

## **CALL TO ORDER**

Chairman Headwell called the Regular Meeting of the Montgomery County Legislature for December 17, 2019 to order at 7:00 PM.

## **ROLL CALL OF MEMBERS**

Legislators present were:

Brian D. Sweet, Legislator, District 2  
Robert Headwell, Jr., Chairman, 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  
Robert A. Purtell, Legislator, District 9

Absent:

Martin P. Kelly, Legislator, District 1  
Roy S. Dimond, Legislator, District 3

## **SALUTE TO THE FLAG**

Chairman Headwell led the Salute to the Flag.

## **MOMENT OF SILENCE**

Moment of Silence for Lucille Douglass and Joseph Emmanuele, Jr.

## **PUBLIC COMMENT AND PRESENTATION**

Legislator Duchessi expressed his gratitude to Legislator Dimond for his years of service on the Legislature. He also thanked Chairman Headwell and Legislator Pepe for serving as the Chairman of Budget and Finance. He also thanked the hard work of the Clerk of the Legislature.

Legislator Purtell wished to thank Legislator Dimond for his hard work on the legislative body. He was much appreciated.

## **MOTION TO AMEND THE AGENDA**

**MOTION TO AMEND AGENDA** by Legislator Purtell, seconded by Legislator Pepe, to move Resolution 313 to the section of Communications, passed with Aye(7). Legislators Kelly and Dimond were absent.

## **COMMUNICATIONS**

Resolution 313 of 2019

**MOTION TO AMEND** by Legislator Headwell, Jr., seconded by Legislator Purtell,

## **AFTER THE SECOND WHEREAS CLAUSE REPLACE AND ADD:**

**WHEREAS**, at the recommendation of the County's Broker, Cool Insuring Agency, Inc., that the County enter into a contract for privacy and cyber liability insurance at a cost not to exceed \$20,409 with Beazley Insurance Company, Inc. for a period of twelve months.

**WHEREAS**, it is the recommendation of the County's Broker, Cool Insuring Agency, Inc., that the County enter into a contract for flood insurance through the National Flood Insurance Plan with National Grange Mutual at a cost not to exceed \$62,339 for a term from January 22, 2020 through January 22, 2021

**RESOLVED**, that the County Executive, following the review and approval by the County Attorney is hereby authorized and directed

to enter into a contract for privacy and cyber liability insurance at a cost not to exceed \$20,409 with Beazley Insurance Company, Inc. for a period of twelve months.

**FURTHER RESOLVED**, that the County Executive, following the review and approval by the County Attorney, is hereby authorized and directed to sign a contract for the provision of Flood Insurance policies through National Flood Insurance Plan with National Grange Mutual at a cost not to exceed \$62,339 for a term from January 22, 2020 through January 22, 2021.

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

**TRANSFER FROM:**

A-30-4-1990-00-.4400 Contingent Account \$87,368.91

**TRANSFER TO:**

A-01-4-1910-00-.4480 Insurances \$87,368.91

passed with Aye(6). Legislator Isabel voted Nay. Legislators Kelly and Dimond were absent.

**APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

**MOTION TO ADOPT MINUTES OF PREVIOUS SESSION** by Legislator Pepe, seconded by Legislator Wilson, passed with Aye(7). Legislators Kelly and Dimond were absent.

- [Physical Services Committee Meeting - December 10, 2019](#)
- [Personnel Committee Meeting -December 10, 2019](#)
- [Education Government Committee Meeting -December 10, 2019](#)
- [Budget & Finance Committee Meeting - December 10, 2019](#)

**ACCEPTANCE OF BUDGETARY TRANSFERS**

**MOTION TO ACCEPT BUDGETARY TRANSFERS** by Legislator Pepe, seconded by Legislator Wilson, passed with Aye(7). Legislators Kelly and Dimond were absent.

**ACCEPTANCE OF PROCUREMENT RECORD**

**ACCEPTANCE OF PROCUREMENT RECORD** by Legislator Wilson, seconded by Legislator Pepe, passed with Aye(7). Legislators Kelly and Dimond were absent.

**OLD BUSINESS**

**NEW BUSINESS**

A. Resolutions

B. Other

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**RESOLUTION NO. 296 of 2019**

**DATED: 12/17/2019**

Resolution by Legislator: Pepe  
Seconded by Legislator: Sweet

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN CONTRACT WITH GPI ENGINEERING, 80 WOLF ROAD, ALBANY, NEW YORK, FOR CONTINUATION OF DRAINAGE AND ROADWAY DESIGN IMPROVEMENTS - LEPPER ROAD, COUNTY ROUTE 20, TOWN OF AMSTERDAM (PUBLIC WORKS)**

**WHEREAS**, the existing roadway section of Lepper Road (County Route 20) is narrow and does not safely accommodate two-way traffic; and

**WHEREAS**, GPI Engineering, 80 Wolf Road, Albany, New York, has currently completed preliminary design of replacement of culvert and roadway improvements for Lepper Road (County Route 20); and

**WHEREAS**, GPI Engineering has concluded preliminary services for base mapping, right-of-way survey, and geotechnical information

required for culvert replacement and roadway improvements for Lepper Road (County Route 20); and

**WHEREAS**, pursuant to the County procurement policy there is a need for continuation of services to complete final design drawings for culvert replacement, design for roadway improvements, bidding documents and review of contractor's estimates, and construction inspection of Lepper Road (County Route 20) improvements.

