

CALL TO ORDER

Chair Sweet called the Regular Meeting of the Montgomery County Legislature for January 23, 2023 to order at 6:00 PM.

ROLL CALL OF MEMBERS

Roll call indicated that the following Legislators were present:

Martin P Kelly, Legislator, District 1
Brian D Sweet, Legislator, District 2
Herbert T Allen, Legislator, District 3
Robert Headwell, Jr., Legislator, District 4
Daniel P Wilson, Legislator, District 5
Chad J. Majewski, Legislator, District 6 - absent
Michael J Pepe, Legislator, District 7
Maria Kowalczyk, Legislator, District 8
Robert A Purtell, Chair of the Legislature, District 9

SALUTE TO THE FLAG

Legislator Kelly led the Salute to the Flag.

MOMENT OF SILENCE

A moment of silence was observed on the passing of the following individuals who had served our country:

Richard Rusnica, Gilbert Rust, Sieds Jonker, Retired Col. F. Garth MacFarland, Peter Krug and Edward A. Congdon

PUBLIC COMMENT AND PRESENTATION

Village of Canajoharie Trustee, Ed Watt and Rev. Matt Draffen

Both asked for support for the proposed redevelopment of land located in the Village of Canajoharie land sale.

COMMUNICATIONS**APPROVAL OF MINUTES OF PREVIOUS MEETINGS**

MOTION TO ADOPT MINUTES OF PREVIOUS SESSION by Legislator Headwell, Jr., seconded by Legislator Purtell, passed with Aye(8). Legislator Majewski was absent.

ACCEPTANCE OF BUDGETARY TRANSFERS

MOTION TO ACCEPT BUDGETARY TRANSFERS by Legislator Pepe, seconded by Legislator Allen, passed with Aye(8). Legislator Majewski was absent.

MOTION TO ACCEPT BUDGETARY TRANSFERS by Legislator Kowalczyk, seconded by Legislator Wilson, passed with Aye(8). Legislator Majewski was absent.

ACCEPTANCE OF PROCUREMENT RECORD

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

OLD BUSINESS

RESOLUTION NO. 298 of 2023**DATED: 12/26/2023**

Resolution by Legislator: Pepe
Seconded by Legislator: Kelly

RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY ACQUIRED BY TAX FORECLOSURE IN THE VILLAGE OF CANAJOHARIE

WHEREAS, Montgomery County has obtained the real property parcel by tax foreclosure known as SBL #63.14-1-9.1 located at 68 Church Street in the Village of Canajoharie; and

WHEREAS, Montgomery County subdivided the property into three parcels which are now known as 63.14-1-9.11, 63.14-1-9.12 and 63.14-1-9.13; and

WHEREAS, parcel 63.14-1-9.11 and a portion of 63.14-1-9.12 is not needed for County purposes; and

WHEREAS, Montgomery County has been marketing this property for the purposes of redevelopment that will lead to job creation and increase in tax base for the County, Village and School District; and

WHEREAS, the County has identified a purchaser for an approximately 6 acre portion of said property on what is currently SBL's #63.14-1-9.11 and 63.14-1-9.12 located at 68 Church Street in the Village of Canajoharie; and

RESOLVED, the Montgomery County Legislature hereby authorizes to convey all the right, title and interests of the County in what is currently SBL #63.14-1-9.11 and a portion of 63.14-1-9.12 located at 68 Church Street in the Village of Canajoharie to Penn Rose NY Developer, LLC, 45 Main Street, Suite 539 Brooklyn, NY for the sum of \$450,000 or the amount of an agreed upon appraisal and per the terms of a Purchase and Sale Agreement; and

FURTHER RESOLVED, the County Executive and County Treasurer, upon review and approval by the County Attorney, is hereby authorized and directed to execute a Purchase and Sale Agreement and all related documents associated with the conveyance of said property to Penn Rose NY Developer, LLC, 45 Main Street, Suite 539 Brooklyn, NY for the sum of \$450,000 or agreed upon appraisal.

MOTION TO TABLE by Legislator Kelly, seconded by Legislator Headwell, Jr., passed with Aye(8). Legislator VACANT was absent. (12/26/2023)

MOTION TO REMOVE FROM TABLE by Legislator Purtell, seconded by Legislator Kowalczyk, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

RESOLUTION VOTE, passed with Aye(7). Legislator Sweet voted Nay. Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Transfer tax foreclosed property owned by the County to private entity for an economic development project.

II. Justification:

Property transfer will allow property to be put on tax that will lead to job creation for the Village of Canajoharie.

III. Legislative Impact:

Authorized by County Law 215 and Article 2 of the Montgomery County Charter.

