IT ENACTED** by the Legislature of the County of Montgomery as follows:

Local Law Number 2 of 2012 is amended to read as follows:

§2.10 Continuous Audit

For the purpose of maintaining proper control and supervision over all fiscal affairs, the County Legislature may:

(a) Appoint an Audit Committee, consisting of the Chairman of the County Legislature, the Chairman of the Budget and Finance Committee, and one additional County Legislator, who will have the responsibility for auditing vouchers and claims for payment against County funds or funds for which the County is responsible and shall certify the same for payment by the County Treasurer. In the event that the County Legislature shall appoint a County Auditor, the duties of the County Audit Committee shall assumed by said Auditor.

§2.11

The County Legislature may appoint an Auditor. The Auditor shall be appointed on the basis of their professional experience and other qualifications for the responsibilities of their office. They shall be directly responsible to and serve at the pleasure of the County Legislature and may be removed without written charges and an opportunity to be heard. The duties of the Auditor shall include:

1. Auditing and certifying for payment all lawful claim and charge against the County, whether for payroll or otherwise, or against funds for which the County is responsible in whole or in part;
2. Certifying the availability of funds for all requisitions, contracts, purchase orders, and other documents by which the County incurs financial obligations or for the expenditure of funds for which the County is responsible;
3. Such special audits, in addition to those stated in §2.04 (i) as are deemed necessary, at the request of the Legislature.

§5.01

There shall be a Department of Purchasing under the direction of a Purchasing Agent who shall be appointed by the County Executive subject to confirmation by the County Legislature. They shall be appointed on the basis of their professional experience and other qualifications for the responsibilities of their office. They shall be directly responsible to and serve at the pleasure of the County Executive.

The rest of Local Law 2 of 2012 shall remain unchanged and in full force and effect.

**SAVING CLAUSE:** If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment decree or order 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 thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered and the remainder of this Local Law shall not be affected thereby and shall remain in full force and effect, and

**EFFECTIVE DATE:** This Local Law shall take effect when all applicable statutory requirements for its passage and adoption have been fully complied with and it has been filed in the Office of the Secretary of State.

**RESOLVED**, that the Clerk of the Montgomery County Legislature 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 VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

**Statement of Legislative and Financial Impact:**

I. *Nature of Request:*

II. *Justification:*

It is necessary to clarify the Montgomery County Charter to make the positions of Auditor and Purchaser equal to other positions in the Montgomery County Charter.

III. *Legislative Impact:*

Pursuant to Section 15.02 of the Charter of Montgomery County, the County Legislature is empowered to clarify and elaborate on any provision of said Charter in a local law

IV. *Financial Impact:*

None.

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**RESOLUTION NO. 14 of 2018**

**DATED: 1/23/2018**

Resolution by Legislator: Pepe  
Seconded by Legislator: Dimond

**RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO EXECUTE AMENDMENT TO CONSTRUCTION SERVICES AGREEMENT WITH JMZ ARCHITECTS FOR FMCC ALLEN HOUSE PROJECT**

**WHEREAS**, funding for the Allen House Project is coming from:

SUNY:	\$1,300,000.00
<u>FMCC FOUNDATION:</u>	<u>\$1,300,000.00</u>
<b>TOTAL:</b>	<b>\$2,600,000.00</b>

**WHEREAS**, there are no Montgomery County funds involved with this project, and

**WHEREAS**, Resolution 133 dated May 23,2017, authorized a \$62,500 contract with JMZ Architects and Planners to provide Construction Administration Services

**NOW, THEREFORE BE IT RESOLVED**, that due to issues that have arisen during the construction phase of this project that has resulted in JMZ providing more services than originally expected, FMCC recommends that JMZ's contract amount be increased from \$62,500 to \$76,500, and be it further

**RESOLVED**, that the contract summary is as follows:

ORIGINAL CONTRACT AMOUNT:	\$62,500.00
<u>PROPOSED AMENDMENT:(+)</u>	<u>\$14,000.00</u>
<b>REVISED CONTRACT AMOUNT:</b>	<b>\$76,500.00</b>

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

I. *Nature of Request:*

AUTHORIZING COUNTY EXECUTIVE TO EXECUTE AMENDMENT TO CONSTRUCTION SERVICES AGREEMENT WITH JMZ ARCHITECTS FOR FMCC ALLEN HOUSE PROJECT

II. *Justification:*

Due to issues that have arisen during the construction phase of this project, JMZ has provided more services than originally expected.

III. *Legislative Impact:*

The Montgomery County Legislature is authorized to pass this Resolution in support pursuant to Article 2 of the Montgomery County Charter.

IV. *Financial Impact:*

Costs fall within county's approved allocation to project, no further impact.

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**RESOLUTION NO. 15 of 2018**

**DATED: 1/23/2018**

Resolution by Legislator: Pepe  
Seconded by Legislator: Wilson

**RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO EXECUTE CHANGE ORDER NO. 2 WITH BISHOP BEAUDRY CONSTRUCTION FOR FMCC ALLEN HOUSE PROJECT**

**WHEREAS**, funding for the FMCC Allen House Project is coming from two (2) sources:

1. FMCC FOUNDATION: \$1,300,000.00
2. SUNY: \$1,300,000.00

and

**WHEREAS**, there are no Montgomery County funds involved with this project, and

**WHEREAS**, there are two (2) credit Change Orders being proposed whereby Bishop Beaudry will credit back funds for two (2) changes to their scope of work:

- Change the door window trim materials : (-) \$2,343.98
- Delete the purchase of toilet accessories : (-) \$1,860.00

**NOW, THEREFORE BE IT RESOLVED**, that the County Executive is hereby authorized and directed to execute Change Order No. 2 with Bishop Beaudry that would decrease their contract amount by \$4,203.98, and be it further

**RESOLVED**, that the approval of this Change Order would result in the following revised contract with Bishop Beaudry:

ORIGINAL CONTRACT AMOUNT:	\$1,390,500.00
CHANGE ORDER NO. 1: (+)	\$25,000.00
<u>PROPOSED CHANGE ORDER NO. 2: (-)</u>	<u>\$4,203.98</u>
<b>REVISED CONTRACT AMOUNT:</b>	<b>\$1,411,296.02</b>

**FURTHER RESOLVED**, that certified copies of this Resolution be forwarded to Fulton County and FMCC.

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

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

I. *Nature of Request:*



AUTHORIZING COUNTY EXECUTIVE TO EXECUTE CHANGE ORDER NO. 2 WITH BISHOP BEAUDRY CONSTRUCTION FOR FMCC ALLEN HOUSE PROJECT

II. *Justification:*

There are two (2) credit Change Orders being proposed whereby Bishop Beaudry will credit back funds for two (2) changes to their scope of work.

