

CALL TO ORDER

Chairman Pepe called the Regular Meeting of the Montgomery County Legislature for May 24, 2021 to order at 6:00 PM.

Pursuant to law, members of the Legislature and public are authorized to participate via conference call. Members of the public may participate by calling 1-571-317-3122, Access Code 612-912-077. 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
Michael J. Pepe, Legislator, District 7
Robert A. Purtell, Legislator, District 9

Absent:

John M. Duchessi, Legislator, District 6
Legislator, District 8 - vacant

SALUTE TO THE FLAG

Legislator Headwell led the Salute to the Flag.

MOMENT OF SILENCE

PUBLIC COMMENT AND PRESENTATION

Proclamations:

* June Dairy Month

*Joseph Slezak, Resource Conservationist and Certified Nutrient Management Planner, Montgomery County Soil and Water Conservation - 2020 Division 6 Merit Award

*Karen Klemczak, District Clerk of the Montgomery County Soil and Water Conservation - 2022 Division 6 Merit Award

*Scott Ryan, Chairman of the Montgomery County Soil and Water Conservation - 2022 District Director Award

There was no public comment

COMMUNICATIONS

none

OLD BUSINESS

NEW BUSINESS

A. Resolutions

B. Other

RESOLUTION NO. 94 of 2022

DATED: 5/24/2022

Resolution by Legislator: Sweet
Seconded by Legislator: Kelly

RESOLUTION AUTHORIZING THE MONTGOMERY COUNTY EXECUTIVE TO SIGN COOPERATIVE AGREEMENT– NYS OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION – CANALWAY TRAIL MAINTENANCE (ECONOMIC DEVELOPMENT/PLANNING)

WHEREAS, per Resolution 238 of 1986, the County entered into a 25-year agreement with the State Office of Parks, Recreation, and Historic Preservation for the purposes of maintenance of the former West Shore RR Right-of-Way by the County (commonly referred to as the NYS Canalway

Trail); and

WHEREAS, Resolution 69 of 2012 extended this Cooperative Agreement for a five year agreement with a five year renewal option which is about to expire; and

WHEREAS, entering into this Cooperative Agreement with the State Office of Parks, Recreation, and Historic Preservation ensures that the trail will be maintained for the use of Montgomery County residents.

NOW THEREFORE BE IT RESOLVED, that the Montgomery County Legislature authorizes and directs the Montgomery County Executive to execute a Cooperative Agreement with the State Office of Parks, Recreation, and Historic Preservation for the purposes of maintenance of the former West Shore RR Right-of-Way by the County (commonly referred to as the NYS Canalway Trail) for a five year term with the option to execute a five year renewal.

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

AUTHORIZING THE MONTGOMERY COUNTY EXECUTIVE TO SIGN COOPERATIVE AGREEMENT– NYS OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION – CANALWAY TRAIL MAINTENANCE (ECONOMIC DEVELOPMENT/PLANNING)

II. *Justification:*

The current Cooperative Agreement is about to expire.

III. *Legislative Impact:*

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

IV. *Financial Impact:*

Annual maintenance fees will need to be included in each year's budget.

RESOLUTION NO. 95 of 2022

DATED: 5/24/2022

Resolution by Legislator: Wilson
Seconded by Legislator: Purtell

RESOLUTION AMENDING THE 2022 OPERATING BUDGET - INSURANCE RECOVERY FUNDS (EMERGENCY MANAGEMENT)

WHEREAS, a fuel tanker truck was involved in a motor vehicle accident and the County's hazard material response was requested, and

WHEREAS, a number of different agencies were dispatched and assisted at the location of the accident, and

WHEREAS, when the regional Montgomery, Fulton, Schoharie team responds the host county is responsible for tracking and submitting one invoice for insurance proceeds to the spiller, who is responsible for reimbursement; and

WHEREAS, we received insurance proceeds that need to be disbursed to the appropriate agency and put in the appropriate budget line.

RESOLVED, the County Treasurer is hereby authorized and directed to amend the 2022 Operating Budget as follows:

INCREASE REVENUES:

A-02-3-2680	Insurance Recoveries	\$10,720.01
-------------	----------------------	-------------

INCREASE APPROPRIATIONS:

A-02-4-3640-00-.4438	Misc. Supporting Services	\$2,826.62
A-02-4-3640-00-.4447	Clothing & uniforms	\$5,640.93
A-02-4-3640-00-.4449	Special Supplies & Materials	\$1,624.60
A-15-4-3110-00-.1111 (1212)	Overtime	\$627.86

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

AMENDING THE 2022 OPERATING BUDGET - INSURANCE RECOVERY FUNDS

II. *Justification:*

Insurance reimbursement

III. *Legislative Impact:*

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

IV. *Financial Impact:*

No financial impact as the insurance proceeds will cover cost for replacement of contaminated equipment.

RESOLUTION NO. 96 of 2022

DATED: 5/24/2022

Resolution by Legislator: Pepe
Seconded by Legislator: Purtell

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN LEXIS SUBSCRIPTION AGREEMENT WITH LEXIS NEXIS (DISTRICT ATTORNEY)

WHEREAS, it is necessary for the District Attorney's Office to have access to legal research through on-line services provided by Lexis Nexis; and

WHEREAS, the Lexis Nexis requires a three year subscription agreement to be signed for such access commencing June 1, 2022 and ending May 31, 2025 at the following monthly rates: 6/ 1/2022 through 5/31/2023 @\$146.00 per month

6/1/2023 through 5/31/2024 @\$152.00 per month

6/1/2024 through 5/31/2025 @\$159.00 per month; and

WHEREAS, the cost of said monthly fees is to be paid from existing budgeted money used for legal reference materials; and

NOW THEREFORE BE IT RESOLVED, that the Montgomery County Legislature hereby authorizes the County Executive, following review and approval by the County Attorney, to sign the Lexis Subscription Agreement for the period of June 1, 2022 through May 31, 2025.