**NOW, THEREFORE, BE IT RESOLVED**, upon review and approval of the County Attorney, the County Executive is authorized to sign contract with GPI Engineering of 80 Wolf Road, Albany, New York, for drainage and design services for roadway improvements to Lepper Road (County Route 20) in the Town of Amsterdam as follows:

For a sum not to exceed: \$61,640.00 for final design

For a sum not to exceed: \$40,000.00 for construction inspection

**RESOLUTION VOTE**, passed with Aye(7). Legislators Kelly and Dimond were absent. (12/17/2019)

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

*I. Nature of Request:*

For continuation of engineering services to complete final design and bidding documents for Lepper Road (County Route 20) in the Town of Amsterdam, and allow for construction inspection during the project.

*II. Justification:*

- \* Drainage of Lepper Road (County Route 20) is failing and needs to be improved
- \* The existing roadway is narrow and does not safely accommodate two-way traffic
- \* The project will also include improving the vertical alignment, where needed, to improve sight distance
- \* Pursuant to Part VI, Paragraph C, Article J, of the County Purchasing/Procurement allows for continuation of professional services to complete projects

*III. Legislative Impact:*

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

*IV. Financial Impact:*

The project will be included in the 2020 CHIPS Program, which allows for the engineering service to be 100% refunded in the 2020 County Budget

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**RESOLUTION NO. 297 of 2019**

**DATED: 12/17/2019**

Resolution by Legislator: Sweet  
Seconded by Legislator: Dimond

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN CHANGE ORDER FOR BURTONSVILLE ROAD SPUR BRIDGE REPLACEMENT, CONSTRUCTION SUPPORT AND INSPECTION (PUBLIC WORKS)**

**WHEREAS**, Implementation and funding of replacement of Burtonsville Road Spur Bridge was authorized by Resolution 128 of 2017; and

**WHEREAS**, AECOM USA, Incorporated, of Latham, New York, by Resolution 182 of 2017 was awarded authorization to perform architectural and engineering design for bridge replacement; and

**WHEREAS**, final design of bridge has been completed and authorization to proceed with advertisement for construction bids has been approved by New York State Department of Transportation; and

**WHEREAS**, as required by NYS D.O.T. Construction Support and Construction Inspection is mandatory for the project; and

**WHEREAS**, the Commissioner of the Montgomery County Department of Public Works is recommending, as allowed in the County Procurement Policy, to extend the contract for Support and Inspection to AECOM USA, Incorporated, of Latham, New York, as to not delay the project and to allow the continuity of professional services to ensure proper completion of the project.

**RESOLVED**, the County Executive, following the review and approval of the County Attorney, is authorized and directed to sign Change Order for the Burtonsville Road Spur Bridge Replacement with AECOM USA, of Latham, New York, for a fee not to exceed \$370,845.00.

**RESOLUTION VOTE**, passed with Aye(7). Legislators Kelly and Dimond were absent. (12/17/2019)

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

*I. Nature of Request:*

Change Order for Burtonsville Road Spur Bridge Replacement, to allow for Construction Support and Inspection Services, as required by New York State Department of Transportation as a project regulation.

*II. Justification:*

Support and Inspection Services are required as part of the Project Scope by NYS DOT. Project is 100% funded by Federal and State with no local share.

*III. Legislative Impact:*

Pursuan to Article 3 of the County Charter, the County Executive has the authority to enter into contracts.

*IV. Financial Impact:*

Project is 100% reimbursed by 80% Federal and 20% State with no local share.

County will pay interest on borrowing for the project until reimbursement is received from Federal and State and the borrowing is repaid.

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**RESOLUTION NO. 298 of 2019**

**DATED:** 12/17/2019

Resolution by Legislator: Wilson  
Seconded by Legislator: Pepe

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AN AGREEMENT WITH HM LIFE INSURANCE COMPANY OF NEW YORK (PERSONNEL)**

**WHEREAS**, it have been recommended by the Personnel Officer that Montgomery County participate with HM Life for medical and RX stop loss coverage; and

**WHEREAS**, after going out to the market, HM Life is the most competitive; and

**WHEREAS**, stop loss coverage applies in the event individual claims reach \$350,000.

**RESOLVED**, that the County Executive, following the review and approval by the County Attorney is authorized and directed to sign an

agreement with HM Life Insurance Company of New York for the provision of the specific coverage at a cost not to exceed \$182,672; and

**FURTHER RESOLVED**, that said agreement shall be effective January 1, 2020 through December 31, 2020.

**RESOLUTION VOTE**, passed with Aye(7). Legislators Kelly and Dimond were absent. (12/17/2019)

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

*I. Nature of Request:*

PARTICIPATE WITH HM LIFE FOR MEDICAL and RX STOP LOSS COVERAGE

*II. Justification:*

HM LIFE FOR PROVIDES MEDICAL and RX STOP LOSS COVERAGE IN THE EVENT INDIVIDUAL CLAIMS REACH

*III. Legislative Impact:*

PURSUANT TO SECTION 2.04 (B) OF THE CHARTER THE MONTGOMERY COUNTY LEGISLATURE HAS THE POWER TO MAKE APPROPRIATIONS AND PURSUANT TO ARTICLE 3 THE EXECUTIVE HAS THE AUTHORITY TO ENTER INTO CONTRACTS.

*IV. Financial Impact:*

This is a 16.6% increase over last year. Additionally, a specific HCC has been lasered and will have a separate stop loss threshold of \$600,000. This HCC will be on the Medicare Primary plan 9/1/2020.