III. *Legislative Impact:*

The Montgomery County Legislature is authorized to pass this Resolution pursuant to Article 2 of the Montgomery County Charter.

IV. *Financial Impact:*

Costs fall within county's approved allocation to project, no further impact.

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**RESOLUTION NO. 16 of 2018**

**DATED: 1/23/2018**

Resolution by Legislator: Dimond  
Seconded by Legislator: Pepe

**RESOLUTION CONFIRMING APPOINTMENTS MADE BY THE COUNTY EXECUTIVE (COUNTY LEGISLATURE)**

**WHEREAS**, pursuant to §3.03 the County Executive shall appoint all County departments and administrative units not administered by elected officials, subject to confirmation of the Legislature; and

**WHEREAS**, pursuant to §2.08 of the Montgomery County Charter the County Legislature shall confirm appointments no longer than sixty (60) days after the appointment has been filed with the Clerk of the Legislature; and

**WHEREAS**, the County Executive has made the following appointments:

Kenneth Rose, Director of of Economic Development and Planning

Kelly Farquhar, Director of History and Archives

Jeffery Smith, Director of Emergency Management

Ray Borst, County Sealer of Weights & Measures

Sara Boerenko, Director of Community Services

Scott Surento, Purchasing Agent

Brenda Rava, Director of Youth Services

Meghan Manion, County Attorney

Jeffrey Kaczor, Stop DWI Coordinator

Daniel Colon, Director of Data Processing

Lucille Sitterly, Director of Probation

**WHEREAS**, the Montgomery County Legislature has undergone a committee review of the foregoing appointments; and

**WHEREAS**, it has been less than sixty (60) days after the appointments were filed with the Clerk of the Legislature.

**RESOLVED**, that the Montgomery County Legislature confirms the following appointments:

Kenneth Rose, Director of of Economic Development and Planning

Kelly Farquhar, Director of History and Archives

Jeffrey Smith, Director of Emergency Management

Ray Borst, County Sealer of Weights & Measures

Sara Boerenko, Director of Community Services

Scott Surento, Purchasing Agent

Brenda Rava, Director of Youth Services

Jeffrey Kaczor, Stop DWI Coordinator

Meghan Manion, County Attorney

Daniel Colon, Director of Data Processing

Lucille Sitterly, Director of Probation

**FURTHER RESOLVED**, that these appointments are subject to the terms and conditions set forth in the Montgomery County Charter and where applicable Montgomery County Civil Service.

**FURTHER RESOLVED**, that it is understood and agreed that such benefits of defense and indemnification are conferred upon those who are appointed by this resolution.

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

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

*I. Nature of Request:*

RESOLUTION CONFIRMING APPOINTMENTS MADE BY THE COUNTY EXECUTIVE

*II. Justification:*

Pursuant to §3.03 the County Executive shall appoint all County departments and administrative units not administered by elected officials, subject to confirmation of the Legislature.

*III. Legislative Impact:*

Pursuant to §3.03 the County Executive shall appoint all County departments and administrative units not administered by elected officials, subject to confirmation of the Legislature.

*IV. Financial Impact:*

Budgeted for in 2018 Operating Budget

**RESOLUTION RESCINDING RESOLUTION NO. 248 OF 2017 AND RE-SCHEDULING PUBLIC HEARING - MONTGOMERY COUNTY AGRICULTURE AND FARMLAND PROTECTION PLAN(ECONOMIC DEVELOPMENT AND PLANNING)**

**WHEREAS**, agriculture in Montgomery County is a dominant driver of the local economy; and

**WHEREAS**, the success of local agricultural businesses is integral to the stability of Montgomery County's employment base; and

**WHEREAS**, Montgomery County was awarded a New York State Department of Agriculture and Markets grant in order to update the over fifteen year old existing Agricultural and Farmland Protection Plan; and

**WHEREAS**, the formulation and update of the County Agricultural and Farmland Protection Plans is an important means of supporting agricultural businesses; and

**WHEREAS**, the duties of the Montgomery County Agriculture and Farmland Protection Board, established in accordance with Article 25-AA, Section 302, of the New York State Agriculture and Markets Law, include assessment and approval of County Agricultural and Farmland Protection Plans; and

**WHEREAS**, the Montgomery County Agriculture and Farmland Protection Board has reviewed the draft County Agricultural and Farmland Protection Plan and has referred the plan to the County Legislature.

**WHEREAS**, a public hearing was scheduled for December 19, 2017 and was not held.

**RESOLVED**, RESOLUTION NO. 248 OF 2017 is hereby rescinded; and

**RESOLVED**, the County Legislature hereby schedules a public hearing on the updated Montgomery County Agricultural and Farmland Protection Plan for January 23, 2018 at 6:55 pm in the Legislature Chambers 64 Broadway, Fonda, NY 12068; and

**FURTHER RESOLVED**, the Clerk of the County Legislature hereby is directed to cause legal notice of said Public Hearing to be published according to law.

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

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

*I. Nature of Request:*

RESCINDING RESOLUTION NO. 248 OF 2017 AND RE-SCHEDULING PUBLIC HEARING - MONTGOMERY COUNTY AGRICULTURE AND FARMLAND PROTECTION PLAN

*II. Justification:*

Resolution sets a public hearing date for the update of the Montgomery County Agricultural and Farmland Protection Plan.

