

CALL TO ORDER

Chairman Isabel called the Regular Meeting of the Montgomery County Legislature for May 26, 2020 to order at 7:00 PM.

Given the current State, Federal and County bans on large meetings due to COVID-19 in conjunction with Governor Cuomo's Executive Order 202.1, extended by Executive Order 202.14, that suspended the Open Meetings Law, the Montgomery County Full Legislature Meeting scheduled for May 26, 2020 will be held electronically via teleconference at 7:00 pm. Members of the public may listen to the meeting by calling 1-872-240-3212, Access Code 192-479-877.

Minutes of the meeting will be transcribed and later posted on the Montgomery County website at www.co.montgomery.ny.us

ROLL CALL OF MEMBERS

Legislators present were:

Martin P. Kelly, Legislator, District 1
Brian D. Sweet, Legislator, District 2
John W. Thayer, 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, Chairman of the Legislature, Legislator, District 8
Robert A. Purtell, Legislator, District 9

SALUTE TO THE FLAG

Chairman Isabel led the Salute to the Flag.

MOMENT OF SILENCE

PUBLIC COMMENT AND PRESENTATION

There was no public comment

COMMUNICATIONS

none

OLD BUSINESS

RESOLUTION NO. 88 of 2020

DATED: 4/28/2020

Resolution by Legislator: Thayer
Seconded by Legislator: Wilson

BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE "COUNTY"), DATED APRIL 28, 2020, AUTHORIZING VARIOUS IMPROVEMENTS TO COUNTY BUILDINGS, ESTIMATING THE AGGREGATE COST THEREOF TO BE \$300,000.00; APPROPRIATING SAID AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF \$300,000.00 SERIAL BONDS OF THE COUNTY TO FINANCE SAID COST AND RELATED EXPENSES

WHEREAS, the County Legislature has heretofore approved the construction and installation of improvements, repairs and renovations to the DPW Facility, the County Office Buildings, the Public Safety Center and the County courthouses (the "Buildings Project"), all as more particularly described in the County's approved plan of capital improvements and acquisitions (the "Capital Plan"); and

WHEREAS, the County Legislature desires to approve the method of financing the costs of the Projects;

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Montgomery County Legislature of the County of Montgomery, New York, (by a favorable vote of not less than two-thirds of all of its members), as follows:

SECTION 1

Pursuant to Sections 31.00 and 32.00 of the Local Finance Law, constituting Chapter 33-A of the Consolidated Laws of the State of New York (the "Law"), the County hereby authorizes the Projects as follows:

the Buildings Project, the maximum aggregate cost thereof being estimated to be \$300,000, appropriating said amount therefor and authorizing the issuance of \$300,000.00 serial bonds to finance such cost and related expenses.

SECTION 2

It is determined that the period of probable usefulness of the aforesaid specific objects or purposes are as follows:

the Buildings Project - Ten (10) years pursuant to Section 11.00(a)(13) of the Law.

SECTION 3

The plan of financing includes the issuance of \$300,000.00 serial bonds and the levy of a tax upon all of the real property in the County to pay the principal of and interest on said bonds as the same shall become due and owing.

SECTION 4

The temporary use of available funds of the County, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized to be expended pursuant to Section 165.10 of the Local Finance Law for the specific objects or purposes described in Section 1 of this resolution. If such temporary funds are used for any expenditure authorized in this resolution, the County intends to reimburse such funds with the proceeds of the tax-exempt borrowing authorized and identified pursuant to Section 1 above.

SECTION 5

The proposed average maturity date of the bonds authorized pursuant to this resolution is not expected to exceed five (5) years.

SECTION 6

The serial bonds issued to finance the cost of each object or purpose described in Section 1 above shall mature no later than the date of the expiration of the period of probable usefulness for each such object or purpose.

SECTION 7

The County hereby covenants and agrees with the holders from time to time of the serial bonds of the County issued pursuant to this resolution, and any bond anticipation notes of the County issued in anticipation of the sale of said bonds, that the County will duly and faithfully observe and comply with all provisions of the United States Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations of the Internal Revenue Service issued pursuant thereto (the "Regulations") unless, in the opinion of Bond Counsel to the County, such compliance is not required by the Code and Regulations to maintain the exemption of interest on said obligations from Federal income taxation.

SECTION 8

Pursuant to Section 617.5(a) of the regulations of the New York State Department of Environmental Conservation, in the event that certain components of the Project set forth in Section 1 of this resolution are subject to the procedures required by the State Environmental Quality Review Act ("SEQRA"), no "action", as the same is referred to in Article 9 of SEQRA and SEQRA regulations, shall be taken and no serial bonds shall be issued until all of the procedures and requirements set forth therein have been completed with respect to such project.

SECTION 9

Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any notes issued in anticipation of said bonds shall be general obligations of the County, payable as to both principal and interest by a general tax upon all the real property within the County without legal or constitutional limitation as to rate or amount. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said serial bonds and any bond anticipation notes issued in anticipation of said

bonds and provision shall be made annually in the budget of the County by appropriation for (a) the amortization and redemption of the bonds and notes to mature in such year, and (b) the payment of interest to be due and payable in such year.

SECTION 10

Subject to the provisions of this Bond Resolution and the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes, or the renewals of said obligations and of Section 50.00 and Section 60.00 of the Law, the powers and duties of the Montgomery County Legislature relative to authorizing serial bonds and bond anticipation notes and prescribing the terms, form and content as to sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Treasurer of the County, the chief fiscal officer of the County. Pursuant to the provisions of paragraph a of Section 56.00 of the Local Finance Law, the power to determine whether to issue bonds and bond anticipation notes having substantially level or declining annual debt service, as provided in paragraph d of Section 21.00 of the Local Finance Law, is hereby delegated to the Treasurer of the County, the chief fiscal officer of said County. In addition to the delegation of powers described above, the powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such bonds for sale, conduct the sale and award the bonds in such manner as she shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, she shall comply fully with the provisions of the Local Finance Law and any other order or rule of the State Comptroller applicable to the sale of municipal bonds.

