

## **CALL TO ORDER**

The Organizational Meeting for 2020 was called to order by the County Clerk, Brittany Kolbe at 6:00 pm.

## **SWEARING IN CEREMONY**

Judge Felex Catena and Judge Phil Cortese performed the swearing in ceremony.

## **ROLL CALL**

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

## **SALUTE TO THE FLAG**

Legislator Headwell, Jr. led the Salute to the Flag.

## **SELECTION OF PERMANENT CHAIRMAN**

Legislator Isabel was elected as the Chairman of the Legislature for 2020.

## **NEW BUSINESS**

### A. Organizational Resolutions

Legislator Pepe abstained from Resolution 3 as his employer (NBT Bank) is one of the county's depositories.

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## **RESOLUTION NO. 1 of 2020**

**DATED: 1/7/2020**

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

## **RESOLUTION ELECTING CHAIRMAN OF THE MONTGOMERY COUNTY LEGISLATURE FOR THE YEAR 2020**

**RESOLVED**, that Legislator \_\_\_\_\_ hereby is elected Chairman of the Montgomery County Legislature for the year 2020, and

**FURTHER RESOLVED**, that the annual salary of said Chairman hereby is fixed in the amount of \$15,000.00.

**MOTION TO AMEND** by Legislator Headwell, Jr., seconded by Legislator Duchessi, to insert the name of Joseph M. Isabel in the **RESOLVED CLAUSE** passed with Aye(5). Legislators Kelly, Sweet, Thayer and Purtell voted Nay.(1/7/2020)

**RESOLUTION VOTE**, passed with Aye(6). Legislators Kelly, Sweet and Purtell voted Nay. (1/7/2020)

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

#### *I. Nature of Request:*

ELECTING CHAIRMAN OF THE MONTGOMERY COUNTY LEGISLATURE FOR THE YEAR 2020

#### *II. Justification:*

Pursuant to the Montgomery County Charter, Article 2.05

III. *Legislative Impact:*

Pursuant to the Montgomery County Charter, Article 2.05

IV. *Financial Impact:*

There is no financial impact - organizational resolution

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**RESOLUTION NO. 2 of 2020**

**DATED: 1/7/2020**

Resolution by Legislator: Duchessi  
Seconded by Legislator: Purtell

**RESOLUTION APPOINTING CLERK OF THE MONTGOMERY COUNTY LEGISLATURE**

**WHEREAS**, pursuant to the Montgomery County Charter, § 2.06, the County Legislature shall, at its first organizational meeting, and every three years thereafter, appoint a Clerk who shall serve until his or her successor is appointed.

**RESOLVED**, that pursuant to Section 475 of County Law , \_\_\_\_\_ is hereby appointed Clerk of the Montgomery County Legislature effective January 1, 2020 at an annual base salary of \$53,441.

**MOTION TO AMEND** by Legislator Duchessi, seconded by Legislator Kelly, to insert Cheryl A. Reese in the **RESOLVED CLAUSE** passed with Aye(9).(1/7/2020)

**RESOLUTION VOTE**, passed with Aye(9). (1/7/2020)

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

I. *Nature of Request:*

APPOINTING CLERK OF THE MONTGOMERY COUNTY LEGISLATURE

II. *Justification:*

Pursuant to the Montgomery County Charter, Section 2.06.

III. *Legislative Impact:*

Pursuant to the Montgomery County Charter, Section 2.06.

IV. *Financial Impact:*

There is no financial impact - organizational resolution

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**RESOLUTION NO. 3 of 2020**

**DATED: 1/7/2020**

Resolution by Legislator: Kelly  
Seconded by Legislator: Purtell

**RESOLUTION ELECTING DEPUTY CHAIRMAN OF THE MONTGOMERY COUNTY LEGISLATURE FOR THE YEAR 2020**

**RESOLVED**, that Legislator \_\_\_\_\_ hereby is elected Deputy Chairman of the Montgomery County Legislature for the year 2020, and

**FURTHER RESOLVED**, that the annual salary of said Deputy Chairman hereby is fixed in the amount of \$10,000.00, and

**FURTHER RESOLVED**, that said Deputy Chairman shall exercise the authority granted to the Chairman of the Montgomery County Legislature in the Chairman's absence.