*III. Legislative Impact:*

Article 25-AA, Section 302 of NYS Ag and Markets Law details the process for adoption of the updated Montgomery County Ag and Farmland Protection Plan.

*IV. Financial Impact:*

Cost of publication of the public hearing.

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Resolution by Legislator: Kelly  
Seconded by Legislator: Wilson

**RESOLUTION RESCINDING RESOLUTION 281 OF 2017 AND ADOPTING MONTGOMERY COUNTY AGRICULTURE AND FARMLAND PROTECTION PLAN UPDATE (ECONOMIC DEVELOPMENT AND PLANNING)**

**WHEREAS**, Montgomery County was awarded a New York State Department of Agriculture and Markets grant in order to update the over fifteen year old existing Agricultural and Farmland Protection Plan; and

**WHEREAS**, the formulation and update of the County Agricultural and Farmland Protection Plans is an important means of supporting agricultural businesses; and

**WHEREAS**, the duties of the Montgomery County Agriculture and Farmland Protection Board, established in accordance with Article 25-AA, Section 302, of the New York State Agriculture and Markets Law, include assessment and approval of County Agricultural and Farmland Protection Plans; and

**WHEREAS**, the Montgomery County Agriculture and Farmland Protection Board has reviewed the draft County Agricultural and Farmland Protection Plan and has referred the plan to the County Legislature.

**WHEREAS**, a public hearing was scheduled for December 19, 2017 and was not held so therefore, Resolution 281 of 2017 Adopting the Ag & Farmland Protection Plan must be rescinded.

**RESOLVED**, RESOLUTION NO. 281 of 2017 is hereby rescinded; and

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

**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.

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

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

*I. Nature of Request:*

Resolution authorizes adoption of the Montgomery County Agricultural and Farmland Protection Plan update.

*II. Justification:*

Existing Ag. Plan is 15 years old and plan will support one of the largest industries in the County.

*III. Legislative Impact:*

Authorized Pursant to Article II of the Charter.

*IV. Financial Impact:*

The duties of the Montgomery County Agriculture and Farmland Protection Board, established in accordance with Article 25-AA, Section 302, of the New York State Agriculture and Markets Law, include assessment and approval of County Agricultural and Farmland Protection Plans. There is no financial impact.

**RESOLUTION AMENDING 2018 OPERATING BUDGET- 2017-2018 SNOWMOBILE TRAILS GRANT-IN-AID PROGRAM (ECONOMIC DEVELOPMENT AND PLANNING)**

**WHEREAS**, the New York State Office of Parks, Recreation and Historic Preservation has awarded Montgomery County \$62,981 from the 2017-2018 Snowmobile Trails Grant-In-Aid Program, based upon an application submitted in cooperation with the Mohawk Valley Snowmobile Clubs, Inc.

**RESOLVED**, that the Montgomery County Legislature hereby authorizes the County Executive, following review and approval by the County Attorney, to execute all documents associated with this grant; and,

**FURTHER RESOLVED**, the County Treasurer is hereby authorized and directed to amend the 2018 Operating Budget as follows:

**INCREASE REVENUES:**

A-24-3-3889 State Aid - Other Culture and Recreation \$62,981

**INCREASE APPROPRIATIONS:**

A-24-4-7180-00-.4572 Recreation Trails \$62,981

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

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

*I. Nature of Request:*

This resolution will amend the 2018 operating budget to reflect the grant award amount through the New York State Snowmobile Trails Grant-In-Aid Program.

*II. Justification:*

This will allow the County receive and appropriate the grant awarded funds to the Mohawk Valley Snowmobile Clubs, Inc.

*III. Legislative Impact:*

Pursuant Article 2 of the Charter the Montgomery County Legislature has the power to make appropriations.

*IV. Financial Impact:*

Resolution is budget neutral as revenues from the grant will offset the appropriations.

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**RESOLUTION NO. 20 of 2018**

**DATED: 1/23/2018**

Resolution by Legislator: Kelly  
Seconded by Legislator: Sweet

**RESOLUTION ACCEPTING GRANT APPLICATION FOR MONTGOMERY COUNTY COURTHOUSE ADA COMPLIANCE INITIATIVE PROJECT – HOME AND COMMUNITY RENEWAL (ECONOMIC DEVELOPMENT & PLANNING)**

**WHEREAS**, the New York State Office of Homes and Community Renewal (NYSHCR) accepted applications through the Consolidated Funding Application (CFA) for projects that would further the goals and objectives of the Public Facilities Grant Program and Regional Economic Development Councils Strategic Plans; and

**WHEREAS**, Montgomery County submitted an application through the 2017 CFA process for the Montgomery County Courthouse ADA

Compliance Initiative project; and

**WHEREAS**, the project requested funding in order to construct ADA compliance measures to the existing old courthouse at 9 Park Street; and

**WHEREAS**, that said grant funding was awarded in the amount of \$300,000 from the New York State Office of Homes and Community Renewal (NYSHCR);

**RESOLVED**, that the Montgomery County Department of Economic Development & Planning are hereby authorized to administer said application on behalf of Montgomery County; and

**FURTHER RESOLVED**, upon review of the provided contract with New York State Office of Homes and Community Renewal (NYSHCR) by the County Attorney, the County Executive is hereby authorized to sign said contract, and

**FURTHER RESOLVED**, that the County Treasurer is hereby authorized and directed to amend the 2018 Operating Budget as follows:

**INCREASE REVENUES:**

A-24-3-3789                                      Other Economic Asst & Opport              \$300,000

**INCREASE APPROPRIATIONS:**

A-24-4-6430-00-.4438                      Miscellaneous Supporting Services \$300,000

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

**Statement of Legislative and Financial Impact:**

*I. Nature of Request:*

**ACCEPTING GRANT APPLICATION FOR MONTGOMERY COUNTY COURTHOUSE ADA COMPLIANCE INITIATIVE PROJECT – HOME AND COMMUNITY RENEWAL**

*II. Justification:*

Grant funding was awarded in the amount of \$300,000 from the New York State Office of Homes and Community Renewal (NYSHCR)

*III. Legislative Impact:*

Pursuant to Article 2 of the Charter the Legislature has the authority to make appropriations. Pursuant to Article 3 the Executive has the authority to sign contracts.