SECTION 11

All costs and expenses in connection with the acquisition and development of the objects and purposes set forth in Section 1 above, and the financing thereof by the sale of bonds, including but not limited to, the fees and expenses of bond counsel, financial advisors, underwriters, feasibility consultants, counsel for the County and other professionals, shall be paid to the extent permitted by law from the proceeds of the sale of such bonds.

SECTION 12

The validity of the bonds authorized by this bond resolution and of any notes issued in anticipation of said bonds may be contested only if:

- (a) Such obligations are authorized for any object or purpose for which the County is not authorized to expend money; or
- (b) The provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or
- (c) Such obligations are authorized in violation of the provisions of the constitution.

SECTION 13

This resolution shall be published in full in the designated official newspapers of the County for such purpose, together with a notice of the Clerk of the Montgomery County Legislature in substantially the form provided in Section 81.00 of the Law.

SECTION 14

This resolution shall take effect immediately.

MOTION TO TABLE by Legislator Thayer, seconded by Legislator Sweet, passed with Aye(7). Legislators Kelly and Duchessi voted Nay. (4/28/2020)

Statement of Legislative and Financial Impact:

I. Nature of Request:

AUTHORIZING VARIOUS IMPROVEMNTS TO COUNTY BUILDINGS ESTIMATING THE AGGREGATE COST THEREOF TO BE \$300,000.00; APPROPRIATING SAID AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF \$300,000.00 SERIAL BONDS OF THE COUNTY TO FINANCE SAID COST AND RELATED EXPENSES

II. Justification:

Authorization of the legislature needed to incur indebtedness to the county

III. Legislative Impact:

Pursuant to law 2/3 of legislature is needed for all bonding resolutions

IV. Financial Impact:

issuance of \$300,000.00 debt to be paid for the next 10 years. To be included as indebtedness payments in subsequent years

NEW BUSINESS

A. Resolutions

B. Other

RESOLUTION NO. 92 of 2020

DATED: 5/26/2020

Resolution by Legislator: Kelly
Seconded by Legislator: Wilson

RESOLUTION SCHEDULING SECOND PUBLIC HEARING – MONTGOMERY COUNTY CDBG GRANT- OFFICE OF HOMES AND COMMUNITY RENEWAL (ECONOMIC DEVELOPMENT/PLANNING)

WHEREAS, Montgomery County is applied for funding for economic development purposes through the Office of Homes and Community Renewal's Community Development Block Grant (CDBG) 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 applied for and received funding for a CDBG in the amount of \$750,000 for assistance to Dollar General 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 two public hearings on the grant application.

RESOLVED, that the County Legislature hereby schedules a Public Hearing on the Dollar General grant to be held at 6:50 p.m., Tuesday, June 23, 2020 in the Chambers of the County Legislature, County Office Building, Fonda, New York, and

RESOLUTION VOTE, passed with Aye(9). (5/26/2020)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Authorizes scheduling second public hearing for grant received on behalf of Dollar General through the NYS Office of Community Renewal's CDBG Program.

II. Justification:

Program requirements include the provision to hold two public hearings on the grant application

III. Legislative Impact:

Authorized pursuant to the Montgomery County Charter Article 2 & 3

IV. Financial Impact:

Cost of public hearing notice est. \$20.00

RESOLUTION NO. 93 of 2020

DATED: 5/26/2020

Resolution by Legislator: Kelly
Seconded by Legislator: Pepe

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN AGREEMENT WITH LIRO ENGINEERS, INC. FOR ENGINEERING SERVICES-EXIT 29 REDEVELOPMENT PROJECT (ECONOMIC DEVELOPMENT AND PLANNING)

WHEREAS, the Village of Canajoharie and Montgomery County have an interest in revitalizing urban areas and stabilizing neighborhoods; and

WHEREAS, the Village of Canajoharie was awarded a total of \$6,500,000 in Restore NY Communities grant funds for the purpose of revitalizing the Exit 29 site in which the County is owner to; and

WHEREAS, in order to carry out said tasks and goals associated with the awarded funds the County solicited RFQ 02-18 Engineering For Former Beech-Nut Plant Demolition/Rehabilitation and responses were received; and

WHEREAS, Resolution #153 of 2018 awarded the contract to LiRo Engineers, Inc. at a cost not to exceed \$475,000 and Resolution #200 of 2019 amended the contract at cost not to exceed \$560,000 for additional State Environmental Quality Review work on the western side; and

WHEREAS, additional work associated with the construction inspection, asbestos monitoring and demolition and design support for the western side of the site is necessary; and

WHEREAS, Part VI (C) (j) of the Montgomery County Procurement Policy allows to continue with professional services for existing projects that require the continuity of the professional services to ensure proper completion of the project.

RESOLVED, the Montgomery County Legislature hereby authorizes an amendment to the contract for a total cost not to exceed \$725,000; and

FURTHER RESOLVED, that the County Executive, upon review and approval of the County Attorney, is hereby authorized and directed to sign the aforementioned contract.

RESOLUTION VOTE, passed with Aye(9). (5/26/2020)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Resolution authorizes the County Executive to sign an amended contract for Engineering services as it relates to the Exit 29 Redevelopment Project.

II. Justification:

Continued professional engineering services for this project are necessary.

III. Legislative Impact:

Pursuant to Section 3.02(g) of the Montgomery County Charter, the County Executive can make, sign and implement all contracts on behalf of the County within the authorized appropriations. Also authorized pursuant to the Montgomery County Procurement Policy.

IV. Financial Impact:

Resolution #120 of 2018 and Resolution #264 of 2019 authorized issuance of \$6,000,000 in serial bonds for this project.

RESOLUTION NO. 94 of 2020

DATED: 5/26/2020

Resolution by Legislator: Pepe
Seconded by Legislator: Sweet

RESOLUTION ASSIGNING LITIGATION TO THE COUNTY ATTORNEY (SANITARY DISTRICT)

WHEREAS, Resolution 279 of 2008 authorized the Sanitary District to enter into a contract with outside counsel regarding a lawsuit involving 20 River St in Nelliston NY; and

WHEREAS, the Sanitary District and the Montgomery County Legislature desire the County Attorney to take over this litigation.