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**RESOLUTION NO. 299 of 2019**

**DATED:** 12/17/2019

Resolution by Legislator: Pepe  
Seconded by Legislator: Wilson

**RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN RENEWAL AGREEMENT WITH SAFETY NATIONAL FOR EXCESS WORKERS COMPENSATION COVERAGE (PERSONNEL)**

**WHEREAS**, quotes were received for excess Workers Compensation Coverage and it has been recommended by the Personnel Officer and Triad, our TPA/Broker that Montgomery County continue to participate with Safety National for excess workers compensation coverage; and

**RESOLVED**, the Montgomery County Legislature hereby authorizes and directs the County Executive, following review and approval from the County Attorney , to sign said renewal agreement with Safety National for an amount not to exceed \$127,619.

**FURTHER RESOLVED**, that said renewal agreement shall be effective January 1, 2020 ending December 31, 2020.

**RESOLUTION VOTE**, passed with Aye(7). Legislators Kelly and Dimond were absent. (12/17/2019)

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

*I. Nature of Request:*

PARTICIPATE WITH SAFETY NATIONAL TO PROVIDES MONTGOMERY COUNTY WITH EXCESS WORKERS COMPENSATION COVERAGE.

*II. Justification:*

SAFETY NATIONAL PROVIDES MONTGOMERY COUNTY WITH EXCESS WORKERS COMPENSATION COVERAGE IN THE EVENT OF INDIVIDUAL LARGE CLAIMS.

*III. Legislative Impact:*

PURSUANT TO SECTION 2.04 (B) OF THE CHARTER THE MONTGOMERY COUNTY EXECUTIVE HAS THE AUTHORITY TO ENTER INTO CONTRACTS.

*IV. Financial Impact:*

Agreement with Safety National for excess workers compensation coverage will be at a cost not to exceed \$127,619. This is a 2.5 % increase over last year's overall cost.

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**RESOLUTION NO. 300 of 2019**

**DATED: 12/17/2019**

Resolution by Legislator: Pepe  
Seconded by Legislator: Wilson

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN RENEWAL AGREEMENT - DELTA DENTAL (PERSONNEL)**

**WHEREAS**, the agreement with Delta Dental is set to expire on December 31, 2019; and

**WHEREAS**, the Personnel Officer is recommending that the agreement with Delta Dental be renewed.

**RESOLVED**, that the Montgomery County Legislature hereby authorizes and directs the County Executive, following review and approval by the County Attorney to sign an agreement with Delta Dental at a rate of \$5.31 per employee per month.

**FURTHER RESOLVED**, said agreement shall be effective January 1, 2020 through December 31, 2020.

**RESOLUTION VOTE**, passed with Aye(7). Legislators Kelly and Dimond were absent. (12/17/2019)

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

*I. Nature of Request:*

AUTHORIZING THE COUNTY EXECUTIVE TO SIGN RENEWAL AGREEMENT - DELTA DENTAL

*II. Justification:*

Montgomery County contractually provides dental benefits to employees.

*III. Legislative Impact:*

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

*IV. Financial Impact:*

**RESOLUTION NO. 301 of 2019**

**DATED:** 12/17/2019

Resolution by Legislator: Sweet  
Seconded by Legislator: Pepe

**RESOLUTION CHANGING THE HOURS OF OPERATION AT THE MONTGOMERY COUNTY DEPARTMENT OF MOTOR VEHICLES (COUNTY CLERK)**

**WHEREAS**, the current hours of the Montgomery County Department of Motor Vehicles is 8:30am to 4:00pm (closing to the public at 3:30pm) except during summer hours, where hours change to 9 a.m. to 4 p.m.; and

**WHEREAS**, it is difficult for the public to patronize the DMV during those hours as many people work normal business hours; and

**WHEREAS**, due to our current hours, more of the public are patronizing the New York State DMV website to complete their transactions, therefore causing our local DMV to lose revenue; and

**WHEREAS**, the County Clerk recommends changing the hours of operation of the Montgomery County DMV one day a week on Tuesdays to 10:00am to 5:30pm (closing to the public at 5:00pm), and during summer hours from 10:30 a.m. to 5:30 p.m.(closing to the public at 5:00 p.m.); and

**WHEREAS**, the new hours of operation will begin February 4, 2020.

**RESOLVED**, that the Montgomery County Legislature hereby approves the recommendation of the County Clerk to change the hours of operation on Tuesdays to 10:00 a.m to 5:30 p.m. (closing to the public at 5:00pm), and during summer hours from 10:30 a.m. to 5:30 p.m.(closing to the public at 5:00 p.m.) and authorizes the County Clerk to revise the hours back to the original hours if she deems it necessary.

**RESOLUTION VOTE**, passed with Aye(7). Legislators Kelly and Dimond were absent. (12/17/2019)

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

*I. Nature of Request:*

CHANGING THE HOURS OF OPERATION AT THE MONTGOMERY COUNTY DEPARTMENT OF MOTOR VEHICLES

*II. Justification:*

due to our current hours, more of the public are patronizing the New York State DMV website to complete their transactions, therefore causing our local DMV to lose revenue

*III. Legislative Impact:*

Pursuant to the CSEA Local 829 contract, Article 3, Section 1 "the normal work schedule may be changed when operational needs require, upon four weeks notice, except in an emergency."

*IV. Financial Impact:*

Changing the hours of operation will allow the public more time to patronize our local DMW which will provide an opportunity to increase revenue.