*IV. Financial Impact:*

No match required for this grant.

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**RESOLUTION NO. 21 of 2018**

**DATED: 1/23/2018**

Resolution by Legislator: Pepe  
Seconded by Legislator: Kelly

**RESOLUTION ACCEPTING GRANT APPLICATION FOR MONTGOMERY COUNTY MICROENTERPRISE PROJECT – HOME AND COMMUNITY RENEWAL (ECONOMIC DEVELOPMENT & PLANNING)**

**WHEREAS**, the New York State Office of Homes and Community Renewal (NYSHCR) accepted applications through the Consolidated Funding Application (CFA) for projects that would further the goals and objectives of the Microenterprise Grant Program and Regional



**WHEREAS**, Montgomery County is applying for funding for economic development purposes through the Office of Homes and Community Renewal's Community Development Block Grant (CDBG) Economic Development Program, and

**WHEREAS**, the Office of Community Renewal provides grants to communities that wish to sponsor economic development activities that create or retain jobs for low- and moderate-income persons. The goal of the program is to fund projects that result in high quality, full-time jobs that are well paying and provide benefits and training to low- and moderate-income persons, and

**WHEREAS**, Montgomery County has prioritized economic development and job creation provisions which will result in a direct and positive impact to low and moderate income persons, and

**WHEREAS**, Montgomery County has supplied a request for funding for the Dollar General Distribution Center, under the terms set forth in the Office of Homes and Community Renewal's Community Development Block Grant Program, and

**WHEREAS**, program requirements include the provision to hold a public hearing on the grant application.

**RESOLVED**, that the County Legislature hereby schedules a Public Hearing on the Dollar General Distribution Center grant to be held at 6:55 p.m., Tuesday, February 27, 2018 in the Chambers of the County Legislature, County Office Building, Fonda, New York, and

**RESOLVED**, that the County Executive, following review and approval by the County Attorney, is hereby authorized and directed to sign and submit all required application and subsequent reporting materials for funding under the Office of Homes and Community Renewal's Community Development Block Grant (CDBG) Economic Development Program.

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

**Statement of Legislative and Financial Impact:**

*I. Nature of Request:*

Resolution authorizes County Executive to sign CDBG application for the proposed Dollar General Distribution Center project in the Town of Florida and also schedules public hearing on said application.

*II. Justification:*

Public Hearing related to said grant is necessary before application is submitted.

*III. Legislative Impact:*

Pursuant to Article 2 of the Charter, the Montgomery County Legislature has the authority to hold public hearings.

*IV. Financial Impact:*

Cost of publication of public hearing notice.

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**RESOLUTION NO. 23 of 2018**

**DATED: 1/23/2018**

Resolution by Legislator: Kelly  
Seconded by Legislator: Dimond

**RESOLUTION ACCEPTING GRANT APPLICATION FOR MONTGOMERY COUNTY EXIT 29 SITE REUSE ANALYSIS AND AMENDING 2018 OPERATING BUDGET - DEPARTMENT OF STATE (ECONOMIC DEVELOPMENT & PLANNING)**

**WHEREAS**, the New York State Department of State (NYS DOS) accepted applications through the Consolidated Funding Application (CFA) for projects that would further the goals and objectives of the Local Waterfront Revitalization Program; and

**WHEREAS**, Montgomery County submitted an application on behalf of the Village of Canajoharie through the 2016 CFA process for the



Exit 29 Site Reuse Analysis project; and

**WHEREAS**, the project requested funding in order to complete technical and market analyses necessary to gauge the potential for redevelopment of the former Beech-Nut plant; and

**WHEREAS**, that said grant funding was awarded in the amount of \$85,000 from the New York State Department of State (NYS DOS) with a Village of Canajoharie share of \$15,000 in the form of cash, and a County share of \$70,000 in the form of \$20,000 in cash, and \$50,000 in donated in-kind services;

**RESOLVED**, that the Montgomery County Department of Economic Development & Planning are hereby authorized to administer said application on behalf of Montgomery County; and

**RESOLVED**, the County Executive is authorized to sign a revised MOU with Canajoharie reflecting these changes.

**FURTHER RESOLVED**, upon review of the provided contract with New York State Department of State (NYS DOS) by the County Attorney, the County Executive is hereby authorized to sign said contract and any other associated materials related to said grant, and

**FURTHER RESOLVED**, that the County Treasurer is hereby authorized and directed to amend the 2018 Operating Budget as follows:

**INCREASE REVENUES:**

A-24-3-3789                      Other Culture & Recreation    \$120,000

**INCREASE APPROPRIATIONS:**

A-24-4-6430-00-.4431            Professional Services            \$120,000

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

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

*I. Nature of Request:*

Resolution authorizes amendment to the 2018 operating budget to accept, allocate and receive funds associated with the LWRP grant received by the Village of Canajoharie as it relates to the Exit 29 Redevelopment Project.

*II. Justification:*

To work cooperatively with the Village on a grant that involves a property the County owns.

*III. Legislative Impact:*

Pursuant to Article 2 of the Charter the Montgomery County Legislature has the authority to appropriate funds.

*IV. Financial Impact:*

The County has an in kind cash match of \$20,000 for this grant.

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**RESOLUTION NO. 24 of 2018**

**DATED:** 1/23/2018

Resolution by Legislator: Kelly  
Seconded by Legislator: Wilson

**RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN NYS INDIGENT LEGAL SERVICES GRANT CONTRACT DISTRIBUTION 7 (PUBLIC DEFENDER)**

**WHEREAS**, the Montgomery County Public Defender has been advised by NYS Indigent Legal Services that a grant has been awarded

to the Public Defender's Office to improve the quality of services provided to indigents of Montgomery County; and

**WHEREAS**, the total of the grant is \$111,384 with a three-year distribution of \$37,128 per year; and

**WHEREAS**, the funds can be used only for the Public Defender's Office as set forth within contract; and

**RESOLVED**, that the Montgomery County Legislature hereby authorizes the County Executive, upon review and approval of the County Attorney to accept and sign said contract.