NOW THEREFORE BE IT RESOLVED, that the County Attorney is authorized and directed to take over the litigation involving 20 River St Nelliston NY and the Chairman of the Sanitary District and County Executive are authorized and directed to sign any necessary Court documents to effectuate this change in counsel.

RESOLUTION VOTE, passed with Aye(9). (5/26/2020)

Statement of Legislative and Financial Impact:

I. Nature of Request:

ASSIGNING LITIGATION TO THE COUNTY ATTORNEY

II. Justification:

To transfer litigation to the County Attorney.

III. Legislative Impact:

Authorized by Articles 2 and 3 of the Montgomery County Charter.

IV. Financial Impact:

Will result in a savings to the county.

RESOLUTION NO. 95 of 2020

DATED: 5/26/2020

Resolution by Legislator: Kelly
Seconded by Legislator: Sweet

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN INTERMUNICIPAL AGREEMENT BETWEEN THE VILLAGE OF CANAJOHARIE WASTEWATER TREATMENT PLANT AND THE MONTGOMERY COUNTY SANITARY DISTRICT NO.1 FOR SLUDGE TREATMENT/DISPOSAL

WHEREAS, Montgomery County through the Montgomery County Sanitary District No.1 operates a wastewater treatment plant that generates digested sludge which requires treatment/disposal; and

WHEREAS, the Village of Canajoharie is the owner and operator of wastewater treatment facilities which can be used to treat/dispose of said sludge; and

WHEREAS, Montgomery County and the Village of Canajoharie are municipal corporations; and

WHEREAS, the Sludge Disposal Agreement is expected to benefit Montgomery County and the Village of Canajoharie; and

WHEREAS, the Montgomery County Sanitary District No.1 Board of Directors approves of said Sludge Disposal Agreement; and

WHEREAS, the Village of Canajoharie has approved the Sludge Disposal Agreement.

NOW THEREFORE RESOLVED, the Montgomery County Legislature hereby authorizes and directs the County Executive, following the review and approval of the County Attorney, to execute the Sludge Agreement, which is an intermunicipal agreement for sludge treatment/disposal with the Village of Canajoharie at a cost of \$0.0425 per gallon terminating May 31, 2021.

RESOLUTION VOTE, passed with Aye(9). (5/26/2020)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Resolution authorizing the County Executive to execute an intermunicipal agreement between the Village of Canajoharie Wastewater Treatment Plant and the Montgomery County Sanitary District No.1 for sludge treatment/disposal.

II. *Justification:*

The Montgomery County Sanitary District No.1 generates sludge which requires treatment/disposal. The Village of Canajoharie operates a wastewater treatment plant that is capable of treating said sludge at a small cost saving to the Montgomery County Sanitary District No.1.

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 basis. These agreements must be entered into by a majority voting strength of its governing body.

Pursuant to Article 2 of the Charter, the Montgomery County Executive has the authority to enter into contracts.

IV. *Financial Impact:*

A savings of about \$5,000.00 has been realized over the past two years.

RESOLUTION NO. 96 of 2020

DATED: 5/26/2020

Resolution by Legislator: Purtell
Seconded by Legislator: Wilson

RESOLUTION TO ASSIGN TRANSPORT CONTRACT FROM BROWN'S TRANSPORTATION TO STUDENT TRANSPORTATION OF AMERICA - STA (PUBLIC HEALTH)

WHEREAS, Resolution 196 of 2019 awarded Bid No. 04-19 to Browns Transportation Inc. for Pre-School 3 to 5 year programming transport; and

WHEREAS, Browns Transportation Inc. recently sold its business to Student Transportation of America (STA); and

WHEREAS, the Director of Public Health has recommended assigning the County's transport contract with Brown's Transportation Inc. for Pre-School 3 to 5 year programming transport to Student Transportation of America (STA) with a new mailing address of PO Box 412179, Boston MA, 02241-2179; and

RESOLVED, that the County Executive, following review and approval by the County Attorney is hereby authorized and directed, to assign the transport contract for Pre-School 3 to 5 year Programming transport to Student Transportation of America (STA) with all other terms remaining in full effect.

Statement of Legislative and Financial Impact:

I. Nature of Request:

Brown's Transportation has sold a portion of the company used for transporting children to a new vendor.

II. Justification:

Contract terms and conditions will remain the same.

III. Legislative Impact:

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

IV. Financial Impact:

No financial impact as contract parameters remain the same

RESOLUTION NO. 97 of 2020

DATED: 5/26/2020

Resolution by Legislator: Pepe
Seconded by Legislator: Wilson

RESOLUTION ESTABLASHING AN LPN POSITION FOR COVID-19 TRACING AND TRACKING GUIDELINES AND AMENDING 2020 OPERATING BUDGET (PUBLIC HEALTH)

WHEREAS, currently the Public Health Department is experiencing recruitment difficulty when looking for full time Registered Nurses (RN); and

WHEREAS, following a discussion with the Personnel Officer, there is an opportunity for increased recruitment for Licensed Practical Nurse-FT; and

WHEREAS, the position of Licensed Practical Nurse can assist with newly established requirements for Covid-19 Tracing And Tracking as well as fulfill other essential duties within the department; and

WHEREAS, the Public Health Director hereby requests the establishment of the position of Licensed Practical Nurse-FT at a base rate for 2020 of \$ 42,023 comparable to Grade I in the CSEA bargaining agreement;

RESOLVED, the Montgomery County Legislature hereby establishes the position of Licensed Practical Nurse LPN-FT at a base rate for 2020 of \$42,023 comparable to Grade I in the CSEA bargaining agreement.

FURTHER RESOLVED, that the County Treasurer is hereby authorized to amend the 2020 operating budget as follows:

TRANSFER FROM:

A-16-4-4010-00-.1110 (334) Community Health Nurse \$42,023

TRANSFER TO:

A-16-4-4010-00-.1110 (NEW) LPN \$42,023

RESOLUTION VOTE, passed with Aye(7). Legislators Kelly and Headwell, Jr. voted Nay. (5/26/2020)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Establish the position of a full time LPN for the Public Health Department

II. Justification:

We will continue to work within budget and are not seeking any further money at this time.

III. Legislative Impact:

Pursuant to Article 2 and 3 of the Montgomery County Charter the Montgomery County Board of Legislature and County Executive have the authority to establish positions and make amendments to the operating budget.