IV. Financial Impact:

Property would be sold for \$450,000, and some proceeds will be shared with EPA pursuant to the 106 Order and Memorandum of Agreement and new owner would be responsible to pay for all future taxes

NEW BUSINESS

A. Resolutions

B. Other

RESOLUTION RE-ESTABLISHING THE POSITION OF DEPUTY COUNTY CLERK - MOTOR VEHICLE AND ELIMINATING ONE INDEX RECORDING CLERK POSITION AND THE POSITION OF PRINCIPAL ACCOUNT CLERK TYPIST

WHEREAS, the County Clerk has reviewed the staffing needs of the department and determined that it no longer fits the needs of the department to have four (4) Index Recording Clerk positions in the County Clerk's office or the position of Principal Account Clerk Typist ; and

WHEREAS, the position of Index Recording Clerk, specifically line 420 has been vacant for some time; and

WHEREAS, during the review of the department, the County Clerk determined that the position of Deputy County Clerk - Motor Vehicle is a more fitting title to have in the department based on the responsibilities and duties needed; and

WHEREAS, section 401 of NYS County Law provides that this governing body may authorize the County Clerk to appoint one or more deputies, who shall perform such duties not inconsistent with law as shall be assigned to them by the County Clerk; and

WHEREAS, section 401 of NYS County Law further provides that the deputies shall possess the powers and perform the duties of the County Clerk during the absence or inability of the County Clerk to act; and now, therefore be it

RESOLVED, that one (1) position of Index Recording Clerk, line 420 and the title of Principal Account Clerk Typist, line 143 be eliminated from the County Clerk's office; and be it further

RESOLVED, that the Montgomery County Legislature hereby re-establishes the position of Deputy County Clerk - Motor Vehicle at a Grade L within the Non-Bargaining Policy at a base salary for 2024 of \$58,897.00; and be it

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

TRANSFER FROM:

A-08-4-1410-00-1110 (420) Index Recording Clerk	\$15,935.15
A-08-4-1410-00-1110 (143) Principal Account Clerk Typist	\$45,792.00

TRANSFER TO:

A-08-4-1410-00-1110 (NEW) Deputy County Clerk - Motor Vehicle \$61,727.15

RESOLUTION VOTE, passed with Aye(6). Legislator Headwell, Jr. voted Nay. Legislator Sweet abstained. Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION RE-ESTABLISHING THE POSITION OF DEPUTY COUNTY CLERK - MOTOR VEHICLE AND ELIMINATING ONE INDEX RECORDING CLERK POSITION AND THE POSITION OF PRINCIPAL ACCOUNT CLERK TYPIST

II. Justification:

The current needs of the department call for an elimination of the position of one (1) Index Recording Clerk and the title of Principal Account Clerk typist and the re-establishment of the title of Deputy County Clerk - Motor Vehicle.

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:

RESOLUTION NO. 8 of 2024

DATED: 1/23/2024

Resolution by Legislator: Wilson
Seconded by Legislator: Sweet

RESOLUTION AMENDING 2024 OPERATING BUDGET - CARRYING OVER AMERICAN RESCUE PLAN FUNDS FOR PROJECTS APPROVED IN THE 2022 BUDGET YEAR (COUNTY TREASURER)

WHEREAS, Pursuant to resolutions nos. 64, 82, 84, 85, 86, 87, 89, 91, 93, 110, 111, 169, 170, 192, 215, 220 & 232 of 2022 authorized the use of American Rescue Plan funds for the purpose of assisting County departments, municipalities and local non-profit organizations with specific needs or improvements on particular projects designated as an allowable use of American Rescue Plan funds, and

WHEREAS, said funds were not totally expended as of December 31, 2023; and

WHEREAS, it is necessary to carry forward the unexpended amounts into the 2024 Operating Budget to complete said projects.

RESOLVED, the County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

INCREASE REVENUES:

A-06-3-4089-00	Federal Aid, Other	\$15,315.59
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INCREASE APPROPRIATIONS:

A-10-4-1430-00-.2220	Office Equipment	\$8,503.00
A-10-4-1430-00-.4421	Property Rent/Lease/Repair	\$6812.59

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Resolution authorizing amendment to 2024 budget to carry over unexpended ARPA funding

II. Justification:

Funds need to be included in 2023 budget for expenditures to take place

III. Legislative Impact:

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

IV. Financial Impact:

Funds for said appropriations are derived from the ARPA funding already received

RESOLUTION NO. 9 of 2024

DATED: 1/23/2024

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 December 27, 2023 through January 23, 2024 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(8). Legislator Majewski was absent. (1/23/2024)

[Monthly Audit \(1\)](#)

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. 10 of 2024

DATED: 1/23/2024

Resolution by Legislator: Kelly
Seconded by Legislator: Wilson

RESOLUTION AMENDING THE 2024 OPERATING BUDGET FOR THE POSITION OF HUMAN RESOURCES LABOR RELATION SPECIALIST (PERSONNEL)

WHEREAS, resolution no. 299 of 2023 reclassified the position of part time Director of Labor Management Relations to full time Human Resources Labor Relations Specialist; and

WHEREAS, the position of Human Resources Labor Relations Specialist will have a base salary for 2024 of \$52,182; and

WHEREAS, the approval of resolution no. 299 in 2023 was passed after the adoption of the 2024 Operating Budget.