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

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

*I. Nature of Request:*

Executive to approve, accept and sign NYS ILS Grant Contract 7

*II. Justification:*

To improve the quality of service provided to indigents of Montgomery County

*III. Legislative Impact:*

Pursuant to Article 3 of the Charter the Montgomery County Executive has the authority to sign contracts.

*IV. Financial Impact:*

No county match - 100% grant funds

Budgeted for 2018

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**RESOLUTION NO. 25 of 2018**

**DATED:** 1/23/2018

Resolution by Legislator: Kelly  
Seconded by Legislator: Pepe

**RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN RENEWAL AGREEMENT - 2018 TRANSPORTATION OF FULTON COUNTY VETERANS - YOUTH, ATI & VETERANS' SERVICES**

**WHEREAS**, the Executive Director of Youth, ATI & Veterans' Services has recommended that Montgomery County continue to transport Fulton County veterans to and from the VA Medical Center in Albany, N.Y.; and

**WHEREAS**, municipal corporations have the power to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis; and

**WHEREAS**, the proposed agreement would benefit both Montgomery County and Fulton County.

**RESOLVED**, that the County Executive, following review and approval by the County Attorney, hereby is authorized and directed to sign a renewal agreement for the transportation of Fulton County veterans to and from the VA Medical Center in Albany, N.Y. ; and

**FURTHER RESOLVED**, that said Agreement shall be for a one-year period beginning on January 1, 2018 and ending on December 31, 2018, and

**FURTHER RESOLVED**, that said Agreement shall provide for transportation of Fulton County veterans, depending upon availability of space, at a charge of \$30.00 each way.

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

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

*I. Nature of Request:*

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN RENEWAL AGREEMENT - TRANSPORTATION OF FULTON COUNTY VETERANS

*II. Justification:*

Fulton County's agreement to pay Montgomery County for transportation of Fulton County Veterans to and from the VA Hospital.

*III. Legislative Impact:*

Pursuant to Article 3 of the Charter the County Executive has the power to enter into contracts. Pursuant to General Municipal Law 119-o municipal corporations have the power to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis. Intermunicipal agreements must be authorized by a majority vote of the Montgomery County Legislature.

*IV. Financial Impact:*

Montgomery County will receive up to \$9,000 for performance of the contract.

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**RESOLUTION NO. 26 of 2018**

**DATED: 1/23/2018**

Resolution by Legislator: Sweet  
Seconded by Legislator: Dimond

**RESOLUTION AMENDING THE 2018 OPERATING BUDGET (PROBATION/YOUTH BUREAU)**

**WHEREAS**, as of 1/1/2018 the Community Service for Adults Program was moved from the Youth Bureau to the Probation Department

**WHEREAS**, the position of Community Service Program Coordinator as well as associated appropriations were not transferred into the Probation Department budget but remained in the Youth Bureau budget

**WHEREAS**, State Aid used to fund this program was also retained in the Youth Bureau budget

**WHEREAS**, it is necessary for the position of Community Service Program Coordinator and other appropriations be removed from the Youth Bureau budget and added to the Probation budget so that the program can be assumed by the Probation Department

**WHEREAS**, it is also necessary that the State Aid revenue relative to this program be removed from the Youth Bureau budget and added to the revenue in the Probation Dept. budget

**RESOLVED**, the Montgomery County Legislature hereby approves the removal of the position of Community Service Program Coordinator and all associated appropriations from the Youth Bureau budget and adds them to the Probation Department budget

**FURTHER RESOLVED**, that the State Aid revenue for this program be removed from the Youth Bureau budget and added to the Probation Dept. revenue

**FURTHER RESOLVED**, the County Treasurer is hereby authorized and directed to amend the 2018 Operating Budget as follows:

**TRANSFER FROM:**

A-21-3-3312	State Aid - Alt to Incarceration	\$10,762
A-21-4-3155-00-1110 (995)	Comm. Svc. Program Coord.	\$34,754
A-21-4-3155-00-4422	Equip. Rent Lease Repair	\$1,000
A-21-4-3155-00-4441	Gasoline, Oil, Diesel Fuel	\$2,000
A-21-4-3155-00-4461	Work Program Expense	\$700

**TRANSFER TO:**

A-27-3-3312	State Aid - Alt to Incarceration	\$10,762
A-27-4-3155-00-.1110 (NEW)	Comm. Svc. Program Coord.	\$34,754
A-27-4-3155-00-.4422	Equip. Rent Lease Repair	\$1,000
A-27-4-3155-00-.4441	Gasoline, Oil, Diesel Fuel	\$2,000
A-27-4-3155-00-.4461	Work Program Expense	\$700

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

**Statement of Legislative and Financial Impact:**

*I. Nature of Request:*

Amendment of the 2018 budget to move the Community Service Program for Adults from the Youth Bureau to the Probation Dept.

*II. Justification:*

The Community Service for Adults program is being moved from the Youth Bureau to the Probation Department and the financial adjustments need to be made in the 2018 budget.

*III. Legislative Impact:*

Pursuant to Article 2 of the Charter the Montgomery County Legislature has the authority to make appropriations.

*IV. Financial Impact:*

The budgets of two Departments are being altered but there is no financial impact.

**RESOLUTION NO. 27 of 2018**

**DATED:** 1/23/2018

Resolution by Legislator: Kelly  
Seconded by Legislator: Wilson

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AGREEMENT FOR INMATE ELECTRONIC LAW LIBRARY SERVICES, LEXIS NEXIS (SHERIFF)**

**WHEREAS**, it is required by the New York State Commission of Corrections to provide an up to date Law library for inmates at the Montgomery County Jail.

**RESOLVED**, that the County Executive, following review and approval by the County Attorney, hereby is authorized and directed to sign a renewal agreement with Lexis Nexis, for the provision of electronic law library services to inmates at the Montgomery County Jail; and

**FURTHER RESOLVED**, that said agreement shall be for the period commencing on February 1, 2018 and ending on January 31, 2021, with compensation at the rate of \$368 per month, not to exceed \$4,416 annually or \$13,248 for the entire three year contract.