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Resolution by Legislator: Sweet  
Seconded by Legislator: Dimond

**RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN RENEWAL AGREEMENT WITH NTS DATA SERVICES, LLC.  
(BOARD OF ELECTIONS)**

**WHEREAS**, NTS Data Service, LLC is a software company that provides the software for the Board of Elections to electronically maintain voter registration records, including digitized signatures, voter lists, scanned images of paper copies, and maintains Interface Messaging System used for transmitting data to State Board of Elections; and

**WHEREAS**, NTS Data Service, LLC has been the software company providing services to Montgomery County Board of Elections since January 2006 and maintaining this system provides a continuity of service; and

**WHEREAS**, NTS Data Service, LLC is on a State contract; and

**WHEREAS**, the current agreement with NTS Data Service LLC expires on December 31, 2019; and

**WHEREAS**, it has been recommended by the Commissioners of Board of Elections, that Montgomery County continue to utilize the software and services of NTS Data Services LLC.

**RESOLVED**, that the County Executive, following review and approval by the County Attorney, is authorized and directed to sign said agreement with NTS Data Services LLC.; and

**FURTHER RESOLVED**, that said agreement shall be effective January 1, 2020 and ending December 31, 2024 in the amount of \$31,900.00 per year.

**RESOLUTION VOTE**, passed with Aye(7). Legislators Kelly and Dimond were absent. (12/17/2019)

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

*I. Nature of Request:*

Renewal agreement with NTS Data Service, LLC; 2079 Sawyer Dr, Niagara Falls, NY 14304

*II. Justification:*

A software company that has satisfactorily provided the software and maintenance to the Board of Elections for the past thirteen years. Which includes voter registration records, digitized signatures of voters for comparison at polls, voter lists used by candidates for petition collection, scanned images of paper documents used as reference with voter's registration, and is compatible through the Interface Messaging System used for transmitting data to State Board of Elections' statewide voter data base system. It is compatible with Electronic Poll Book Vendor systems.

*III. Legislative Impact:*

Legislative approval needed for multiple year contracts. Pursuant to Article 3 of the Charter the Montgomery County Executive has the authority to sign contracts.

*IV. Financial Impact:*

Appropriations are budgeted in 2020 Operating Budget



**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AGREEMENT - SOIL & WATER CONSERVATION DISTRICT (COUNTY EXECUTIVE)**

**WHEREAS**, the 2020 Operating Budget includes appropriations of \$118,000 for the Montgomery County Soil and Water Conservation District in accordance with Section 223 of County Law to provide funds to assist said agency in maintaining said District under the provisions of the New York State Soil Conservation District Law and trail maintenance and additional work at the Burbine Forest in the Town of Charleston including clearing brush, mowing, and general upkeep to the satisfaction of the Commissioner of the Department of Public Works as well as installing a raised walkway over the wetlands at no additional cost to the County.

**RESOLVED**, that the Montgomery County Legislature hereby authorizes and directs the County Executive, following review and approval by the County Attorney, hereby is authorized and directed to execute agreements with the Montgomery County Soil and Water Conservation District for the aforementioned services at a cost not to exceed \$118,000.

**FURTHER RESOLVED**, said contract shall be effective January 1, 2020 - December 31, 2020.

**RESOLUTION VOTE**, passed with Aye(7). Legislators Kelly and Dimond were absent. (12/17/2019)

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

*I. Nature of Request:*

AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AGREEMENT - SOIL & WATER CONSERVATION DISTRICT

*II. Justification:*

To provide funds to assist Soil & Water in maintaining said District under the provisions of the New York State Soil Conservation District Law

*III. Legislative Impact:*

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

*IV. Financial Impact:*

\$118,000 budgeted in the 2020 Operating Budget.

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**RESOLUTION NO. 304 of 2019**

**DATED:** 12/17/2019

Resolution by Legislator: Dimond  
Seconded by Legislator: Pepe

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AGREEMENT - OFFICE FOR THE AGING (COUNTY EXECUTIVE)**

**WHEREAS**, Office for the Aging, Inc. provides services to the Montgomery County residents, age 60 and older, who meet eligibility criteria; and

**WHEREAS**, Montgomery County and Office for the Aging, Inc. share a mutual concern for the well-being of the residents; and

**WHEREAS**, the Montgomery County Legislature has budgeted funds to assist Office for the Aging in maintaining programs to benefit said residents, in an amount not to exceed \$352,000.

**RESOLVED**, the Montgomery County Legislature hereby authorizes and directs the County Executive, upon review and approval of the

County Attorney, to sign an agreement with Office for the Aging, Inc. in the amount of \$352,000.

**FURTHER RESOLVED**, said contract shall be effective January 1, 2020 - December 31, 2020.

**RESOLUTION VOTE**, passed with Aye(7). Legislators Kelly and Dimond were absent. (12/17/2019)

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

*I. Nature of Request:*

AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AGREEMENT - OFFICE FOR THE AGING

*II. Justification:*

The Montgomery County Legislature has budgeted funds to assist Office for the Aging, Inc. in maintaining programs to benefit said residents, in an amount not to exceed \$xxx.

*III. Legislative Impact:*

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

*IV. Financial Impact:*

\$352,000 budgeted for 2020

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**RESOLUTION NO. 305 of 2019**

**DATED:** 12/17/2019

Resolution by Legislator: Sweet  
Seconded by Legislator: Wilson

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AGREEMENT - CORNELL COOPERATIVE EXTENSION (COUNTY EXECUTIVE)**

**WHEREAS**, the 2020 Operating Budget includes appropriations of \$77,250 for the Cornell Cooperative Extension of Fulton and Montgomery Counties to provide funds to assist said agency in maintaining programs to benefit Montgomery County residents.