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Request for County Executive to sign Lexis Subscription Agreement between Montgomery County District Attorney's Office and Lexis Nexis to gain access to on-line legal legal research for the period of June 1, 2022 through May 31, 2025.

II. *Justification:*

This is a continuation of a previous subscription agreement between the Montgomery County District Attorney's Office and Lexis Nexis that is due to expire on May 31, 2022. Said subscription is necessary to allow the District Attorney's Office to have access to legal research to prepare for prosecution of cases in Montgomery County.

III. *Legislative Impact:*

Pursuant to Article 3 of the Charter, the County Executive has the power to sign the Lexis Subscription Agreement between the Montgomery County District Attorney's Office and Lexis Nexis for the period of 6/1/2022 through May 31, 2025.

IV. *Financial Impact:*

None. Funds to pay for this monthly subscription will be paid for using existing budgeted money used for legal reference material and available in the current 2022 County Budget (District Attorneys' Office).

RESOLUTION NO. 97 of 2022

DATED: 5/24/2022

Resolution by Legislator: Kelly
Seconded by Legislator: Purtell

RESOLUTION AMENDING THE 2022 OPERATING BUDGET-CHIPS (CONSOLIDATED HIGHWAY IMPROVEMENT PROGRAM) FUNDS (PUBLIC WORKS)

WHEREAS, the final allocation of State Consolidated Highway Improvement Program (CHIPS) funds has been clarified; and

WHEREAS, it is necessary to adjust the County Road Fund to reflect increased revenues and appropriations.

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2022 Operating Budget as follows:

INCREASE REVENUES:

D-12-3-3501	Consolidated Highway Aid	\$2,343,661.16
-------------	--------------------------	----------------

INCREASE APPROPRIATIONS:

D-12-4-9900-00.9950	Interfund Transfer- Capital Project Fund	\$2,343,661.16
---------------------	--	----------------

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Amend the 2022 Operating Budget to adjust for an increase in CHIPS Funds so they can be spent in 2022

II. *Justification:*

The final state allocation of CHIPS Funds is now known

III. *Legislative Impact:*

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

IV. *Financial Impact:*

Budgeted "CHIPS" funds	\$2,995,992.00
<u>Actual Funds Received</u>	<u>\$2,996,137.35</u>
Difference (Increase)	\$145.35
2021 Rollover 2022 "CHIPS"	\$938,887.63
2022 PAVE NY	\$828,631.94

2022 Extreme Winter Recovery \$575,996.24
Plus the difference between 2022 budgeted and actual \$145.35
Total to be increased (Interfund Transfer-Capital Project Fund \$2,343,661.16

Funding is a 100% reimbursable program

RESOLUTION NO. 98 of 2022

DATED: 5/24/2022

Resolution by Legislator: Purtell
Seconded by Legislator: Sweet

RESOLUTION ESTABLISHING FULL-TIME LABORER POSITIONS (PUBLIC WORKS)

WHEREAS, Montgomery County Department of Public Works is responsible for maintaining 393 miles of county roads; and

WHEREAS, the Commissioner of Department of Public Works requests that due to the needs of the department, the position of full-time Laborer, be established; and

WHEREAS, the Commissioner of Department of Public Works has met with the Personnel Officer and confirmed that title of Laborer exists as a non-competitive title in the CSEA Bargaining unit, established in Grade A with base salary for 2022 of \$30,892 ; and

WHEREAS, Resolution 56 of 2020 established four (4) part-time laborer (Temporary) positions; and

WHEREAS, it is the intention to eliminate two (2) of the four (4) part-time Laborers to help offset the cost of its full-time equivalent.

RESOLVED, that the Montgomery County Legislature establishes the positions of full-time Laborer with a base salary of \$30,892 CSEA Grade A.

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Resolution establishing full-time Laborer position.

II. Justification:

Recruitment for part-time laborers has proven to be difficult. Establishing a full-time laborer position has a better chance to be filled.

III. Legislative Impact:

Pursuant to section 2.04 (b) of the Montgomery County Charter the Legislature has the power to make appropriations.

IV. Financial Impact:

Funds for this position already exist within the bulk full-time employee line.

RESOLUTION NO. 99 of 2022

DATED: 5/24/2022

Resolution by Legislator: Wilson
Seconded by Legislator: Kelly

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN 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 \$0.05 per gallon terminating May 31, 2022.

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

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. 100 of 2022

DATED: 5/24/2022

Resolution by Legislator: Wilson
Seconded by Legislator: Pepe

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN CONTRACT - AMSTERDAM ANIMAL HOSPITAL - VETERINARY PROFESSIONAL SERVICES; RABIES SPECIMEN PREPARATION SERVICES (PUBLIC HEALTH)

WHEREAS, Montgomery County Public Health is required by the New York State Department of Health, as described in Article 21, Title IV, Section 2145 of the Public Health law; and

WHEREAS, Amsterdam Animal Hospital has agreed to provide Professional Veterinary Services - to provide for Rabies Specimen Preparation Services; and

WHEREAS, the Public Health Director has recommended a 3 year contract with Amsterdam Animal Hospital beginning May 15, 2022 - May 15, 2025; and

RESOLVED, that the Montgomery County Legislature hereby authorizes acceptance of the Amsterdam Animal Hospital contract terms, and

FURTHER RESOLVED, that the County Executive, upon review and approval by the County Attorney, hereby is authorized and directed to sign any and all Veterinary Professional Services contract documents for the rates attached hereto and made a part hereof for a term of May 15, 2022- May 15, 2025.

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

Statement of Legislative and Financial Impact:

I. Nature of Request:

AUTHORIZING COUNTY EXECUTIVE TO SIGN CONTRACT WITH AMSTERDAM ANIMAL HOSPITAL - PROFESSIONAL VETERINARY SERVICES

II. Justification:

Article 21, Title IV, Section 2145 of Public Health Law mandates the County to provide and pay for Professional Veterinary Services for Rabies Specimen Preparation.

III. Legislative Impact:

Pursuant to Article 3 of the Charter it is the duty of the Legislators to review such contracts and agree to allow services in the County.