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

**Statement of Legislative and Financial Impact:**

*I. Nature of Request:*

To provide a approval for the County Executive to sign agreement for law library for inmates at the Montgomery County Jail.

*II. Justification:*

It is required by the New York State Commission of Corrections that all jails provied a law library to inmates.

*III. Legislative Impact:*

Pursuant to Article 3 of the Charter the Montgomery County Executive is authorized to sign contracts.

*IV. Financial Impact:*

Three year agreement totaling \$13,248.

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**RESOLUTION NO. 28 of 2018**

**DATED: 1/23/2018**

Resolution by Legislator: Purtell  
Seconded by Legislator: Dimond

**RESOLUTION AMENDING THE 2018 OPERATING BUDGET - 2016 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT PROGRAM (SHERIFF)**

**WHEREAS**, the Sheriff has been awarded a grant totaling \$447,091 from the 2016 SICG Statewide Interoperable Communications Grant Program; and

**WHEREAS**, the funding has been approved by the State to upgrade Montgomery County's current Microwave system to provide for the ability to better connect to the radio consortium which, the Sheriff's Office E911 center is currently connected to; and

**WHEREAS**, the radio equipment being purchased is on State Contract; and

**WHEREAS**, the remainder of the grant funding is to be used at a later date for radio shelters.

**RESOLVED**, the Montgomery County Treasurer is hereby authorized and directed to amend the 2018 Operating Budget as follows:

**INCREASE REVENUES:**

A-15-3-3389.14                      Other Public Safety    \$298,291

**INCREASE APPROPRIATIONS:**

A-15-4-3020-14.2250              Technical Equipment    \$298,291

**MOTION TO AMEND** by Legislator Dimond, seconded by Legislator Pepe, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

**Statement of Legislative and Financial Impact:**

*I. Nature of Request:*

To purchase radio equipment to upgrade our current microwave system.

**II. Justification:**

This radio equipment is needed to provide for a better connection to the current microwave consortium.

**III. Legislative Impact:**

Pursuant to Article 2 of the Charter the Montgomery County Legislature has the authority to make appropriations.

**IV. Financial Impact:**

Total cost of equipment is covered by the grand with no match money.

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**RESOLUTION NO. 29 of 2018**

**DATED: 1/23/2018**

Resolution by Legislator: Kelly  
Seconded by Legislator: Sweet

**RESOLUTION ACCEPTING THE FY2017 STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT FROM NYS HOMELAND SECURITY AND AMENDING THE 2018 OPERATING BUDGET (EMERGENCY MANAGEMENT)**

**WHEREAS**, the Emergency Management Office applied for and received the FY2017 State Homeland Security Program (SHSP) Grant to assist in emergency preparedness throughout Montgomery County; and

**WHEREAS**, the Emergency Management Office has been notified by the New York State Division of Homeland Security and Emergency Services that Montgomery County has been awarded \$89,974.00, with no County match, to assist in emergency preparedness throughout Montgomery County; and

**WHEREAS**, the Montgomery County Legislature hereby authorizes the acceptance of the FY2017 State Homeland Security Program (SHSP) Grant; and

**RESOLVED**, the Montgomery County Legislature hereby authorizes and directs the County Executive, following review and approval of the County Attorney to sign the agreement for FY2017 State Homeland Security Program (SHSP) Grant.

**FURTHER RESOLVED**, the Montgomery County Treasurer is hereby authorized and directed to amend the 2018 Operating Budget as follows:

**INCREASE REVENUES:**

A-02-3-4389-03	Federal Aid SHSP 2017	\$89,974.00
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**INCREASE APPROPRIATIONS:**

A-02-4-3640-03-.4459	Computer Software	\$49,253.00
A-02-4-3640-03-.2259	Computer Equipment	\$25,000.00
A-02-4-3640-03-.2250	Tech Equipment	\$9,721.00

A-02-4-3640-03-.4449	Special Supplies	\$6,000.00
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**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

**Statement of Legislative and Financial Impact:**

I. *Nature of Request:*

RESOLUTION ACCEPTING THE FY2017 STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT FROM NYS HOMELAND SECURITY AND AMENDING THE 2018 OPERATING BUDGET (EMERGENCY MANAGEMENT)

II. *Justification:*

This 2017 SHSP Grant will assist all of our first responders by supplying updated imagery through Pictometry which is used in the 911 dispatch center. Pictometry is a program allowing first responders to see updated images of property locations throughout the county. It will also purchase microsoft surfaces for the command staff in Emergency Management/Services allowing us to perform our duties from any location. Finally the grant allows for purchases to assist with citizen preparedness information, a generator and a portable radio.

III. *Legislative Impact:*

Authorized pursuant to Article 2 and Article 3 of the Charter.

IV. *Financial Impact:*

There is no financial impact as this grant is 100% funded with no match funds required.

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**RESOLUTION NO. 30 of 2018**

**DATED:** 1/23/2018

Resolution by Legislator: Dimond  
Seconded by Legislator: Sweet

**RESOLUTION ACCEPTING THE FY2017 STATE EMERGENCY MANAGEMENT PERFORMANCE GRANT(EMPG) FROM NYS HOMELAND SECURITY AND AMENDING THE 2018 OPERATING BUDGET (EMERGENCY MANAGEMENT)**

**WHEREAS**, the Emergency Management Office applied for and received the FY2017 State Emergency Performance Grant (EMPG) to assist with the purchase of a vehicle to be used throughout Montgomery County; and

**WHEREAS**, the Emergency Management Office has been notified by the New York State Division of Homeland Security and Emergency Services that Montgomery County has been awarded \$23,688.00, to assist in emergency response and performance throughout Montgomery County; and

**WHEREAS**, the revenue for the Emergency Management EMPG grant was included in the 2018 adopted budget but the corresponding appropriation was excluded awaiting approval from NYS.

**RESOLVED**, the Montgomery County Legislature hereby authorizes and directs the County Executive, following review and approval of the County Attorney to sign the agreement for FY2017 State Emergency Performance Grant (EMPG).