**RESOLVED**, that the County Executive, following review and approval by the County Attorney, hereby is authorized and directed to execute an agreement with Cornell Cooperative Extension of Fulton and Montgomery Counties for services provided under Subdivision 8 of Section 224 of County Law of the State of New York at a cost not to exceed \$77,250.

**FURTHER RESOLVED**, said contract shall be effective January 1, 2020 - December 31, 2020.

**RESOLUTION VOTE**, passed with Aye(7). Legislators Kelly and Dimond were absent. (12/17/2019)

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

*I. Nature of Request:*

AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AGREEMENT - CORNELL COOPERATIVE EXTENSION

*II. Justification:*

To provide funds to assist said agency in maintaining programs to benefit Montgomery County residents.

III. *Legislative Impact:*

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

IV. *Financial Impact:*

\$77,250 budgeted for 2020

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**RESOLUTION NO. 306 of 2019**

**DATED: 12/17/2019**

Resolution by Legislator: Dimond  
Seconded by Legislator: Pepe

**RESOLUTION CONFIRMING APPOINTMENT/TERM OF REPRESENTATIVE TO THE FULTON, MONTGOMERY AND SCHOHARIE COUNTY WORKFORCE DEVELOPMENT BOARD MADE BY THE COUNTY EXECUTIVE**

**WHEREAS**, In accordance with The Workforce Innovation and Opportunity Act of 2014 (WIOA) (P.L. 113-128) , the Counties of Fulton, Montgomery, and Schoharie entered into an agreement as described in WIOA to organize and implement activities pursuant to WIOA and in accordance with requirements established by the Governor of the State of New York (Governor) for purposes of implementing programs and services under WIOA; and

**WHEREAS**, the membership of the WDB shall be appointed by the Chief Local Elected Officials (CLEO); and

**WHEREAS**, each CLEO shall appoint an equal number of Workforce Development Board members. There shall be four public sector and five private sector members appointed by each CLEO. The CLEOs shall among themselves agree so that all of the mandatory representatives listed under WIOA Section 107 will be represented; and

**WHEREAS**, Dave Morrow, who represented the Public Sector has resigned, leaving a vacancy in the Private Sector and it has been recommended by the County Executive to replace him with Andrea Scribner filling the unexpired term of 6/30/2020.

**WHEREAS**, the current board consists as follows:

<b>APPOINTEE</b>	<b>SECTOR REPRESENTING</b>	<b>TERM</b>
Dave Fariello	Private Sector	06/30/2020
Erin Clemons	Private Sector	06/30/2020
Marty Callahan	Private Sector	06/30/2021
Pamela Goldswear	Private Sector	06/30/2021
Amy Rogers	Private Sector	06/30/2022
Jeff Stark	Public Sector	06/30/2020
Kenneth Rose	Public Sector	06/30/2020
vacant	Public Sector	06/30/2021
Melissa Johnston	Public Sector	06/30/2022

**RESOLVED**, the Montgomery County Legislature hereby confirms the following appointment and term of representative to the Fulton, Montgomery and Schoharie Workforce Development Board made by the County Executive; effective immediately:

<b>APPOINTEE</b>	<b>SECTOR REPRESENTING</b>	<b>TERM</b>
Andrea Scribner	Private Sector	06/30/2020

**RESOLUTION VOTE**, passed with Aye(7). Legislators Kelly and Dimond were absent. (12/17/2019)

**Statement of Legislative and Financial Impact:**

*I. Nature of Request:*

Confirming Appointment/term of representative to the Fulton, Montgomery and Schoharie County Workforce Development Board made by the County Executive

*II. Justification:*

There is a vacancy in the board that needs to be filled by an appointment from the Montgomery County Executive.

*III. Legislative Impact:*

Pursuant to the charter the County Executive has authority to make appointments which the County Legislature confirms.

*IV. Financial Impact:*

appointment resolution no financial impact

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**RESOLUTION NO. 307 of 2019**

**DATED: 12/17/2019**

Resolution by Legislator: Dimond  
Seconded by Legislator: Wilson

**RESOLUTION AMENDING 2019 OPERATING BUDGET - (SOCIAL SERVICES)**

**WHEREAS**, the Department of Social Services has realized significant costs in excess of budget related to Juvenile Delinquent costs, and

**WHEREAS**, funds are available in other program areas to cover these excess costs.

**RESOLVED**, that the Montgomery County Legislature authorizes the allocation of funds for Juvenile Delinquent costs,

**FURTHER RESOLVED**, that the County Treasurer is hereby authorized and directed to amend the 2019 Operating Budget as follows:

**TRANSFER FROM:**

A-18-4-6011-00-.6129 State Training School \$300,000

**TRANSFER TO:**

A-18-4-6011-00.6123 Juvenile Delinquent \$300,000

**RESOLUTION VOTE**, passed with Aye(7). Legislators Kelly and Dimond were absent. (12/17/2019)

**Statement of Legislative and Financial Impact:**

*I. Nature of Request:*

The Department is requesting that \$300,000.00 be appropriated from the State Training School Account to cover the invoices for the remainder of the 2019 fiscal year.

*II. Justification:*

There were expenditures that were incurred this year that were not budgeted for.

III. *Legislative Impact:*

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

IV. *Financial Impact:*

Funding will come from within the DSS budget.

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**RESOLUTION NO. 308 of 2019**

**DATED: 12/17/2019**

Resolution by Legislator: Dimond  
Seconded by Legislator: Wilson

**RESOLUTION TO AMENDING THE 2020 BUDGET AND ESTABLISHING A FULL-TIME RECEPTIONIST (SOCIAL SERVICES)**

**WHEREAS**, the Commissioner of Social Services has reviewed the workload in the DSS department and has determined that the receptionist position that was eliminated in the 2020 budget process is necessary.