IV. Financial Impact:

Funds included in each years budget to cover professional veterinary services and reimburseable under Rabies Grant and NYSDOH Article 6 State Aid.

RESOLUTION NO. 101 of 2022

DATED: 5/24/2022

Resolution by Legislator: Sweet
Seconded by Legislator: Pepe

RESOLUTION AMENDING THE 2022 OPERATING BUDGET - (MENTAL HEALTH)

WHEREAS, the Director of Community Services has determined there is additional funding due from the Office of Addiction Services and Supports (OASAS) and the Office of Mental Health (OMH) due to increases in funds as outlined via State Aid Letters; and

WHEREAS, funds provided by the Office of Addiction Services and Supports (OASAS) and the Office of Mental Health (OMH) 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 is hereby authorized and directed to amend the 2022 Operating Budget as follows:

INCREASE REVENUES:

A-17-3-3472	Special Health Program OASAS	\$77,579.00
A-17-3-3490	Mental Health	\$68,608.00

INCREASE APPROPRIATIONS:

A-17-4-4230.00.4555	Drug Abuse Prevention	\$44,178.00
A-17-4-4250.00.4565	Community Support System	\$33,401.00
A-17-4-4320.00.4565	Community Support System	\$68,608.00

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

To accept pass through funding as per NYS Office of Addiction Services and Supports (OASAS) and Offices of Mental Health (OMH)

II. *Justification:*

To accept and utilize funds through the grant funding end date of December 31, 2022.

III. *Legislative Impact:*

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

IV. *Financial Impact:*

Budget neutral, no impact on General Fund.

RESOLUTION NO. 102 of 2022

DATED: 5/24/2022

Resolution by Legislator: Wilson
Seconded by Legislator: Sweet

RESOLUTION AMENDING RESOLUTION 71 OF 2021 AND AUTHORIZING THE COUNTY EXECUTIVE TO SIGN CONTRACT WITH LINCOLN HALL AN OFFICE OF CHILDREN AND FAMILY SERVICES APPROVED FACILITY (SOCIAL SERVICES)

WHEREAS, New York State Office of Children and Family Services (OCFS) requires counties to enter into contract with state approved child care facilities that provide services to our foster care, and/or behavioral children; and

WHEREAS, Resolution 71 of 2021 authorized the County Executive to enter into contracts with OCFS approved facilities; and

WHEREAS, there is an additional facility that the Department would like to add to the list of approved facilities;

RESOLVED, the first Resolved clause of Resolution 71 of 2021 that lists the facilities that are used in Montgomery County shall be amended to include:

- Lincoln Hall

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Amend Resolution 71 of 2021 to include an additional facility for Foster Care thus Authorizing the County Executive to sign the state approved child care facility agreement.

II. *Justification:*

The Department is mandated to contract with state approved agencies to provide services to children in foster care

III. *Legislative Impact:*

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

IV. *Financial Impact:*

Foster Care funding is currently budgeted.

RESOLUTION NO. 103 of 2022

DATED: 5/24/2022

Resolution by Legislator: Pepe
Seconded by Legislator: Wilson

RESOLUTION AMENDING RESOLUTION 30 OF 2022 AND AUTHORIZING THE COUNTY EXECUTIVE TO SIGN CONTRACT WITH LINCOLN HALL AN OFFICE OF CHILDREN AND FAMILY SERVICES APPROVED FACILITY (SOCIAL SERVICES)

WHEREAS, Resolution 30 of 2022 authorized the County Executive to enter into contracts with New York State Office of Children and Family Services (OCFS) whom require counties to enter into agreements with state approved child care facilities that provide services to our foster care and/or behavioral children; and

WHEREAS, there is an additional facility that the Department is desirous of contracting with; and

RESOLVED, the Resolution 30 of 2022 shall be amended to include the following facility to be used in Montgomery County:

- Lincoln Hall

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Amend Resolution 30 of 2022 to include an additional facility for Foster Care thus Authorizing the County Executive to sign the state approved child care facility agreement.

II. Justification:

The Department is mandated to contract with state approved agencies to provide services to children in foster care.

III. Legislative Impact:

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

IV. Financial Impact:

Foster Care funding is currently budgeted.

RESOLUTION NO. 104 of 2022

DATED: 5/24/2022

Resolution by Legislator: Wilson
Seconded by Legislator: Sweet

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN NYS RABIES GRANT FUNDS (PUBLIC HEALTH)

WHEREAS, Montgomery County Public Health is awarded the Rabies Program Grant annually; and

WHEREAS, the Rabies Program Grant funds are appropriated in the current Operating Budget.

RESOLVED, that the Montgomery County Legislature hereby authorizes acceptance of the Rabies Program Grant Funds.

FURTHER RESOLVED, that the County Executive, upon review and approval by the County Attorney, hereby is authorized and directed to sign any and all Rabies Program Grant contract documents at the rate of \$8,893 per year for the contract period April 1, 2022 to March 31, 2025.

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Funds will be accepted as per the annual Rabies Grant via NYS DOH.

II. *Justification:*

Funds will be used in order to be reimbursed for services rendered.

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 to the general fund as the State revenue will offset costs of the program. Total Contract amount - \$26,679.