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

TRANSFER FROM:

A-01-4-1011-00-.1120 (1224)	DIRECTOR OF LABOR MANAGEMENT RELATION - PT	\$47,250.00
A-10-4-1430-00-.4431	PROFESSIONAL SERVICES	\$4,932.00

TRANSFER TO:

A-10-4-1430-00-.1110 (NEW)	HUMAN RESOURCES LABOR RELATIONS SPECIALIST	\$52,182.00
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RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

AMENDING 2024 OPERATING BUDGET FOR THE RECLASSIFICATION OF THE POSITION OF DIRECTOR OF LABOR MANAGEMENT RELATIONS TO HUMAN RESOURCES LABOR RELATIONS SPECIALIST

II. Justification:

Director position became vacant near end of 2023 and new position requested to assume the duties required of position

III. Legislative Impact:

Pursuant to Article 2 of the Montgomery County Charter, the Montgomery County Legislature has the authority to amend the operating budget.

IV. Financial Impact:

The financial impact is covered within the operating budget.

RESOLUTION NO. 11 of 2024

DATED: 1/23/2024

Resolution by Legislator: Pepe
Seconded by Legislator: Purtell

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN NYS INDIGENT LEGAL SERVICES (ILS) CONTRACTS (PUBLIC DEFENDER)

WHEREAS, the Montgomery County Public Defender's Office has been advised by NYS ILS that two grants have been awarded to the Public Defender's Office to improve the quality of services provided to indigents of Montgomery County; and

WHEREAS, the total amount of grant: 4th Up State Quality Improvement is \$300,000 with a three-year distribution of \$100,000 per year; and

WHEREAS, the total amount of grant: Distribution 14 is \$222,768 with a three-year distribution of \$74,256 per year; and

WHEREAS, the funds can only be used for the Public Defender's Office, as set forth within contracts.

RESOLVED, that the Montgomery County Legislature hereby authorizes the County Executive, upon review and approval of the County Attorney, to accept and sign NYS ILS Grant:4th Up State Quality Improvement for \$300,000 with a three-year distribution of \$100,00 per year and any future extensions extending the term.

FURTHER RESOLVED, that the Montgomery County Legislature hereby authorizes the County Executive, upon review and approval of the County Attorney, to accept and sign NYS ILS Grant: Distribution 14 for \$222,768 with a three-year distribution of \$74,256 per year and any future extensions extending the term.

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Authorize County Executive to sign NYS ILS Contracts

II. Justification:

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

III. Legislative Impact:

Pursuant to Article 3 of the Montgomery County Charter

IV. Financial Impact:

None. 100% Grant Funded. No Cost to County. Amounts will be included in the budget request for each year

RESOLUTION NO. 12 of 2024

DATED: 1/23/2024

Resolution by Legislator: Kowalczyk
Seconded by Legislator: Purtell

RESOLUTION AMENDING 2024 OPERATING BUDGET - CARRY OVER FY2020 STATE HAZARDOUS MATERIALS (HAZMAT) GRANT PROGRAM (EMERGENCY MANAGEMENT)

WHEREAS, Resolution No. 28 of 2023 accepted a State Homeland Security Grants State FY2020 Hazardous Materials (Hazmat) Grant Program; and

WHEREAS, said funds need to be appropriated in the 2024 Operating Budget.

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

INCREASE REVENUES:

A-02-3-4389-02	Grant	\$20,135.84
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INCREASE APPROPRIATIONS:

A-02-4-3640-02-.4411	Telephone	\$534.26
A-02-4-3640-02-.4422	Equipment Rental/Lease/Repair	\$5,536.00
A-02-4-3640-02-.4438	Misc Supporting Services	\$12,217.89
A-02-4-3640-02-.4449	Special Supplies & Materials	\$1,847.69

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION AMENDING 2024 OPERATING BUDGET - CARRY OVER FY2020 STATE HAZARDOUS MATERIALS (HAZMAT) GRANT PROGRAM (EMERGENCY MANAGEMENT)

II. Justification:

To improve the quality of services and safety to the citizens of Montgomery, Fulton and Schoharie County. These items will be purchased to support the joint Hazardous Materials Team established to respond to all hazaradous material incidents.

III. Legislative Impact:

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

IV. Financial Impact:

No financial impact for this resolution, this is a 100% grant funded program with no match funds required.