IV. Financial Impact:

There should be no financial impact for this resolution. The addition of the position LPN FT will be funded from the already funded position of Community Health Nurse which is a higher grade and is part of Article 6 State Aid reimbursement.

RESOLUTION NO. 98 of 2020

DATED: 5/26/2020

Resolution by Legislator: Wilson
Seconded by Legislator: Kelly

RESOLUTION AMENDING THE 2020 OPERATING BUDGET – (MENTAL HEALTH)

WHEREAS, the Director of Community Services has determined that the funding due from Office of Alcoholism and Substance Abuse Services (OASAS) needs to be amended per State Aid Letters received from agencies to reflect the issuance of Cost of Living Awards (COLA);

WHEREAS, funds provided by Office of Alcoholism and Substance Abuse Services (OASAS) can only be passed to the not-for-profit organizations that provided services in Montgomery County with proper budget authorization.

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2020 Operating Budget as follows:

INCREASE REVENUES:

A-17-3-3472-00	Spec. Hlth. Prog. OASAS	\$10,901
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INCREASE APPROPRIATIONS:

A-17-4-4230-00-.4555	Drug Abuse Prevention	\$7,615
A-17-4-4250.00-.4565	Community Support System	\$3,286

RESOLUTION VOTE, passed with Aye(9). (5/26/2020)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Accept funds that have been released by NYS OASAS to reflect revenues and appropriations

II. Justification:

Department must get approval to amend the operating budget in order to adjust for payments and reimbursements

III. Legislative Impact:

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

IV. Financial Impact:

No financial impact - revenues offset expenditures

RESOLUTION NO. 99 of 2020

DATED: 5/26/2020

Resolution by Legislator: Kelly
Seconded by Legislator: Purtell

RESOLUTION AMENDING THE 2020 OPERATING BUDGET ACCEPTING AN ADDITIONAL STOP-DWI CRACKDOWN ENFORCEMENT AWARD (STOP-DWI)

WHEREAS, the Montgomery County STOP-DWI program continues to work collaboratively with all police agencies in an effort to help keep Montgomery County's roadways safe; and

WHEREAS, the Montgomery County STOP-DWI program has been awarded an additional Crackdown Enforcement award in the amount of \$3,000 for use in Montgomery County for sobriety checkpoints and/or roving patrols during the grant cycle October 1, 2019 through September 30, 2020.

NOW, THEREFORE BE IT RESOLVED, the County Treasurer is hereby authorized and directed to amend the 2020 Operating Budget as follows:

INCREASE REVENUES:

A-32-3-3089	State Aid - Other	\$3,000.00
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INCREASE APPROPRIATIONS:

A-32-4-3315-00-.4520	STOP-DWI/Law Enforcement Programs	\$3,000.00
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RESOLUTION VOTE, passed with Aye(9). (5/26/2020)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Amend the 2020 Operating Budget in order to utilize State Aid funds awarded for STOP-DWI Crackdown Enforcement.

II. Justification:

Amend the 2020 Operating Budget in order to utilize State Aid funds awarded for STOP-DWI 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 \$3,000

Increase Appropriations \$3,000

RESOLUTION NO. 100 of 2020

DATED: 5/26/2020

Resolution by Legislator: Kelly
Seconded by Legislator: Pepe

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN NYS INDIGENT LEGAL SERVICES GRANT: STATE WIDE HURRELL-HARRING (2ND YR) (PUBLIC DEFENDER)

WHEREAS, the Montgomery County Public Defender's Office 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 \$385,312.89 with a one-year distribution; and

WHEREAS, the funds can only be used for the Public Defender's Office as set forth within said 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(9). (5/26/2020)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Executive to approve, accept and sign NYS ILS Grant Contract State Wide Hurrell-Harring (2nd yr)

II. Justification:

To continue to improve the quality of services 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:

100% Grant Funded - No financial impact to the County

RESOLUTION NO. 101 of 2020

DATED: 5/26/2020

Resolution by Legislator: Pepe
Seconded by Legislator: Wilson

RESOLUTION AMENDING THE 2020 OPERATING BUDGET AND AUTHORIZING COUNTY EXECUTIVE TO SIGN NYS INDIGENT LEGAL SERVICES CONTRACT DISTRIBUTION 10 (PUBLIC DEFENDER)

WHEREAS, the Montgomery County Public Defender has been advised by the NYS ILS 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 amount of the grant is \$111,384, with a three-year distribution of \$37,128 each year; and

WHEREAS, the funds can only be used for the Public Defender's Office, as set forth within the 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(9). (5/26/2020)

Statement of Legislative and Financial Impact:

- I. *Nature of Request:*
- AMENDING THE 2020 OPERATING BUDGET AND AUTHORIZING THE COUNTY EXECUTIVE TO SIGN NYS INDIGENT LEGAL SERVICES CONTRACT DISTRIBUTION 10
- II. *Justification:*
- TO IMPROVE THE QUALITY OF SERVICES PROVIDED TO THE INDIGENTS OF MONTGOMERY COUNTY
- III. *Legislative Impact:*
- Pursuant to the Montgomery County Charter, Article 3
- IV. *Financial Impact:*
- 100% Grant funded. No cost to County

RESOLUTION NO. 102 of 2020 **DATED: 5/26/2020**
Resolution by Legislator: Purtell
Seconded by Legislator: Thayer

RESOLUTION AMENDING 2020 OPERATING BUDGET WITH FORFEITURE MONIES (DISTRICT ATTORNEY)

WHEREAS, forfeiture monies from criminal cases, in the amount of \$1,053.29 have been deposited with the Montgomery County Treasurer; and

WHEREAS, said forfeiture monies are to be used to purchase equipment for various law enforcement agencies throughout Montgomery County, it is

RESOLVED, that the Montgomery County Treasurer is hereby authorized to amend the 2020 Operating Budget as follows:

- INCREASE REVENUES:**
- | | | |
|-------------------|--------------------------------------|------------|
| A-25-3-1165-.2626 | Forfeiture Crime Proceeds/Restricted | \$1,053.29 |
|-------------------|--------------------------------------|------------|
- INCREASE EXPENDITURES:**
- | | | |
|-------------------|----------------------------|------------|
| A-25-4-1165-.4522 | DA/Law Enforcement Program | \$1,053.29 |
|-------------------|----------------------------|------------|

RESOLUTION VOTE, passed with Aye(9). (5/26/2020)

Statement of Legislative and Financial Impact:

I. Nature of Request:

To use forfeiture money from drug related prosecutions in Montgomery County to purchase equipment and provide money for training to law enforcement agencies throughout Montgomery County without any cost to Montgomery County.