RESOLUTION NO. 105 of 2022

DATED: 5/24/2022

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

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS FOR THE FMCC CAMPUS LABS AND CLASSROOMS PHASE III PROJECT (FMCC)

WHEREAS, the 2022 Capital Plan contains an appropriation of \$1,000,000 for the FMCC Science Labs and Classrooms Phase 3 Project; and

WHEREAS, the FMCC Campus Labs and Classroom Building Renovation Project was intended to be a sequential three (3) phased project as identified within Fulton County's 2018-2020 Capital Plan; and

WHEREAS, the first two (2) phases were completed in 2018 and 2019 respectively; and

WHEREAS, due to the onset of the COVID-19 Pandemic, Phase 3 of the sequential three-phased project abruptly stopped once FMCC was notified by the SUNY Office of Capital Facilities that New York State would no longer support the project due to reappropriating State dollars toward more immediate health and safety related projects; and

WHEREAS, the initial Phase 3 project had been designed, successfully bid and all contracts had been executed; and

WHEREAS, Resolution #42 dated February 22, 2022 authorized a contract with JMZ Architects and Planners, P.C. to update design plans and bid specifications for the FMCC Science Labs and Classrooms Phase 3 Project (2022 Capital Plan); and

WHEREAS, funding for this project will be as follows:

SUNY	\$750,000
Fulton County	\$250,000
<u>Montgomery County</u>	<u>\$250,000</u>
Total	\$1,000,000

And

WHEREAS, on April 6, 2022, the following bids were received for the four (4) prime construction contracts:

1. **Contract No. 1: General Construction:**

CONTRACTOR	BASE BID		ALT. 2 BID (ADD) ¹	ALT. 3 BID (ADD) ²	ALT. 4 BID (ADD) ³	ALT. 5 BID (ADD) ⁴	TOTAL W/ ALTERNATES
	Bid Item 1	TOTAL BASE BID WITH CONTINGENCY					
Gallo Construction Corporation	\$460,173	\$496,173	\$ 81,065	\$ 2,511	\$ 7,206	\$ 3,000	\$589,955
Rozell East Inc.	\$468,040	\$504,040	\$ 94,040	\$ 10,000	\$ 5,000	\$ 3,000	\$616,080
Hoosic Valley Contractors, Inc.	\$503,900	\$539,900	\$106,000	\$ 2,800	\$ 8,000	\$ 3,500	\$660,200
MA Shafer Construction	\$594,000	\$630,000	\$166,850	\$ 12,000	\$ 5,500	\$ 3,000	\$817,350

¹Alt. 2 (Add) – Renovate/Abate Room C137.

²Alt. 3 (Add) – Change Lab top material to epoxy resin in lieu of phenolic resin.

³Alt. 4 (Add) – Provide five (5) loose tables in Room C239.

⁴Alt. 5 (Add) – Provide \$3,000.00 Allowance for Lab Equipment to be selected by Owner.

-

2. Contract No. 2: Plumbing Construction:

CONTRACTOR	BASE BID		ALT. 2 BID (ADD) ¹	TOTAL WITH ALTERNATE
	Bid Item 1	TOTAL BASE BID WITH CONTINGENCY		
RMB Mechanical Inc.	\$ 52,000	\$ 58,000	\$ 460	\$ 58,460
Tri-Valley Plumbing & Heating, Inc.	\$ 66,900	\$ 72,900	\$ 1,100	\$ 74,000
Hamilton Plumbing, Inc.	\$ 93,523	\$ 99,523	\$ 2,800	\$102,323

¹Alt. 2 (Add) – Renovate/Abate Room C137

3. Contract No. 3: HVAC:

-

CONTRACTOR	BASE BID		ALT. 2 BID (ADD) ¹	TOTAL WITH ALTERNATE
	Bid Item 1	TOTAL BASE BID WITH CONTINGENCY		

RMB Mechanical Inc.	\$ 24,800	\$ 30,800	\$ 17,500	\$ 48,300
Tri-Valley Plumbing & Heating, Inc.	\$ 28,300	\$ 34,300	\$ 15,700	\$ 50,000

¹Alt. 2 Bid (Add) – Renovate/Abate Room C137

-

4. **Contract No. 4: Electrical:**

-

CONTRACTOR	BASE BID			
	Bid Item 1	TOTAL BASE BID WITH CONTINGENCY	ALT. 2 BID (ADD) ¹	TOTAL WITH ALTERNATE
Stilsing Electric, Inc.	\$ 72,600	\$ 78,600	\$ 32,500	\$111,100
Empire Electric NY LLC	\$ 72,545	\$ 78,545	\$ 34,700	\$113,245
Harold R. Clune, Inc.	\$ 79,900	\$ 85,900	\$ 36,900	\$122,800
Rozel East Inc.	\$ 86,990	\$ 92,990	\$ 37,560	\$130,550
Kasselman Electric Co., Inc.	\$ 95,518	\$101,518	\$ 37,477	\$138,995
J. McBain Inc.	\$106,500	\$112,500	\$107,500	\$220,000

¹Alt. 2 Bid (Add) - Renovate/Abate Room C137

NOW, THEREFORE BE IT RESOLVED, that based upon the bids received, and the written recommendation from JMZ Architects regarding lowest possible bidders, the following construction contracts are recommended to be awarded:

CONSTRUCTION CONTRACT	CONTRACTOR	TOTAL BASE BID	TOTAL BASE BID W/ ALTERNATES
Contract No. 1: General Construction	Gallo Construction Corp.	\$496,173	\$589,955 ¹
Contract No. 2: Plumbing Construction	RMB Mechanical Inc.	\$ 58,000	\$ 58,460 ²
Contract No. 3: HVAC	RMB Mechanical Inc.	\$ 30,800	\$ 48,300 ³
Contract No. 4: Electrical	Stilsing Electric, Inc.	\$ 78,600	\$111,100 ⁴
Total		\$663,573	\$807,815

¹Add Alt 2, 3, 4, 5

²Add Alt 2

³Add Alt 2

⁴Add Alt 2

AND BE IT FURTHER RESOLVED, in addition to the four (4) prime construction contracts, FMCC recommends the following additional three (3) contracts be awarded for various services:

- Special Testing and Inspections
- Hazmat Monitoring
- Furniture and Furnishings

AND BE IT FURTHER RESOLVED, FMCC recommends the following:

Contract	Contractor	Address	Contract Amount
Special Testing and Inspections	CME Associates, Inc.	439 N. Pearl Street, Albany, NY 12204	\$ 1,400.00
Hazmat Monitoring	C.T. Male Associates	50 Century Hill Dr., Latham, NY 12110	\$22,850.00
Furniture and Furnishings	Standard Commercial Interiors	107 Champlain Street, Albany, NY 12204	\$11,700.00

AND BE IT FURTHER RESOLVED, Montgomery County Legislature will award these prime construction and other contracts at their May 24, 2022 meeting.