**RESOLVED**, the Montgomery County Legislature hereby establishes a full-time receptionist position at a Grade C, base salary \$30,709; and

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

**INCREASE REVENUES:**

A-18-3-3610	Social Services Administration - State	\$6,449
A-18-3-3610	Social Services Administration - Federal	\$16,890
A-18-3-4615	Flex Fund Family Services	\$7,370

**INCREASE APPROPRIATIONS:**

A-18-4-6010-00-1110 (556)	Receptionist	\$30,709
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**FURTHER RESOLVED**, this resolution shall take effect January 1, 2020.

**RESOLUTION VOTE**, passed with Aye(7). Legislators Kelly and Dimond were absent. (12/17/2019)

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

I. *Nature of Request:*

The Department is requesting that the Receptionist position that was recently omitted from the 2020 budget be reestablished.

II. *Justification:*

The Receptionist position is vital for serving constituents in a safe and efficient manner.

III. *Legislative Impact:*

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

*IV. Financial Impact:*

This position is funded between 55% Federal, 21% State and 24% Local dollars, which is being covered by IV-E revenue. Respectively that would be \$16,890 Federal, \$6,449 State, and \$7,370 Local share.

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**RESOLUTION NO. 309 of 2019**

**DATED: 12/17/2019**

Resolution by Legislator: Duchessi  
Seconded by Legislator: Sweet

**RESOLUTION AMENDING THE 2020 OPERATING BUDGET, ESTABLISHING AN ADDITIONAL FULL-TIME ASSISTANT DISTRICT ATTORNEY AND ELIMINATING A PART-TIME ASSISTANT DISTRICT ATTORNEY (DISTRICT ATTORNEY)**

**WHEREAS**, the District Attorney has requested that a part-time Assistant District Attorney currently budgeted for in the 2020 Operating Budget become a full-time Assistant District Attorney to meet the demands of the upcoming changes in law to take effect January 1, 2020, and that a current part-time Assistant District Attorney be reduced to a quarter-time Assistant District Attorney; and

**RESOLVED**, that the Montgomery County Legislature hereby authorizes the part-time Assistant District Attorney to become a full-time Assistant District Attorney at a base salary of \$77,353.00, Group L of the Non-Bargaining policy; and

**FURTHER RESOLVED**, that position A-25-4-1165-00.1120 (404) is hereby eliminated.

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

**TRANSFER FROM:**

A-25-4-1165-00-.1120 (1292) Assistant DA- PT \$26,192.00

A-25-4-1165-00-.1120 (404) Assistant DA- PT \$51,161.00

**TRANSFER TO:**

A-25-4-1165-00-.1110 (NEW) Assistant DA - FT \$77,353.00

**FURTHER RESOLVED**, this resolution shall take effect January 1, 2020.

**RESOLUTION VOTE**, passed with Aye(7). Legislators Kelly and Dimond were absent. (12/17/2019)

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

*I. Nature of Request:*

To create a full-time Assistant District Attorney using money transferred from another part-time Assistant District Attorney position.

*II. Justification:*

This additional full-time position is necessary to meet the demands of the office for the new changes in law pertaining to discovery rules scheduled to take place on January 1, 2020.

*III. Legislative Impact:*

Pusuant to Article 2 of the Charter the Montgomery County Legislature has the authority to establish and change positions of employment.

*IV. Financial Impact:*

The increase in salary is funded by moving money from two assistant district attorney positions to the full time position.

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**RESOLUTION NO. 310 of 2019**

**DATED: 12/17/2019**

Resolution by Legislator: Dimond  
Seconded by Legislator: Sweet

**RESOLUTION AMENDING THE 2020 OPERATING BUDGET AND CARRYING OVER GRANT FUNDS (PROBATION)**

**WHEREAS**, pursuant to Resolution 246 of 2019 the Montgomery County Legislature accepted \$72,800 in grant funds provided by the Division of Criminal Justice Services relative to Raise the Age Legislation; and

**WHEREAS**, the grant funding approved in 2019 was not expended and needs to be carried over to the 2020 Operating Budget; and

**WHEREAS**, the Probation Director recommends the appointment of a Part-time Probation Officer and Part-time Community Service Program relative to Raise the Age Legislation.

**RESOLVED**, the Montgomery County Legislature establishes the Part-Time Probation Officer position at a rate of \$25.5567 an hour. The number of hours will be limited to no more than 17.5 hours per week as standard County practice; and

**FURTHER RESOLVED**, the Montgomery County Legislature establishes the Part-Time Community Service Coordinator position at a rate of \$19.683 an hour. The number of hours will be limited to no more than 17.5 hours per week as standard County practice; and

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

**INCREASE REVENUES:**

A-27-3-3310-00	Probation Services	\$72,800
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**INCREASE APPROPRIATIONS:**

A-27-4-3140-00-.4431	Professional Services	\$15,000
A-27-4-3140-00-.4438	Misc Supporting Services	\$11,074
A-27-4-3140-00-.1120 (128)	Probation Officer (PT)	\$23,257
A-27-4-3140-00-.1120 (129)	Community Service Program Coordinator	\$17,909
A-27-4-3140-00-.4409	Office Furniture	\$5,000
A-27-4-3140-00-.4471	Mileage	\$560

**FURTHER RESOLVED**, this resolution shall take effect January 1, 2020.

**RESOLUTION VOTE**, passed with Aye(7). Legislators Kelly and Dimond were absent. (12/17/2019)

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

*I. Nature of Request:*

Carry over of grant funds received from the Division of Probation and Correctional Alternatives relative to Raise the Age legislation from the 2019 budget to the 2020 budget.