II. Justification:

Law enforcement agencies benefit from purchases made with forfeitiure monies for equipment and training

III. Legislative Impact:

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

IV. Financial Impact:

Forfeiture monies collected will offset expenditures.

RESOLUTION NO. 103 of 2020

DATED: 5/26/2020

Resolution by Legislator: Sweet
Seconded by Legislator: Pepe

RESOLUTION AMENDING THE 2020 OPERATING BUDGET - SAM GRANT (EMERGENCY MANAGEMENT)

WHEREAS, Resolution 236 of 2017 authorized the County Executive to sign a State and Municipal Facilitices Program through DASNY, in the amount of \$360,000.00; and

WHEREAS, the project is scheduled to be completed by September 2020; and

WHEREAS, it is necessary to transfer funds to complete the project.

RESOLVED, the County Treasurer is hereby directed to amend the 2020 Operating Budget as follows:

INCREASE REVENUES:

A-02-3-3389-05	Grant	\$286,743.00
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INCREASE APPROPRIATIONS:

A-02-4-3640-00-.2250	Technical Equipment	\$286,743.00
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RESOLUTION VOTE, passed with Aye(9). (5/26/2020)

Statement of Legislative and Financial Impact:

I. Nature of Request:

AMENDING THE 2020 OPERATING BUDGET - SAM GRANT

II. Justification:

The addition of the emergency generator will not allow the facility to be utilized as an emergency shelter

III. *Legislative Impact:*

Pursuant to Article 2 of the Charter

IV. *Financial Impact:*

100% Grant

RESOLUTION NO. 104 of 2020

DATED: 5/26/2020

Resolution by Legislator: Pepe
Seconded by Legislator: Thayer

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW B OF 2020 (LOCAL LAW 1 OF 2020) - A LOCAL LAW AMENDING SECTION 7.03 AND SECTION 7.04 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, § 7.03 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 seven days.

RESOLVED, that Introductory Local Law B of 2020 (LOCAL LAW 1 of 2020) hereby is submitted to the Montgomery County Legislature for consideration:

A LOCAL LAW AMENDING SECTION 7.03 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:

§7.03 Annual Operating Budget

A. Preparation of the tentative budget.

1. On or before the 15th day of July in each year the County Legislature shall notify the County Executive in writing of any changes to the policy and practice guidelines previously adopted by the Legislature for determining expenditures, limits and priorities.

2. Notification of dates and data. The County Executive shall notify, in writing, the head of each administrative unit and authorized agency receiving County funds during the fiscal year of:

(a) The date fixed to receive estimates of revenues and expenditures for the ensuing fiscal year;

(b) The forms and information to be contained in such estimate and request;

(c) Such policy guidelines as may be provided by the County Legislature for determining expenditures, limits and priorities;

(d) This notification shall be sent to the head of each administrative unit and authorized agency not less than thirty (30) days prior to the date fixed for the submission of requests;

3. Submission of estimates and appropriation requests. On or before the fifteenth (15th) day of August in each year, or such earlier date as the County Executive may prescribe, the head of each unit of County government or authorized agency shall furnish to the County Treasurer an estimate of revenues and expenditures of his or her respective unit or authorized agency for the ensuing fiscal year, exclusive of capital projects. The estimates of each unit shall show the sources of revenues and the character and object of expenditures, which may be sub-classified by functions and activities. The estimate of each unit shall be subdivided according to the internal organization of such unit. Estimates shall be submitted in such form and shall contain such additional information as the County Executive and the County Treasurer shall require, and the estimate of expenditures shall constitute or be accompanied by a request for an appropriation. Such estimates shall be based on and shall be accompanied by a tentative work program by each unit or authorized agency.

4. Review of requests. The County Treasurer, upon receipt of the estimates and requests for appropriations, shall proceed to make such review and investigation thereon, as he or she may deem necessary. He or she may require the head of each unit or any officer or employee thereof and any authorized agency requesting County funds to furnish, data and information and answer inquiries pertinent to

such review or investigation. Members of the Legislature, the Clerk of the Legislature and the County Auditor shall be entitled to attend and participate in all such meetings and hearings.

5. Tentative County budget.

(a) Upon completion of the review and investigation of the estimates and requests from the various units and authorized agencies, the County Treasurer shall prepare, under the direction of the County Executive, the tentative County budget for the ensuing fiscal year for both current operating and capital purposes;

(b) The tentative budget shall be filed with the Clerk of the Legislature on or before the fifth (5th) day of October. The tentative budget shall include such information and detail as may be requested by the Legislature pursuant to § 7.04A2(c);

(c) The tentative budget shall include, without modification by the County Executive, such line item appropriation requests for the County Legislature and the Clerk of the County Legislature as are submitted by the Chair of the Legislature. This budget request shall be submitted to the County Treasurer in writing before the fifteenth (15th) day of September;

6. Estimated revenues. The estimated revenues in the tentative County budget shall be classified by accounts and units of County government, shall show sources of income and shall contain:

(a) A statement of all revenues which, it is estimated will be received by the County during the ensuing fiscal year, except from taxes to be levied;

(b) A statement of all unexpended balances, if any, at the end of the last completed fiscal year which are available to meet the expenditure requirements of the fiscal year for which the tentative budget is being prepared;

(c) An estimate of anticipated receipts from delinquent taxes, which shall not exceed the amount received in the previous fiscal year.

7. Additional data concerning debt. In addition to items of operation and maintenance, the tentative County budget shall include or be supplemented by a statement showing the bonded indebtedness of the County government and its agencies, the debt redemption and interest requirements, the indebtedness authorized and unissued, the condition of the capital reserve funds and the borrowing capacity of the County, and any other matter which the County Executive may deem advisable and the County Legislature may require.