**MOTION TO AMEND** by Legislator Headwell, Jr., seconded by Legislator Pepe, passed to insert the name of John Duchessi in the **RESOLVED CLAUSE** with Aye(8). Legislator Purtell voted Nay.(1/7/2020)

**MOTION TO AMEND** by Legislator Kelly, seconded by Legislator Purtell, passed to replace the name John Duchessi and insert the name of Daniel Wilson in the **RESOLVED CLAUSE** with Aye(6). Legislators Headwell, Jr., Wilson and Duchessi voted Nay.(1/7/2020)

**RESOLUTION VOTE**, was defeated with Aye(4). Legislators Headwell, Jr., Wilson, Duchessi, Pepe and Isabel voted Nay. (1/7/2020)

**MOTION TO RECONSIDER** by Legislator Kelly, seconded by Legislator Headwell, Jr., passed with Aye(9). (1/7/2020)

**MOTION TO AMEND** by Legislator Kelly, seconded by Legislator Headwell, Jr., passed to remove the name Dan Wilson and replace with John Duchessi in the **RESOLVED CLAUSE** with Aye(9).(1/7/2020)

**RESOLUTION VOTE**, passed with Aye(9). (1/7/2020)

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

*I. Nature of Request:*

ELECTING DEPUTY CHAIRMAN OF THE MONTGOMERY COUNTY LEGISLATURE FOR THE YEAR 2020

*II. Justification:*

Pursuant to the Montgomery County Charter, Article 2.05

*III. Legislative Impact:*

Pursuant to the Montgomery County Charter, Article 2.05

*IV. Financial Impact:*

There is no financial impact - organizational resolution

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**RESOLUTION NO. 4 of 2020**

**DATED: 1/7/2020**

Resolution by Legislator: Thayer  
Seconded by Legislator: Pepe

**RESOLUTION ADOPTING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY LEGISLATURE FOR THE YEAR 2020**

**RESOLVED**, that the Rules of Procedure, as attached hereto, hereby are adopted by the Montgomery County Legislature for 2020, or until amended by Resolution.

**RESOLUTION VOTE**, passed with Aye(9). (1/7/2020)

**Statement of Legislative and Financial Impact:**

*I. Nature of Request:*

ADOPTING RULES OF PROCEDURE OF THE MONTGOMERY COUNTY LEGISLATURE

*II. Justification:*

Pursuant to the Montgomery County Charter, Article 2.04 (a)

*III. Legislative Impact:*

Pursuant to the Montgomery County Charter, Article 2.04 (a)

*IV. Financial Impact:*

There is no financial impact - organizational resolution

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**RESOLUTION NO. 5 of 2020**

**DATED: 1/7/2020**

Resolution by Legislator: Sweet  
Seconded by Legislator: Wilson

**RESOLUTION DESIGNATING DEPOSITORIES FOR COUNTY FUNDS IN THE NAME OF THE COUNTY TREASURER DURING 2020 AND FIXING MAXIMUM AMOUNTS WHICH MAY BE KEPT ON DEPOSIT THEREIN AT ANY ONE TIME**

**WHEREAS**, according to Section 212 of County Law, the Legislature shall designate the banks, bankers or banking associates for deposit of all County funds received by the County Treasurer heretofore according to law, and

**WHEREAS**, the Legislature, in accordance with said section, shall likewise specify the name of each so designated and the maximum amount, which may be kept on deposit therein at any one time in the name of said County Treasurer,

**RESOLVED**, that pursuant to Section 212 of County Law, the following banks are hereby designated by the Montgomery County Legislature as an depositories for the deposit of County funds by the County Treasurer of this County and deposited in the name of said County Treasurer for the year 2020, namely:

NBT BANK, FONDA BRANCH, FONDA, NY  
JP MORGAN CHASE BANK, 12 CORPORATE WOODS BLVD., ALBANY, NY  
COMMUNITY BANK, 1 HUDSON STREET, KINDERHOOK, NY

GREENE COUNTY COMMERCIAL BANK, 425 MAIN STREET, CATSKILL, NY

KEY BANK, N.A., AMSTERDAM BRANCH, AMSTERDAM, NY

**FURTHER RESOLVED**, that the maximum amount of County funds which may be kept on deposit in said depositories at any one time in the name of the County Treasurer be and the same hereby is fixed and determined as follows:

NBT BANK, FONDA BRANCH, FONDA, NY \$25,000,000  
JP MORGAN CHASE BANK, 12 CORP. WOODS BLVD., ALBANY, NY \$20,000,000  
COMMUNITY BANK, KINDERHOOK, NY \$10,000,000

GREENE COUNTY COMMERCIAL BANK, CATSKILL, NY \$10,000,000

KEY BANK, N.A., AMSTERDAM BRANCH, AMSTERDAM, NY \$5,000,000

**FURTHER RESOLVED**, that said depositories shall give good and sufficient collateral as prescribed by law, as security for the amount so deposited in said depository, the amount thereof to be at least equal to the amount hereby authorized to be deposited by said bank

on behalf of the County Treasurer shall also be approved as to the amount by the County Treasurer, and

**FURTHER RESOLVED**, that such designated depositories may execute their own undertaking and deposit on behalf of the County Treasurer outstanding unmatured bonds or other obligation of the United States of America, the State of New York, or of any County, Town, Village or School District in the State of New York, to the amount on deposit, less the amount certified by the depository as covered by insurance under the Federal Depositor Insurance Act as pursuant to Section 212, Subdivision 6 of the County Law of the State of New York, subject to approval of said County Attorney and said County Treasurer.

**RESOLUTION VOTE**, passed with Aye(8). Legislator Pepe abstained. (1/7/2020)

**Statement of Legislative and Financial Impact:**

I. *Nature of Request:*

DESIGNATING DEPOSITORIES FOR COUNTY FUNDS IN THE NAME OF THE COUNTY TREASURER DURING 2017 AND FIXING MAXIMUM AMOUNTS WHICH MAY BE KEPT ON DEPOSIT THEREIN AT ANY ONE TIME

II. *Justification:*

Pursuant to the Montgomery County Charter Article 2.04 (n)

III. *Legislative Impact:*

Pursuant to the Montgomery County Charter Article 2.04 (n)

IV. *Financial Impact:*

There is no financial impact - organizational resolution

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**RESOLUTION NO. 6 of 2020**

**DATED: 1/7/2020**

Resolution by Legislator: Kelly  
Seconded by Legislator: Wilson

**RESOLUTION DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR 2020**

**WHEREAS**, Section 214, Subdivision 2 of the County Law requires that the County Legislature shall annually designate newspapers for the publication of all local laws, legal notices, advertisements for bids and other matters required by law to be published,

**RESOLVED**, that the Montgomery County Legislature hereby designates the following newspapers, for the above purpose, for 2020:

- The Recorder
- Courier-Standard Enterprise

**RESOLUTION VOTE**, passed with Aye(9). (1/7/2020)

**Statement of Legislative and Financial Impact:**

I. *Nature of Request:*

DESIGNATING NEWSPAPERS TO PUBLISH COUNTY MATTERS FOR 2020

II. *Justification:*

Pursuant to the Montgomery County Charter, Article 2.04 (k)

*III. Legislative Impact:*

Pursuant to the Montgomery County Charter, Article 2.04 (k)

*IV. Financial Impact:*

There is no financial impact - organizational resolution

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**RESOLUTION NO. 7 of 2020**

**DATED: 1/7/2020**

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

**RESOLUTION DELEGATING ERRONEOUS ASSESSMENT CORRECTION APPROVAL AUTHORITY TO COUNTY AUDITOR FOR 2020**

**WHEREAS**, the Montgomery County Legislature is authorized to annually delegate to an official responsible for the payment of bills upon the audit of the appropriate municipal corporation the power to approve the correction of the tax rolls and tax bills, where said correction does not exceed \$2,500, and to cover tax credits/refunds, in an amount less than \$2,500; and

**WHEREAS**, the Montgomery County Legislature chooses to delegate this power to the County Auditor; and

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

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

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

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

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

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

**RESOLUTION VOTE**, passed with Aye(9). (1/7/2020)

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

*I. Nature of Request:*

Delegating authority to the Auditing Committee to handle Erroneous Assessments for 2020

*II. Justification:*

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

III. *Legislative Impact:*

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

IV. *Financial Impact:*

Delegating the approval of corrections under \$2,500 to an official

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**OTHER**

There was no other business.

**ADJOURNMENT**

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

Chairman Isabel adjourned the meeting at 6:31 pm.

Respectfully submitted,

Cheryl A. Reese  
Clerk of the Montgomery County  
Legislature