**FURTHER RESOLVED**, the Montgomery County Treasurer is hereby authorized and directed to amend the 2018 Operating Budget as follows:

**INCREASE REVENUES:**

A-02-3-4305-00	Emerg Mgmt - EMPG	\$688.00
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**TRANSFER FROM:**

A-30-4-1990-00-.4400	Contingent Account	\$23,000.00
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**TRANSFER TO:**

A-02-4-3640-00-.2230	Motor Vehicle Equipment	\$23,688.00
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**Statement of Legislative and Financial Impact:**

*I. Nature of Request:*

RESOLUTION ACCEPTING THE FY2017 STATE EMERGENCY MANAGEMENT PERFORMANCE GRANT(EMPG) FROM NYS HOMELAND SECURITY AND AMENDING THE 2018 OPERATING BUDGET (EMERGENCY MANAGEMENT)

*II. Justification:*

This grant allows for \$23,688.00 to be used towards the purchase of a new vehicle. Emergency Management continues to receive equipment from the State that is required to tow to different types of scenes, the last item being a spill response trailer from DEC. Undersnading that it is difficult to purchase vehicles, the Director lobbied the state for approval and was able to obtain this money towards a purchase. We then had communications with DPW Commissioner Eric Mead, through this communication an agreement was reached to share the use fo this vehicle, so that it will benefit two departments. If approved the required match funds will be coming from the DPW budget, transfered over to our vehicle line so we can make the purchase. Once the vehicle is obtained it will be used everyday by the DPW buildings and grounds supervisor and left for our use overnight and on weekends. Should an emergency arise then we would take over the vehicle immediately regardless of the time. It is our hopes that you see the benefit of this purchase, combined with the benefit of the grant money. This will enable us to hall the appropriate equipment to a potential scene without problem. Please contact me with any questions/concerns, thank you!

*III. Legislative Impact:*

Pursuant to Article 2 of the Charter the Legislature has the authority to make appropriations and the Executive has the authority to sign contracts.

*IV. Financial Impact:*

The financial impact is the approval of a transfer from the DPW budget to our budget and the approval to spend \$23, 688 towards a vehicle purchase.

This vehicle is a 3500HD Chevrolet Silverado with heavy duty tow package, bed liner, tool box, bed cover, lights, siren and radio.

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**RESOLUTION NO. 31 of 2018**

**DATED: 1/23/2018**

Resolution by Legislator: Pepe  
Seconded by Legislator: Kelly

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AND EXECUTE A CONTRACT AGREEMENT - PICTOMETRY (EMERGENCY MANAGEMENT)**

**WHEREAS**, the Emergency Management Office has received notification from the NYS Department of Homeland Security of a grant award that included the purachse of pictometry images. Pictometry's updated images are photos of the entire County for its mapping system in the 911 Center.

**RESOLVED**, that the County Executive is hereby authorized to sign and execute a contract agreement with Pictometry after review and approval by the County Attorney.

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

**Statement of Legislative and Financial Impact:**

*I. Nature of Request:*



**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE AFTER REVIEW AND APPROVAL BY THE COUNTY ATTORNEY TO SIGN AND EXECUTE A CONTRACT AGREEMENT - PICTOMETRY (EMERGENCY MANAGEMENT)**

*II. Justification:*

A previous resolution is on the agenda for approval to realize the revenue and place the money in the appropriation line for this purchase. This contract will allow Pictometry to fly, take images and supply the updated images for an already existing program in the 911 dispatch center.

These images are for use by all first responders county wide and benefit everyone.

*III. Legislative Impact:*

There is no legislative impact.

*IV. Financial Impact:*

There is no financial impact, this is 100% grant money with no match funds and provides updates to an already existing program in the 911 center.

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**RESOLUTION NO. 32 of 2018**

**DATED: 1/23/2018**

Resolution by Legislator: Pepe  
Seconded by Legislator: Dimond

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN INTERMUNICIPAL AGREEMENT FOR SERVICES FROM THE AMSTERDAM FIRE DEPARTMENT - CITY OF AMSTERDAM (EMERGENCY MANAGEMENT/SERVICES)**

**WHEREAS**, responding to HAZMAT incidents and confined space rescue incidents requires specific manpower and training it is necessary to set a course of action for appropriately staffed and trained coverage for Montgomery County, and

**WHEREAS**, it has been determined that cooperative action with the City of Amsterdam Fire Department will stabilize response, improve overall safety and be an economic benefit to both municipalities; and

**WHEREAS**, it is expected that this intermunicipal agreement will be beneficial to both Montgomery County and the City of Amsterdam.

**RESOLVED**, the Montgomery County Legislature hereby endorses and authorizes after review by the County Attorney the County Executive to sign an Intermunicipal Agreement for services from the City of Amsterdam (Fire Department) for a term of January 1, 2018-December 31, 2020.

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

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

*I. Nature of Request:*

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN INTERMUNICIPAL AGREEMENT FOR SERVICES FROM THE AMSTERDAM FIRE DEPARTMENT - CITY OF AMSTERDAM (EMERGENCY MANAGEMENT/SERVICES)

*II. Justification:*

Montgomery County has the longest stretch of NYS Thruway and CSX rail tracks in the entire State of New York. We also have many State roads that encompass a large area of our jurisdiction. All of these travel routes place us at risk for a Hazardous Material incident at any given time. This combined with the natural hazards of some of our industry has proven to be the main requiring factor to make sure our Hazardous Material Response Team is staffed, trained and capable of protecting our citizens and infrastructure. We are in a regional agreement with Fulton and Schoharie County to provide us assistance when needed. The Amsterdam Fire Department has agreed to provide response for this team and has stabilized our ability to handle these types of incidents on a daily basis.

The Amsterdam Fire Department also has trained firefighters in confined space rescue. They have agreed to support our Department of Public Works for any confined space work detail, rescue or incident. These two things are very important for the safety of our employees, constituents, guests and business owners. The money set aside in the 2017 budget (\$10,000) for a one time payment to them is to assist with training, equipment and to support this partnership that is absolutely necessary.