8. Budget message. The tentative County budget shall be accompanied by the budget message from the County Executive. The budget message shall include an outline of the fiscal policy of the County government, a description of the important features of the budget with reference both to proposed expenditures and anticipated income. It shall include a request for an appropriation for the ensuing fiscal year.

B. Adoption of the annual operating budget.

1. Submission to the Legislature. The Clerk of the Legislature, upon receipt of the tentative budget from the County Executive as provided in § 7.03A5(b), shall transmit a copy of said tentative budget to each legislator and cause copies to be printed and made available to the public.

2. Preliminary review. The County Executive and County Treasurer shall meet with the Budget and Finance Committee of the Legislature within five (5) days after the transmittal of the tentative budget to review the document with said Committee.

3. Review by the Budget and Finance Committee. The Budget and Finance Committee of the Legislature shall conduct a public hearing on the tentative budget as submitted by the County Executive. The County Executive and the County Treasurer shall be present to answer questions about the budget. The Budget and Finance Committee shall then review the tentative budget submitted by the County Executive and shall file a report with the Clerk of the County Legislature on or before the twenty-fifth (25th) day of October. The report shall include any recommendations made by the Budget and Finance Committee. Copies of the report shall be made available to the public.

4. Public hearing by the County Legislature. On or before the fifth (5th) day of November, the County Legislature shall conduct a public hearing on the tentative County budget submitted by the County Executive and the report of the Budget and Finance Committee of the Legislature.

5. Legislative action after hearing. Following completion of the public hearing and prior to the tenth (10th) day of November, the Chair of the County Legislature shall convene a regular or special meeting of the County Legislature to consider for adoption the annual budget. The County Legislature may strike items of appropriations or anticipated revenues from the tentative budget or reduce items therein, excepting appropriations required by law for debt service, or add to or increase all such appropriations or revenue items in such budget. The Legislature shall state separately and distinctly any change and provide along with the budget it adopted a legislative memorandum detailing its amendments to the tentative budget.

6. Legislature's failure to act. If a budget has not been adopted, as herein provided, on or before the fifteenth (15th) day of November, the tentative budget as submitted by the County Executive shall be the budget for the ensuing fiscal year.

7. Executive veto. Within three (3) business days following the adoption of said annual budget by the Legislature, the Clerk of the Legislature shall forward to the County Executive the changes made by the County Legislature in the tentative budget for, approval or veto by the County Executive. The County Executive shall approve or veto any or all such changes by line item and return the same to the Clerk of the Legislature on or before the twenty-third (23rd) day of November together with a message containing justification of each line item veto. If no action is taken by the County Executive on or before the twenty-third (23rd) day of November, he or she shall be deemed to have approved the amendments.

8. Legislative reconsideration. Upon receipt of the veto message from the County Executive, the Chair of the Legislature shall convene the County Legislature on or before the thirtieth (30th) day of November for the purpose of reconsidering each vetoed item. Following such final action of the Legislature, the tentative budget, as amended by the legislative revision and approved by the County Executive, and items vetoed by the County Executive but overridden by the County Legislature by an affirmative vote of at least two-thirds (2/3) of the whole number of its members, shall become the final annual budget for the ensuing fiscal year.

9. Appropriations resolution. Upon adoption of the final annual budget, the County Legislature shall adopt an appropriations resolution to provide for the conduct of County government for the ensuing fiscal year.

4. Preparation of the capital program and capital budget. The County Treasurer shall prepare the proposed capital program and the proposed capital budget under the direction of the County Executive. The proposed capital budget shall include the amount proposed for the capital program to be financed by direct budgetary appropriation for the ensuing fiscal year and shall indicate the proposed down payments and other expenditures for the new capital projects and shall provide all proposed capital financing, including but not limited to reserve funds, sinking funds, current revenues, temporary borrowing, bond sales, federal and state grants, loans or advances. The capital budget for the ensuing fiscal year shall be incorporated into the tentative annual operating budget and shall be submitted to the Legislature by the fifth (5th) day of October in accordance with §7.03 A5 of this Charter.

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(9). (5/26/2020)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW B OF 2020 (LOCAL LAW 1 OF 2020) - A LOCAL LAW AMENDING SECTION 7.03 AND SECTION 7.04 OF THE MONTGOMERY COUNTY CHARTER , LOCAL LAW 2 OF 2012 (COUNTY LEGISLATURE)

II. Justification:

This Local Law would amend Section 7.03 and Section 7.04 of the Montgomery County Charter to move the timeframe for passing the Montgomery County budget back by a month to improve efficiency and accuracy in the budgeting process.

III. Legislative Impact:

Pursuant to Section 15.01 of the Charter of Montgomery County, the County Legislature is empowered to amend the Montgomery County Charter by a local law passed by a two-thirds (2/3) vote of the Montgomery County Legislature.

IV. Financial Impact:

Anticipated to improve the efficiency of budgeting.

RESOLUTION NO. 105 of 2020

DATED: 5/26/2020

Resolution by Legislator: Wilson
Seconded by Legislator: Thayer

RESOLUTION ADOPTING INTRODUCTORY LAW C LOCAL LAW 2 OF 2020) - A LOCAL LAW ESTABLISHING A FEE FOR ENVELOPES (COUNTY CLERK)

WHEREAS, it is the County Clerk's office policy that all constituents filing documents that would like their documents returned must provide a self addressed, self stamped envelope; and

WHEREAS, an envelope provided by a constituent is necessary in order to return important documents filed in the County Clerk's office; and

WHEREAS, constituents often forget to provide an envelope when filing in person or via mail; and

WHEREAS, the County Clerk is requesting the establishment of a \$1.00 fee for a standard #10 business envelope with postage, intended to mail back up to five pieces of paper to help improve office efficiency and improve services for constituents; and

WHEREAS, a copy of this local law has been on the desks of the legislators for at least seven calendar days, exclusive of Sundays.

BE IT FURTHER RESOLVED, that this fee must be paid in advance to an envelope being distributed to a constituent; and

BE IT FURTHER RESOLVED, that this fee does not extend to manila envelopes given the variability in postage for mailing larger documents; and

BE IT FURTHER RESOLVED, that the new fee take effect April 1, 2020.