*II. Justification:*

Funds were received late in the year 2019 and there was little time to put programs in place prior to the end of the fiscal year.

Carrying the funds over to the 2020 budget will offer the opportunity to implement the services detailed for the Raise the Age population.

*III. Legislative Impact:*

Pursuant to Article 2 of the Charter, the Montgomery County Legislature has the authority to make appropriations and create positions.

*IV. Financial Impact:*

Funds will only be spent within the parameters of the grant.

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**RESOLUTION NO. 311 of 2019**

**DATED: 12/17/2019**

Resolution by Legislator: Wilson  
Seconded by Legislator: Dimond

**RESOLUTION AMENDING THE 2020 OPERATING BUDGET (PUBLIC DEFENDER)**

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

**TRANSFER FROM:**

A-28-4-1170-03-.1120 (1310) Assistant Public Defender - PT	\$82,742
A-28-4-1170-03-.1120 (1311) Account Clerk Typist	\$27,000

**TRANSFER TO:**

A-28-4-1170-03-.1110 (131) Assistant Public Defender - FT	\$80,000
A-28-4-1170-03-.1110 (132) Clerk Typist - FT	\$29,742

**RESOLVED**, that the positions of A-28-4-1170-03-.1120 (1310) and A-28-4-1170-03-.1120 (1311) are hereby eliminated; and

**RESOLVED**, this resolution shall take effect as of January 1, 2020.

**RESOLUTION VOTE**, passed with Aye(7). Legislators Kelly and Dimond were absent. (12/17/2019)

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

*I. Nature of Request:*

AMENDING THE 2020 OPERATING BUDGET

*II. Justification:*

It is necessary to amend the budget to properly allocate grant funds

*III. Legislative Impact:*

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

*IV. Financial Impact:*

Transfer within the grant budget



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**RESOLUTION NO. 312 of 2019**

**DATED: 12/17/2019**

Resolution by Legislator: Dimond  
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 November 27, 2019 through December 17, 2019; 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(7). Legislators Kelly and Dimond were absent. (12/17/2019)

***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

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**RESOLUTION NO. 313 of 2019**

**DATED: 12/17/2019**

Resolution by Legislator: Wilson  
Seconded by Legislator: Dimond

**RESOLUTION AMENDING 2020 OPERATING BUDGET AND AUTHORIZING COUNTY EXECUTIVE TO SIGN CONTRACTS - INSURANCE COVERAGE (COUNTY EXECUTIVE)**

**WHEREAS**, the county's current Property, General Liability and Insurance policies are set to expire on January 1, 2020; and

**WHEREAS**, at the recommendation of the County's Broker, Cool Insuring Agency, Inc., it is the desire of the County to maintain insurance including Property and General Liability Insurance through U.S. Speciality Insurance Company, Travelers, and PRI; and

**RESOLVED**, that the County Executive, following the review and approval by the County Attorney, is hereby authorized and directed to sign a contract with Cool Insurance for the provision of insurance including Property and General Liability policies through U.S. Specialty Insurance Company, Travelers, and PRI at a cost not to exceed \$454,620.91 for a term from January 1, 2020 through January 1, 2021; and

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

**TRANSFER FROM:**

A-30-4-1990-00-.4400 Contingent Account \$4,620.91

**TRANSFER TO:**

A-01-4-1910-00-.4480 Insurances \$4,620.91

**FURTHER RESOLVED**, this resolution shall take effect January 1, 2020.

**MOTION TO AMEND** by Legislator Headwell, Jr., seconded by Legislator Purtell,

**AFTER THE SECOND WHEREAS CLAUSE REPLACE AND ADD:**

**WHEREAS**, at the recommendation of the County’s Broker, Cool Insuring Agency, Inc., that the County enter into a contract for privacy and cyber liability insurance at a cost not to exceed \$20,409 with Beazley Insurance Company, Inc. for a period of twelve months.

**WHEREAS**, it is the recommendation of the County’s Broker, Cool Insuring Agency, Inc., that the County enter into a contract for flood insurance through the National Flood Insurance Plan with National Grange Mutual at a cost not to exceed \$62,339 for a term from January 22, 2020 through January 22, 2021

**RESOLVED**, that the County Executive, following the review and approval by the County Attorney is hereby authorized and directed to enter into a contract for privacy and cyber liability insurance at a cost not to exceed \$20,409 with Beazley Insurance Company, Inc. for a period of twelve months.

**FURTHER RESOLVED**, that the County Executive, following the review and approval by the County Attorney, is hereby authorized and directed to sign a contract for the provision of Flood Insurance policies through National Flood Insurance Plan with National Grange Mutual at a cost not to exceed \$62,339 for a term from January 22, 2020 through January 22, 2021.

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

**TRANSFER FROM:**

A-30-4-1990-00-.4400 Contingent Account \$87,368.91

**TRANSFER TO:**

A-01-4-1910-00-.4480 Insurances \$87,368.91

passed with Aye(6). Legislator Isabel voted Nay. Legislators Kelly and Dimond were absent.(12/17/2019)

**RESOLUTION VOTE**, passed with Aye(6). Legislator Isabel voted Nay. Legislators Kelly and Dimond were absent. (12/17/2019)

**Statement of Legislative and Financial Impact:**

I. *Nature of Request:*

AUTHORIZING COUNTY EXECUTIVE TO SIGN CONTRACT - INSURANCE COVERAGE

II. *Justification:*

Insurance policies are about to expire.