*III. Legislative Impact:*

PURSUANT TO GENERAL MUNICIPAL LAW 119-o MUNICIPAL CORPORATIONS HAVE THE POWER TO ENTER INTO AGREEMENTS FOR THE PERFORMANCE AMONG THEMSELVES OR ONE FOR THE OTHER RESPECTIVE FUNCTIONS, POWERS, AND DUTIES ON A COOPERATIVE OR CONTRACT BASIS. THESE AGREEMENTS MUST BE ENTERED INTO BY A MAJORITY VOTE OF THE VOTING STRENGTH OF ITS GOVERNING BODY.

PURSUANT TO ARTICLE 3 OF THE CHARTER MONTGOMERY COUNTY EXECUTIVE HAS THE AUTHORITY TO ENTER INTO CONTRACTS.

*IV. Financial Impact:*

The financial impact for this resolution is \$10,000.00 a year. This money was already approved in the 2018 budget and has been placed in the appropriate line.

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**RESOLUTION NO. 33 of 2018**

**DATED:** 1/23/2018

Resolution by Legislator: Wilson  
Seconded by Legislator: Kelly

**RESOLUTION AMENDING THE 2018 OPERATING BUDGET ACCEPTING STOP-DWI CRACKDOWN ENFORCEMENT AWARD (STOP-DWI)**

**WHEREAS**, the NYS STOP-DWI Foundation Board was successful in securing funding from the Governor's Traffic Safety Committee to continue crackdown enforcement during the grant cycle of October 1, 2017 through September 30, 2018; and

**WHEREAS**, the Montgomery County STOP-DWI program has been awarded a Crackdown Enforcement award in the amount of \$10,000 for use in Montgomery County for sobriety checkpoints and/or roving patrols during the grant cycle.

**NOW, THEREFORE BE IT RESOLVED**, the County Treasurer is hereby authorized and directed to amend the 2018 Operating Budget as follows:

**INCREASE REVENUES:**

A-32-3-3089	State Aid - Other	\$7,000
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**INCREASE APPROPRIATIONS:**

A-32-4-3315-00-.4520	STOP-DWI/Law Enforcement Programs	\$7,000
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**MOTION TO AMEND** by Legislator Pepe, seconded by Legislator Kelly, to change the NOW THEREFORE FURTHER RESOLVED CLAUSE to

**NOW, THEREFORE BE IT RESOLVED**, the County Treasurer is hereby authorized and directed to amend the 2018 Operating Budget as follows:

**INCREASE REVENUES:**

A-32-3-3089 State Aid - Other \$8,530.46

**INCREASE APPROPRIATIONS:**

A-32-4-3315-00-.4520 STOP-DWI/Law Enforcement Programs \$8,530.46

passed with Aye(8). Legislator Purtell was absent.(1/23/2018)

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

**Statement of Legislative and Financial Impact:**

*I. Nature of Request:*

Amend the 2018 Operating Budget in order to utilize State Aid funds awarded for Crackdown Enforcement.

*II. Justification:*

Amend the 2018 Operating Budget in order to utilize State Aid funds awarded for Crackdown Enforcement.

*III. Legislative Impact:*

Pursuant to Article 2 of the Charter the Montgomery County Legislature has the power to make appropriations.

*IV. Financial Impact:*

Increase Revenues \$8,530.46

Increase Appropriations \$8,530.46

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**RESOLUTION NO. 34 of 2018**

**DATED:** 1/23/2018

Resolution by Legislator: Kelly  
Seconded by Legislator: Wilson

**RESOLUTION AUTHORIZING THE MONTGOMERY COUNTY PURCHASING DEPARTMENT TO CALL FOR BIDS FOR THE MONTGOMERY COUNTY CULVERT REPLACEMENT IN THE TOWNS OF FLORIDA AND AMSTERDAM**

**WHEREAS**, Montgomery County was highly impacted by Hurricane Irene, and

**WHEREAS**, Montgomery County applied for and obtained funding for the project titled, "Enlarge Undersized Culverts" through a Community Development Block Grant- Disaster Recovery (CDBG-DR) obtained through the New York State Governor's Office of Storm Recovery (GOSR), New York Rising Community Reconstruction Program in application accepted June 9, 2016, and

**WHEREAS**, Montgomery County retained John M. McDonald Engineering to design said improvements and prepare a bid package with plans and specifications, and

**WHEREAS**, the New York State Department of Environmental Conservation, United States Army Corps of Engineers, as well as a GOSR technical advisor reviewed plans, specifications, and bid package and review comments have been satisfactorily addressed, and

**WHEREAS**, Montgomery County will formally publically bid this project in accordance with County, State, and Federal requirements at the Montgomery County Annex Building, and

**WHEREAS**, upon review of submitted bid(s), Montgomery County intends to award a contract, contingent on GOSR consent to the lowest responsible bidder for construction of improvements.

**NOW, THEREFORE BE IT RESOLVED**, that the governing authority of Montgomery County, New York, hereby authorizes the release of plans, specifications, and bid package for public bid, through its retained engineer for the aforementioned project.

**RESOLUTION VOTE**, passed with Aye(8). Legislator Purtell was absent. (1/23/2018)

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

*I. Nature of Request:*

To solicit bids for culvert replacement in the Towns of Florida and Amsterdam

*II. Justification:*

This project will mitigate future damages to homes, businesses and road infrastructure in the vicinity of the project sites. This project will also save private property owners, insurers, and taxpayers from paying for costly repairs due to future flooding

*III. Legislative Impact:*

The Montgomery County Legislature has the authority to authorize the Purchasing Department to seek bids

*IV. Financial Impact:*

No financial impact- project is 100% Federally funded

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**ADJOURNMENT**

**MOTION TO ADJOURN** by Legislator Kelly, seconded by Legislator Pepe, passed with Aye(8). Legislator Purtell was absent.

Chairman Headwell adjourned the meeting at 7:28 pm

Respectfully submitted,

Cheryl A. Reese  
Clerk of the Montgomery County  
Legislature