NOW THEREFORE BE IT RESOLVED, that Introductory Local Law C (Local Law 2 of 2020) entitled "A Local Law Establishing A Fee for Envelopes" hereby is adopted and is incorporated as follows:

Be it enacted by the Montgomery County Legislature as follows:

Section 1:

The purpose of this local law is to establish a fee for a standard #10 business envelope with postage at the Montgomery County Clerk's office. It is the County Clerk's office policy that all constituents filing documents that would like their documents returned must provide a self addressed, self stamped envelope. However, constituents often forget to provide an envelope when filing documents. In order to increase efficiency at the County Clerk's office without incurring additional charges on taxpayers the County Clerk is establishing a fee to provide a standard standard #10 business envelope with postage to constituents.

Section 2:

The Montgomery County Clerk's Office is authorized to charge \$1.00 for a standard #10 business envelope with postage to hold up to a maximum of five pieces of paper in the envelope;

Section 3:

The purpose for charging fees for the envelopes is to cover the costs associated with providing the envelope and postage.

Section 4:

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

Section 5:

To the extent that this local law is inconsistent with any other laws or regulations it shall supersede those laws.

Section 6:

This law shall be effective upon filing with the Secretary of State.

RESOLUTION VOTE, passed with Aye(6). Legislators Kelly, Headwell, Jr. and Isabel voted Nay. (5/26/2020)

Statement of Legislative and Financial Impact:

I. Nature of Request:

The Montgomery County Clerk's Office is requesting to establish a \$1.00 fee for an envelope with postage.

II. *Justification:*

Office policy dictates that constituents who want documents returned to them after filing must provide a self addressed, self stamped envelope. Often times, constituents forget to bring one with them when filing or send one. They then must leave our office to purchase an envelope and then return again, or if they sent in their documents, we have to call them and request one. This can cause delays for the constituent and inefficiencies in the office.

III. *Legislative Impact:*

Authorized pursuant to Article 2 of the Charter.

IV. *Financial Impact:*

A dollar will be charged for business envelopes moving forward.

RESOLUTION NO. 106 of 2020

DATED: 5/26/2020

Resolution by Legislator: Pepe
Seconded by Legislator: Thayer

RESOLUTION ADOPTING INTRODUCTORY LAW D (LOCAL LAW 3 OF 2020) - A LOCAL LAW ESTABLISHING A FEE WHEN RECORDING CONVEYANCES (COUNTY CLERK)

WHEREAS, Governor Andrew Cuomo signed into law Bill S5372, amending Real Property Law 291 which requires County Clerk offices to mail notices of sale or transfer of ownership of residential property to owners of record; and

WHEREAS, the Montgomery County Clerk's Office averages 1,800 deed recordings per year; and

WHEREAS, the mandate will cause a significant increase in additional duties to the recording of a conveyance of real property; and

WHEREAS, the New York State County Clerk's Association agreed to a state-wide uniform fee of \$10.00 for preparation and mailing of notices; and

WHEREAS, Real Property Law 291 as amended states that the County Clerk's Office may charge a reasonable fee for the cost of the mailing the notice; and

WHEREAS, the Montgomery County Clerk is requesting the establishment of a \$10.00 fee for notification to owner of record when recording conveyances.

NOW THEREFORE BE IT RESOLVED, that Introductory Local Law No. D of 2020 (Local Law 3) entitled "A Local Law Establishing A Fee When Recording Conveyances" hereby is adopted and is incorporated as follows:

Be it enacted by the Montgomery County Legislature as follows:

Section 1:

The purpose of this local law is to establish a fee to be charged when a conveyance is recorded at the Montgomery County Clerk's Office to notify the owner of record. The party seeking to record such conveyance shall pay the fee. This fee will assist the County Clerk with the additional costs associated with Real Property Law 291, which requires County Clerk offices to mail notices of sale or transfer of ownership of residential property to the owner of record.

Section 2:

The Montgomery County Clerk's office will charge a \$10.00 fee at the time a conveyance is recorded to notify the owner of record.

Section 3:

The purpose for charging the fee is to offset the additional duties associated with recording of a conveyance of real property set forth in Real Property Law 291.

Section 4:

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

Section 5:

To the extent that this local law is inconsistent with any other laws or regulations it shall supersede those laws.

Section 6:

This law shall be effective upon recording with the Secretary of State.

RESOLVED, this local law shall take effect upon the filing in the Office of the Secretary of State.

RESOLUTION VOTE, passed with Aye(8). Legislator Isabel voted Nay. (5/26/2020)

Statement of Legislative and Financial Impact:

I. Nature of Request:

The Montgomery County Clerk's Office is requesting the establishment of a \$10.00 fee for the notification to the owner of record when recording a conveyance.

II. Justification:

Governor Andrew Cuomo signed into law Bill S5372, which requires County Clerk offices to mail notices of sale or transfer of ownership of residential property to owners of record, on December 12, 2019, with the law taking effect March 12, 2020. It is written into S5372 that the County Clerk's Office may charge a reasonable fee for the cost of the mailing the notice. The New York State County Clerk's Association agreed to a state-wide uniform fee of \$10.00 for preparation and mailing of notices.

III. Legislative Impact:

Authorized pursuant to Real Property Law 291 and Article 2 of the Charter.

IV. Financial Impact:

Will result in increased revenue for the Montgomery County Clerk's Office.

RESOLUTION NO. 107 of 2020

DATED: 5/26/2020

Resolution by Legislator: Wilson
Seconded by Legislator: Pepe

RESOLUTION AMENDING THE 2020 OPERATING BUDGET - COVID-19 RELATED ELECTION CHARGES (BOARD OF ELECTIONS)

WHEREAS,New York State provided assistance for Covid-19 related expenses for Elections held in 2020 in form of a COVID-19 Grant of \$55,967; and

WHEREAS, it is necessary to amend the 2020 Operating Budget to provide funds for added expenses for Election Charges in 2020 do to Covid-19.