III. *Legislative Impact:*

The County Executive has the authority per the Montgomery County Charter under Article 3 to enter into agreements

*IV. Financial Impact:*

General insurance was \$4,620.91 above what was budgeted as the market is on an upward trend.

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**RESOLUTION NO. 314 of 2019**

**DATED: 12/17/2019**

Resolution by Legislator: Wilson  
Seconded by Legislator: Sweet

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AGREEMENT UNDER INFO QUICK SOLUTIONS, INC. CONTRACT FOR RECORDS MANAGEMENT SYSTEM (COUNTY CLERK)**

**WHEREAS**, the County Clerk's office is currently under contract for records management services with Info Quick Solutions, Inc. (IQS) that will expire on December 31, 2019; and

**WHEREAS**, the County Clerk recommends entering into a contract with IQS for another 60 months with no increase in costs from the previous contract; and

**WHEREAS**, monthly costs will total \$5,067.00 per month over 60 months; and now, therefore be it

**RESOLVED**, that the County Executive is hereby authorized and directed to sign a contract with Info Quick Solutions, Inc. for records management services in the County Clerk's office after review and approval of the County Attorney for sixty (60) months commencing on January 1, 2020 and ending December 31, 2024 at an amount not to exceed \$5,067.00 per month.

**RESOLUTION VOTE**, passed with Aye(7). Legislators Kelly and Dimond were absent. (12/17/2019)

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

*I. Nature of Request:*

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

*II. Justification:*

Without the records management services of IQS, our office would not be operational. Also, with no cost increase in the new agreement, it is hereby requested to sign a new 60 month agreement by the County Executive following the review and approval by the County Attorney.

*III. Legislative Impact:*

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

*IV. Financial Impact:*

The agreement under IQS will be at a cost of \$5,067.00 per month. The current agreement has a monthly cost of \$5,067.00 per month.

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**RESOLUTION NO. 315 of 2019**

**DATED: 12/17/2019**

Resolution by Legislator: Dimond  
Seconded by Legislator: Wilson

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN CONTRACT - INSURANCE CONTRACT (SANITARY DISTRICT)**

**WHEREAS**, the Montgomery County Sanitary District No. 1's current property, general liability, automobile, excess catastrophe, inland marine, and crime policies are set to expire January 1, 2020; and

**WHEREAS**, a majority of the Montgomery County Sanitary District No.1 Board of Directors recommends binding insurance coverage for property, general liability, automobile, excess catastrophe, inland marine, and crime policies with NYMIR at a cost not to exceed \$22,066.89; and

**WHEREAS**, NBT Mang Insurance - William VanGorder is named broker of record.

**RESOLVED**, upon the review and approval of the County Attorney, the County Executive is hereby authorized and directed to sign a contract for the renewal of insurance coverage for for property, general liability, automobile, excess catastrophe, inland marine, and crime policies with NYMIR for a term of January 1, 2020 through December 31, 2020 and for an amount not to exceed \$22,066.89.

**RESOLUTION VOTE**, passed with Aye(7). Legislators Kelly and Dimond were absent. (12/17/2019)

**Statement of Legislative and Financial Impact:**

*I. Nature of Request:*

To bind insurance coverage with NYMIR. Coverage includes property, general liability, automobile, excess catastrophe, inland marine and crime policies.

*II. Justification:*

To provide insurance coverage for the Montgomery County Sanitary District No.1 for 2020.

*III. Legislative Impact:*

Pursuant to Article 3 of the Montgomery County Charter the County Executive has the power to enter into contracts.

*IV. Financial Impact:*

Budgeted 2020

**RESOLUTION NO. 316 of 2019**

**DATED: 12/17/2019**

Resolution by Legislator: Sweet  
Seconded by Legislator: Pepe

**RESOLUTON SETTING THE DATE AND TIME OF THE 2020 ORGANIZATIONAL MEETING (COUNTY LEGISLATURE)**

**WHEREAS**, pursuant to the Montgomery County Charter § 2.05, the County Legislature shall on the first Tuesday, after the first Monday in January of each year, meet and organize by election from among its members a Chair, a Deputy Chair and such other legislative officials as it deems appropriate. The Chair shall appoint members of the County Legislature to serve on such legislative committees as are provided by the rules of the County Legislature.

**RESOLVED**, that the Clerk of the Legislature shall give notice that the Organizational Meeting for the Montgomery County Legislature is hereby scheduled for January 7, 2020 at 6:00 pm in the Legislative Chambers, 64 Broadway, Fonda, NY.

**RESOLUTION VOTE**, passed with Aye(7). Legislators Kelly and Dimond were absent. (12/17/2019)

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

*I. Nature of Request:*

SETTING THE DATE AND TIME OF THE 2020 ORGANIZATIONAL MEETING

*II. Justification:*

The County Legislature shall meet and organize by election from among its members a Chair, a Deputy Chair and such other legislative officials as it deems appropriate. The Chair shall appoint members of the County Legislature to serve on such legislative committees as are provided by the rules of the County Legislature.

*III. Legislative Impact:*

Authorized pursuant to the Montgomery County Charter Article 2.05

*IV. Financial Impact:*

Organizational meeting

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**ADJOURNMENT**

**MOTION TO ADJOURN** by Legislator Sweet, seconded by Legislator Pepe, passed with Aye(7). Legislators Kelly and Dimond were absent.

Chairman Headwell, Jr. adjourned the meeting at 7:50 pm

Respectfully submitted,

Cheryl A. Reese  
Clerk of the Montgomery County  
Legislature