AND BE IT FURTHER RESOLVED,

1. **SUMMARY OF PROJECT BUDGET CLASSROOM PHASE III PROJECT:**

TOTAL PROJECT BUDGET	:	\$1,000,000.00
(LESS) CA PHASE III	:	\$ 69,250.00
(LESS) 4 PRIME CONTRACTS	:	\$ 807,815.00
(LESS) OTHER CONTRACTS	:	\$ 35,950.00
CURRENT BALANCE	:	\$ 86,985.00

RESOLUTION VOTE, passed with Aye(5). Legislators Sweet and Dimond abstained. Legislators Duchessi and VACANT were absent.(5/24/2022)

RESOLUTION VOTE, passed with Aye(6). Legislator Sweet abstained. Legislators Duchessi and VACANT were absent. (5/25/2022)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AGREEMENTS FOR THE FMCC CAMPUS LABS AND CLASSROOMS PHASE III PROJECT

II. *Justification:*

due to the onset of the COVID-19 Pandemic, Phase 3 of the sequential three-phased project abruptly stopped once FMCC was notified by the SUNY Office of Capital Facilities that New York State would no longer support the project due to reappropriating State dollars toward more immediate health and safety related projects

III. *Legislative Impact:*

The Montgomery County Legislature is authorized to pass this Resolution pursuant to Section 2.04 of the Montgomery County Charter.

IV. *Financial Impact:*

FMCC Capital projects

RESOLUTION NO. 106 of 2022

DATED: 5/24/2022

Resolution by Legislator: Pepe
Seconded by Legislator: Wilson

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH TRANE U.S. INCORPORATED TO REPLACE HVAC CONTROLS AT THE FMCC PE BUILDING (FMCC)

WHEREAS, Fulton County's 2022 Capital Plans includes a \$47,500 appropriation to contract with Trane U.S. Incorporated to update various HVAC control systems in FMCC's PE Building; and

WHEREAS, funding for the project was proposed as follows:

SUNY	\$23,750.00
Fulton County	\$11,875.00
<u>Montgomery County</u>	<u>\$11,875.00</u>
TOTAL	\$47,500.00

and;

WHEREAS, an updated proposal was received from Trane U.S. Incorporated on February 16, 2022 confirming the \$47,500 cost to update various HVAC control systems within FMCC's PE Building; and

RESOLVED, the Montgomery county executive is authorized and directed upon review and approval of the county attorney to enter into a contract with trane us incorporated at a cost not to exceed \$47,500 to update hvac systems at the FMCC PE building; and

FURTHER RESOLVED, this resolution is contingent on a substantially similar resolution being passed by Fulton County.

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH TRANE U.S. INCORPORATED TO REPLACE HVAC CONTROLS AT THE FMCC PE BUILDING

II. *Justification:*

AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN AGREEMENT WITH TRANE U.S. INCORPORATED TO REPLACE HVAC CONTROLS AT THE FMCC PE BUILDING

III. *Legislative Impact:*

The Montgomery County Legislature is authorized to pass this Resolution in support pursuant to Section 2.04 of the Montgomery County Charter.

IV. *Financial Impact:*

FMCC capital projects

RESOLUTION NO. 107 of 2022

DATED: 5/24/2022

Resolution by Legislator: Purtell
Seconded by Legislator: Kelly

RESOLUTION AUTHORIZING A FIREWORKS DISPLAY AT THE FORMER BEECH-NUT FACILITY (COUNTY LEGISLATURE)

WHEREAS, Montgomery County has been approached with a request for permission to hold a fireworks display at the former Beech-Nut facility; and

WHEREAS, E29, the holder of the Purchase and Sale Agreement has agreed to this display as well; and

WHEREAS, Montgomery County supports the Village's efforts to promote economic development.

NOW THEREFORE BE IT RESOLVED, that the Montgomery County Legislature, upon the receipt by the vendor of all necessary approvals and permits, signing of proper waivers and proof of proper insurance coverage in favor of Montgomery County, authorizes the use of the former Beech-Nut facility for a fireworks display on September 10, 2022 in the Village of Canajoharie; and

BE IT FURTHER RESOLVED, that the use of the former Beech-Nut facility for the fireworks display shall be at no cost to Montgomery County.

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION AUTHORIZING A FIREWORKS DISPLAY AT THE FORMER BEECH-NUT FACILITY

II. Justification:

Montgomery County supports the Village's efforts to promote economic development

III. Legislative Impact:

Authorized pursuant to Article 2 of the Charter.

IV. Financial Impact:

No financial impact.

RESOLUTION NO. 108 of 2022

DATED: 5/24/2022

Resolution by Legislator: Pepe
Seconded by Legislator: Wilson

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW B (LOCAL LAW 2 OF 2022) - A LOCAL LAW AUTHORIZING VIDEOCONFERENCING (COUNTY LEGISLATURE)

WHEREAS, New York State has passed Section 103-a of the Public Officers Law to allow local governments to choose to meet by videoconferencing ; and

WHEREAS, a copy of this local law in final form has been on the desks of the Montgomery County Legislature for ten days, excluding Sundays.

NOW THEREFORE BE IT RESOLVED, that Introductory Local Law B (Local Law 2 of 2022) hereby is submitted to the Legislature of the County of Montgomery for consideration:

INTRODUCTORY LAW B (LOCAL LAW 2 OF 2022) - A LOCAL LAW AUTHORIZING VIDEOCONFERENCING BY THE MONTGOMERY COUNTY LEGISLATURE AND ALL COMMITTEES OF THE MONTGOMERY COUNTY LEGISLATURE

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

SECTION 1.

The purpose of this local law is to authorize the Montgomery County Legislature and all committees of the Montgomery County Legislature to meet by videomeetings.

SECTION 2.

That all videomeetings shall be governed by the procedures set forth herein.

SECTION 3.