RESOLVED, the Montgomery County Treasurer is hereby directed to amend the 2020 Operating Budget as follows:

INCREASE REVENUES:

A-11-03-3089	State Aid Covid-19 Grant	\$55,967.00
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INCREASE APPROPRIATIONS:

A-11-04-1450-00-.4090	Covid-19 Expenses for Elections	\$55,967.00
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RESOLUTION VOTE, passed with Aye(9). (5/26/2020)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Election Expenses for June Primary and November General Election held in 2020 to be covered under COVID-19 Grant

II. Justification:

Added duties required by Executive Orders from the Governor to address Covid-19 safety concerns for Voters in 2020 Elections

III. Legislative Impact:

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

IV. Financial Impact:

Full reimbursement from New York State Covid-19 Grant.

RESOLUTION NO. 108 of 2020

DATED: 5/26/2020

Resolution by Legislator: Thayer
Seconded by Legislator: Purtell

RESOLUTION AMENDING 2020 OPERATING BUDGET (BOARD OF ELECTIONS)

WHEREAS, it is necessary to purchase Electronic Poll Book Software and special supplies for Ipads for Election 2020; and

WHEREAS, it is nessary to transfer funds cover the purchase.

RESOLVED, the Montgomery County Treasurer is hereby directed to amend 2020 Operatioal Budget as follows:

TRANSFER FROM:

A-11-04-1450-00-.2259	Computer Equipment	\$34,550.00
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TRANSFER TO:

A-11-4-1450-00-.4449	Special Supplies & Materials	\$7,050.00
A-11-4-1450-00-.4459	Software Programing & License	\$27,500.00

RESOLUTION VOTE, passed with Aye(9). (5/26/2020)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Request to Transfer Funds within 2020 Board of Elections Operational Budget to proper Budget line

II. Justification:

Finish Purchasing Electronic Poll Book System for Election Operations

III. Legislative Impact:

Pursuant to Article 2 of the County Charter, the Montgomery County Legislature has the Authority to make transfers within Budget over a certain amount.

IV. Financial Impact:

Both Transfers are within Board of Elections 2020 Operational Budget

RESOLUTION NO. 109 of 2020

DATED: 5/26/2020

Resolution by Legislator: Purtell
Seconded by Legislator: Pepe

RESOLUTION AMENDING AGREEMENTS WITH NEW YORK STATE INDUSTRIES FOR THE DISABLED, INC. AND GENERAL CODE FOR 2019-2020 DIGITIZATION GRANT PROJECT EXTENSION (HISTORY & ARCHIVES)

WHEREAS, Montgomery County received a 2019-2020 grant in the amount of \$17,325 from the New York State Local Government Records Management Improvement Fund for a project scanning Montgomery County payroll records for import into an electronic content management system; and

WHEREAS, Resolutions 235 of 2019 authorized the County Executive to sign the agreements with New York State Industries for the Disabled, Inc. (NYSID) to digitize the aforementioned records and with General Code for the backfile processing; and

WHEREAS, Resolution 17 of 2020 authorized the County Treasurer to carry over unexpended funds and amend the 2020 Operating Budget to complete the grant project; and

WHEREAS, New York State Education Department has informed Montgomery County of an extension to the grant project through September 30, 2020; and

WHEREAS, the agreements with NYSID and General Code expire June 30, 2020 and need to be extended through September 30, 2020 for the completion of the digitization project.

RESOLVED, that the County Executive, following review and approval by the County Attorney, hereby is authorized and directed to extend said agreements with New York State Industries for the Disabled, Inc. (NYSID) and General Code from June 30, 2020 until September 30, 2020 to complete the shared services digitization project.

RESOLUTION VOTE, passed with Aye(9). (5/26/2020)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Resolution extends agreements (Res. # 235 of 2019) with vendors as part of a digitization grant project. Resolution authorizing the Montgomery County Executive to enter into an agreement with a Preferred Source vendor (NYSID) for the scanning of

Montgomery County payroll records and the backfile processing of images by General Code for the digitization project for their use of the electronic content management system.

II. Justification:

NYSID is a Preferred Source vendor on the NYS Contract for document imaging. It is necessary to outsource the digitization of payroll records to NYSID, a preferred source vendor on NYS Contract for document imaging, and the backfile processing of images to General Code in order to implement the fourth phase of the digitization project.

III. Legislative Impact:

Pursuant to Article 2 of the Charter the Montgomery County Legislature has the authority to make appropriations. Pursuant to Article 3 of the Charter, the Montgomery County Executive has the power to enter into contracts.

IV. Financial Impact:

No financial impact as grant funds will be used for all appropriations.

RESOLUTION NO. 110 of 2020

DATED: 5/26/2020

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

RESOLUTION APPROVING ABSTRACT OF AUDITED CLAIMS (COUNTY LEGISLATURE)

WHEREAS, pursuant to the Audit Guidelines, Section 2.02 (2), requires after examination and review of the claims by the County Auditor, 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 County Auditor has audited claims for the period of April 29, 2020 through May 26, 2020; and the County Auditor 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 County Auditor, the claims are audited and attached hereto, are hereby approved for payment by the Montgomery County Legislature.

RESOLUTION VOTE, passed with Aye(9). (5/26/2020)

Statement of Legislative and Financial Impact:

I. Nature of Request:

APPROVING ABSTRACT OF AUDITED CLAIMS

II. Justification:

Pursuant to the Audit Guidelines, Section 2.02 (2), requires after examination and review of the claims by the County Auditor, 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 2.02 (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 on the fund balance

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION by Legislator Kelly, seconded by Legislator Wilson, passed with Aye (9).

ACCEPTANCE OF BUDGETARY TRANSFERS

MOTION TO ACCEPT BUDGETARY TRANSFERS by Legislator Pepe, seconded by Legislator Headwell, Jr., passed with Aye (9).

ACCEPTANCE OF PROCUREMENT RECORD

ACCEPTANCE OF PROCUREMENT RECORD by Legislator Pepe, seconded by Legislator Thayer, passed with Aye(9).

ADJOURNMENT

MOTION TO ADJOURN by Legislator Kelly, seconded by Legislator Pepe, passed with Aye(9).

Chairman Isabel adjourned the meeting at 7:21 pm

Respectfully submitted,

Cheryl A. Reese
Clerk of the Montgomery County
Legislature