(a) Members of the Montgomery County Legislature shall be physically present at any such meeting unless such member is unable to be physically present at any such meeting location due to extraordinary circumstances, including disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting;

(b) Except in the case of executive sessions the Montgomery County Legislature shall ensure that its members can be heard, seen and identified, while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon;

(c) The minutes of the meetings involving videoconferencing shall include which, if any, members participated remotely and shall be available to the public pursuant to Public Officers Law 106;

(d) If videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, where the public can view and/or participate in such meeting, where required documents and records will be posted or available, and identify the physical location for the meeting where the public can attend;

(e) The Montgomery County Legislature shall provide that each meeting conducted using videoconferencing shall be recorded and such recordings posted or linked on the public website of the public body within five business days following the meeting, and shall remain so available for a minimum of five years thereafter. Such recordings shall be transcribed upon request;

(f) If videoconferencing is used to conduct a meeting, the Montgomery County Legislature shall provide the opportunity for members of the public to view such meeting via video, and to participate in proceedings via videoconference in real time where public comment or participation is authorized and shall ensure that videoconferencing authorizes the same public participation or testimony as in person participation or testimony; and

(g) Montgomery County shall maintain an official website for the period of time that this law is in effect.

SECTION 4.

The in person participation requirements of Section 3 (a) of this law shall not apply during a state disaster emergency declared by the governor pursuant to section twenty-eight of the executive law, or a local state of emergency proclaimed by the Montgomery County Executive pursuant to section twenty-four of the executive law, if the public body determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in person meeting.

SECTION 5.

A copy of this local law shall be conspicuously posted on the Montgomery County website.

SECTION 6.

Open meetings of any public body that are broadcast or that use videoconferencing shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. For the purposes of this section, "disability" shall have the meaning defined in section two hundred ninety-two of the executive law.

SECTION 7.

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

SECTION 8.

If any clause, sentence or paragraph 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 of the local law, which shall as to such remainder remain in effect.

SECTION 9.

This Local Law shall be effective upon its filing with the New York State Secretary of State.

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW ____ (LOCAL LAW ____ OF 2022) - A LOCAL LAW AUTHORIZING VIDEOCONFERENCING (COUNTY LEGISLATURE)

II. Justification:

To authorize the Legislature to meet via videoconferencing.

III. *Legislative Impact:*

Authorized pursuant to Article 2 of the Montgomery County Charter and Public Officers Law Section 103-a.

IV. *Financial Impact:*

None identified at this time.

RESOLUTION NO. 109 of 2022

DATED: 5/24/2022

Resolution by Legislator: Purtell
Seconded by Legislator: Wilson

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN AGREEMENT - CONTINUATION OF CLEO AGREEMENT BETWEEN THE COUNTY OF MONTGOMERY AND THE COUNTIES OF FULTON AND SCHOHARIE

WHEREAS, in accordance with the Workforce Innovation and Opportunity Act (WIOA) of 2014, Fulton, Montgomery, and Schoharie Counties entered into an agreement prescribed by WIOA to oversee the management of WIOA funding and supported activities coordinated by the Grant Sub-recipient and Fiscal Agent the Fulton Montgomery and Schoharie Counties Workforce Development Board, Inc.; and

WHEREAS, the Chief Local Elected Officials (CLEO) Agreement authorizes the FMS Workforce Development Board to provide planning guidance, monitoring, support, oversight and regulation to ensure the highest quality workforce development system; and

WHEREAS, said CLEO Agreement should be renewed on a yearly basis on July 1 of each year; and

WHEREAS, the CLEO Agreement was recently revised to meet new regulations.

RESOLVED, the County Executive, upon review and approval of the County Attorney, is hereby authorized and directed by the Montgomery County Legislature to sign the Chief Local Elected Officials (CLEO) Agreement between the Counties of Fulton, Montgomery, and Schoharie to meet the requirements of the Workforce Innovation and Opportunity Act; and

FURTHER RESOLVED, this Agreement is effective July 1, 2022 and continues through June 30, 2023.

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

AUTHORIZING COUNTY COUNTY EXECUTIVE TO SIGN AGREEMENT - CONTINUATION OF CLEO AGREEMENT BETWEEN THE COUNTY OF MONTGOMERY AND THE COUNTIES OF FULTON AND SCHOHARIE

II. *Justification:*

CONTINUATION OF CLEO AGREEMENT BETWEEN THE COUNTY OF MONTGOMERY AND THE COUNTIES OF FULTON AND SCHOHARIE

III. *Legislative Impact:*

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

IV. *Financial Impact:*

The Chief Local Elected Officials (CLEO) Agreement authorizes the FMS Workforce Development Board to provide planning guidance, monitoring, support, oversight and regulation to ensure the highest quality workforce development system. There is no financial requirement from the county.

Resolution by Legislator: Wilson
Seconded by Legislator: Kelly

RESOLUTION AUTHORIZING USE OF \$50,000 OF AMERICAN RESCUE PLAN FUNDS FOR TOURISM (COUNTY EXECUTIVE)

WHEREAS, Montgomery County received American Rescue Plan funds; and

WHEREAS, one of the approved uses of American Rescue Plan funds by the federal government is under the standard allowance for government services; and

WHEREAS, Montgomery County has been working with Venesky Group, a consultant, that has affirmed that using 50k for tourism is an allowable use of American Rescue Plan Funds.

NOW THEREFORE BE IT RESOLVED, that the Montgomery County Legislature authorizes and directs that \$50,000 of American Rescue Plan funds be used for tourism ; and

BE IT FURTHER RESOLVED, that the Montgomery County Treasurer is hereby authorized and directed to amend the 2022 Operating Budget as follows:

INCREASE

A-06-3-4089-00	Federal Aid, Other	\$50,000
----------------	--------------------	----------

INCREASE APPROPRIATIONS:

A-01-4-1011-00.4579	County Contribution- Tourism	\$50,000
---------------------	------------------------------	----------

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION AUTHORIZING USE OF \$50,000 OF AMERICAN RESCUE PLAN FUNDS FOR TOURISM (COUNTY EXECUTIVE)

II. Justification:

American Rescue Plan funds were awarded to Montgomery County.

III. Legislative Impact:

Authorized pursuant to Article 2 of the Montgomery County Charter and further authorized by the parameters of the use of the American Rescue Plan Funds.

IV. Financial Impact:

The funds used will be American Rescue Plan Funds.

RESOLUTION AUTHORIZING USE OF \$65,000 OF AMERICAN RESCUE PLAN FUNDS BY MONTGOMERY COUNTY EMERGENCY MANAGEMENT (COUNTY LEGISLATURE)

WHEREAS, Montgomery County received American Rescue Plan funds; and

WHEREAS, American Rescue Plan funds by the federal government can be used under the standard allowance for government services; and

WHEREAS, the Montgomery County Emergency management needs a response vehicle and additional communication and GPS equipment; and

WHEREAS, Montgomery County has been working with Venesky Group, a consultant, that has affirmed that using \$65,000 for a response vehicle and additional communication and GPS equipment is an allowable use of the American Rescue Plan funds.

NOW THEREFORE BE IT RESOLVED, that the Montgomery County Legislature authorizes and directs using \$65,000 of American Rescue Plan funds for the purchase of a response vehicle and additional communication and GPS equipment; and

BE IT FURTHER RESOLVED, that the Montgomery County Legislature authorizes a purchase of a 2023 Ford F350 Crew Cab from state contact #PC 68985 SB not to exceed \$55,000 and the GPS and communications equipment at an estimated cost of 10k; and

BE IT FURTHER RESOLVED, the Montgomery County Executive is authorized and directed to execute any necessary documents to effectuate this purchase of the vehicle; and

BE IT FURTHER RESOLVED, that the Montgomery County Treasurer is hereby authorized and directed to amend the 2022 Operating Budget as follows:

INCREASE:

A-6-3-4089-00	Federal Aid, Other	\$65,000
---------------	--------------------	----------

INCREASE APPROPRIATIONS:

A-2-4-3640-00-.2230	Moter Vehicle Equipment	\$55,000
A-2-4-3640-00-.2250	Technical Equipment	\$10,000

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION GRANTING \$65,000 OF AMERICAN RESCUE PLAN FUNDS TO MONTGOMERY COUNTY EMERGENCY MANAGEMENT FOR IMPROVMENTS TO RESPONSE AND COMMUNICATION CAPABILITIES (LEGISLATURE)

II. Justification:

American Rescue Plan funds were awarded to Montgomery County.

III. Legislative Impact:

Authorized pursuant to Article 2 of the Montgomery County Charter and further authorized by the parameters of the use of the American Rescue Plan Funds.

IV. Financial Impact:

The funds used for this grant will be American Rescue Plan Funds.

RESOLUTION GRANTING \$80,000 OF AMERICAN RESCUE PLAN FUNDS TO THE CREATIVE CONNECTIONS CLUBHOUSE FOR HVAC IMPROVEMENTS (COUNTY LEGISLATURE)

WHEREAS, Montgomery County received American Rescue Plan funds; and

WHEREAS, one of the approved uses of American Rescue Plan funds by the federal government was for grants for HVAC improvements; and

WHEREAS, the Creative Connections Clubhouse needs a COVID-19 compliant HVAC system as the facility's current HVAC system is outdated and unreliable, causing ventilation to be extremely poor; and

WHEREAS, improving ventilation through an investment of a new HVAC system would be a preventative and pro-active measure that could help mitigate future outbreaks; and

WHEREAS, the Center for Disease Control and Prevention recommends upgrading ventilation systems to reduce this risk.; and

WHEREAS, Montgomery County has been working with Venesky Group, a consultant, that has affirmed that a grant to the Creative Connections Clubhouse for HVAC upgrades is an allowable use of American Rescue Plan Funds.

NOW THEREFORE BE IT RESOLVED, that the Montgomery County Legislature authorizes and directs that a grant be awarded to the Creative Connections Clubhouse in the amount of \$80,000 for HVAC improvements; and

BE IT FURTHER RESOLVED, that the Montgomery County Executive is authorized and directed to execute any necessary grant documents to implement this resolution; and

BE IT FURTHER RESOLVED, that the Montgomery County Treasurer is hereby authorized and directed to amend the 2022 Operating Budget as follows:

INCREASE REVENUES:

A-6-3-4089-00	Federal Aid, Other	\$80,000
---------------	--------------------	----------

INCREASE APPROPRIATIONS:

A-24-4-6430-00-.4438	Misc. Supporting Services	\$80,000
----------------------	---------------------------	----------

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION GRANTING \$80,000 OF AMERICAN RESCUE PLAN FUNDS TO THE CREATIVE CONNECTIONS CLUBHOUSE FOR HVAC IMPROVEMENTS (COUNTY LEGISLATURE)

II. Justification:

American Rescue Plan funds were awarded to Montgomery County.

III. Legislative Impact:

Authorized pursuant to Article 2 of the Montgomery County Charter and further authorized by the parameters of the use of the American Rescue Plan Funds.

IV. Financial Impact:

The funds used for this grant will be American Rescue Plan Funds.

RESOLUTION NO. 113 of 2022

Resolution by Legislator: Purtell
Seconded by Legislator: Pepe

DATED: 5/24/2022

RESOLUTION AMENDING RESOLUTION 80 OF 2020 (COUNTY LEGISLATURE)

WHEREAS, Resolution 80 of 2020 authorized the subdivision of 68 Church Street in the Village of Canajoharie, Montgomery County, New York (Tax Map Parcel No. 63.14-1-9.1) into two parcels; and

WHEREAS, it has been determined that a three parcel subdivision would be more beneficial.

NOW THEREFORE BE IT RESOLVED, that the **RESOLVED** clause of Resolution 80 of 2020 is amended to read as follows:'

NOW THEREFORE BE IT RESOLVED, that the Montgomery County Legislature authorizes moving forward with subdividing 68 Church Street in the Village of Canajoharie, Montgomery County, New York (Tax Map Parcel No. 63.14-1-9.1) into three parcels, one being the east side of the creek that transects the property, one being a parcel adjacent to the west side of the creek and the northern portion of the property on the west side of the creek, and one containing the remainder of the property on the west side of the creek and directs County authorities to sign any necessary documents to effectuate this resolution.

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

RESOLUTION AMENDING RESOLUTION 80 OF 2020 (COUNTY LEGISLATURE)

II. *Justification:*

This amendment will be make the site more conducive to redevelopment.

III. *Legislative Impact:*

Authorized pursuant to Article 2 of the Montgomery County Charter.

IV. *Financial Impact:*

No additional costs will be incurred to the original resolution by this amendment.

RESOLUTION NO. 114 of 2022

DATED: 5/24/2022

Resolution by Legislator: Pepe
Seconded by Legislator: Purtell

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 27, 2022 through May 24, 2022 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 Duchessi and VACANT were absent. (5/24/2022)

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 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.

IV. *Financial Impact:*

no impact on the fund balance

RESOLUTION NO. 115 of 2022

DATED: 5/24/2022

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

RESOLUTION ESTABLISHING POSITION OF A FULL-TIME REAL PROPERTY TAX SERVICE AIDE AND ELIMINATING THE POSITION OF THE PART-TIME REAL PROPERTY TAX SERVICE AIDE (REAL PROPERTY)

WHEREAS, the Director of Real Property has reassessed the staffing needs in the Office of Real Property and has determined that changing a part-time position to a full-time position is warranted for continued efficiency and future potential growth of the department; and

WHEREAS, it has been determined that the position of a Real Property Tax Service Aide would be beneficial to the office of Real Property, allowing the department to better serve the public, other Montgomery County departments and the Towns within Montgomery County, including the local Assessors; and

WHEREAS, the part-time position of Information Specialist shall be eliminated to allow for the Real Property Tax Service Aide position to be created; and

WHEREAS, the title of Real Property Tax Service Aide shall be established in the CSEA Unit, Grade E, at a base salary of \$35,839; and

RESOLVED, that the title of part-time Information Specialist be eliminated from the Real Property Tax Service Agency; and it be further

RESOLVED, that the the Montgomery County Legislature hereby establish the position of a full-time Real Property Tax Service Aide as follows:

FURTHER RESOLVED, the Montgomery County Legislature hereby authorizes and directs the Montgomery County Treasurer to amend the 2022 Operating Budget as follows:

TRANSFER FROM:

A-07-4-1355-00.1120 (104) Real Property Information Specialist (PT) \$17,919.45

TRANSFER TO:

A-07-4-1355-00.1110 (NEW) Real Property Tax Service Aide (FT) \$17,919.45

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Establishment of a Real Property Tax Service Aide (FT) and elimination of a Real Property Information Specialist (PT)

II. *Justification:*

Position is necessary to maintain efficiency and growth of the department

III. *Legislative Impact:*

Pursuant to Article 2 of the Montgomery County Charter, the Montgomery County Legislature has the authority to create positions of employment

IV. *Financial Impact:*

The position would likely be funded for the remainder of this year through the above transfer.

RESOLUTION NO. 116 of 2022

DATED: 5/24/2022

Resolution by Legislator: Pepe
Seconded by Legislator: Purtell

RESOLUTION AUTHORIZING THE MONTGOMERY COUNTY EXECUTIVE TO EXECUTE A RELEASE WITH OLD REPUBLIC INSURANCE COMPANY (COUNTY EXECUTIVE)

WHEREAS, Montgomery County ("Montgomery") entered into a certain contract for phone system services dated June 17, 2019 ("Contract") with New England Systems & Software, Inc. ("NESS"), and NESS was subsequently acquired by Acture Solutions ("Acture") (NESS and Acture collectively "NESS/Acture"); and

WHEREAS, Old Republic Insurance Company ("ORIC"), as surety, issued a Performance Bond and a Payment Bond on behalf of NESS, as principal, in favor of Montgomery ("Performance Bond" and "Payment Bond"; collectively, the "Bonds"); and

WHEREAS, Montgomery and ORIC have reached an agreement by which any and all remaining obligations of ORIC under the Bonds will be released; and

WHEREAS, with the exception of a call forwarding issue, upon information and belief all obligations of NESS/Acture under the Contract have been performed and Montgomery and NESS/Acture have agreed to abandon any further obligations of either party under the Contract without further payment by Montgomery to NESS/Acture; and

WHEREAS, it is the intention of Montgomery, and the purpose of this instrument, to absolutely and forever release ORIC from any and all liability under the Bonds and/or arising out of, or related to the agreements or obligations referred to in the Bonds.

NOW THEREFORE BE IT RESOLVED, the Montgomery County Legislature authorizes and directs the Montgomery County Executive to enter into a release of all claims with ORIC.

RESOLUTION VOTE, passed with Aye(7). Legislators Duchessi and VACANT were absent. (5/24/2022)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

AUTHORIZING THE MONTGOMERY COUNTY EXECUTIVE TO EXECUTE A RELEASE WITH OLD REPUBLIC INSURANCE COMPANY

II. *Justification:*

The surety has met its obligations under the bond.

III. *Legislative Impact:*

Authorized pursuant to Article 2 of the Montgomery County Charter

IV. *Financial Impact:*

Montgomery County realized a savings of \$21,000 by working with the bond company on this issue.

NEW

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION by Legislator Headwell, Jr., seconded by Legislator Kelly, passed with Aye(7). Legislators Duchessi and VACANT were absent.

ACCEPTANCE OF BUDGETARY TRANSFERS

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

ACCEPTANCE OF PROCUREMENT RECORD

ACCEPTANCE OF PROCUREMENT RECORD by Legislator Kelly, seconded by Legislator Headwell, Jr., passed with Aye(7). Legislators Duchessi and VACANT were absent.

ADJOURNMENT

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

Respectfully submitted,

Cheryl A. Reese
Clerk of the Montgomery County Legislature