RESOLUTION NO. 13 of 2024

DATED: 1/23/2024

Resolution by Legislator: Pepe
Seconded by Legislator: Allen

RESOLUTION AMENDING THE 2024 OPERATING BUDGET (SHERIFF)

WHEREAS, Director of Public Health Sara Boerenko has received funds from OASAS to assist County Jails in operating MAT Programs;

RESOLVED, the Montgomery County Legislature hereby authorizes the County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

INCREASE REVENUES:

A-15-3-3402-00	State Aid-Medical Assistance	\$103,000.00
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INCREASE APPROPRIATIONS:

A-15-4-3150-00-.4431	Professional Services	\$103,000.00
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Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION AMENDING THE 2024 OPERATING BUDGET

II. Justification:

Director Sara Boerenko has provided the listed revenue from OASAS to assist with jail medical costs, specifically related to the MAT Program

III. Legislative Impact:

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

IV. Financial Impact:

The financial impact for this resolution is a benefit to the County, the money received as revenue is from OASAS and offsets the jail medical cost

RESOLUTION NO. 14 of 2024

DATED: 1/23/2024

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

RESOLUTION AMENDING THE 2024 OPERATING BUDGET - GIFTS AND DONATIONS (SHERIFF)

WHEREAS, the Sheriff has received a donation recently to be used by the Sheriff's Office to benefit the office; and

WHEREAS, gifts and donations have been made to the Sheriff's Office to supplement already budgeted money to completely cover the cost of listed appropriation.

RESOLVED, that the County Treasurer hereby is authorized and directed to amend the 2024 Operating Budget as follows:

INCREASE REVENUES:

A-15-3-2705 Gifts and Donations \$20,000.00

INCREASE APPROPRIATIONS:

A-15-4-3110-00-.4421 Prop. Rent/Lease/Repair \$20,000.00

Statement of Legislative and Financial Impact:

I. Nature of Request:

II. *Justification:*

The Montgomery County Sheriff's Office has received the following gift and donation:
Arkell Hall Foundation Inc. \$20,000.00

III. *Legislative Impact:*

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

IV. *Financial Impact:*

No financial impact, all of this money was donated to the Sheriff's Office

RESOLUTION NO. 15 of 2024

DATED: 1/23/2024

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

RESOLUTION AMENDING 2024 OPERATING BUDGET – CARRY OVER 2021-2022 PUBLIC SAFETY ANSWERING POINT (PSAP) GRANT PROGRAM (SHERIFF)

WHEREAS, Resolution No. 251 of 2022 accepted a State Homeland Security Public Safety Answering Point (PSAP) Grant; and

WHEREAS, said funds need to be appropriated in the 2024 Operating Budget.

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2023 Operating Budget as follows:

INCREASE REVENUES:

A-15-3-3389.14. 01	State Aid – Other Public Safety	\$1,103.00
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INCREASE APPROPRIATIONS:

A-15-4-3020-01-.2259	Special Supplies	\$1,103.00
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RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

RESOLUTION AMENDING 20243 OPERATING BUDGET – CARRY OVER 2021-2022 PUBLIC SAFETY ANSWERING POINT (PSAP) GRANT PROGRAM (SHERIFF)

II. *Justification:*

This PSAP grant will allow us to upgrade equipment and software to work with the new CAD system purchased from Tyler Technologies. This is another step towards utilizing the new software.

III. Legislative Impact:

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

IV. Financial Impact:

There is no financial impact for this resolution request, except it allows us to purchase important items for the 911 Dispatch Center without using county funds.

RESOLUTION NO. 16 of 2024

DATED: 1/23/2024

Resolution by Legislator: Kowalczyk
Seconded by Legislator: Allen

RESOLUTION AMENDING 2024 OPERATING BUDGET – CARRY OVER 2021-2022 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT PROGRAM (SHERIFF)

WHEREAS, Resolution No. 25 of 2023 accepted a State Homeland Security Grant StateWIDE Interoperable Communications Grant (SICG); and

WHEREAS, said funds need to be appropriated in the 2024 Operating Budget.

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

INCREASE REVENUES:

A-15-3-3389.02	Pub Safety Com Sys	\$740,231.00
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INCREASE APPROPRIATIONS:

A-15-4-3020-02-.2250	Technical Equipment	\$230,000.00
A-15-4-3020-02-.2255	Buildings/Grounds Equipment	\$340,231.00
A-15-4-3020-02-.4421	Prop Rent/Lease/Repair	\$170,000.00

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION AMENDING 2024 OPERATING BUDGET – CARRY OVER 2021-2022 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT PROGRAM (SHERIFF)

II. Justification:

the 2021-2022 SICG Grant will support the purchase of a new building site at Sanders Road for our Radio System, it will upgrade our current tower at Oak Ridge, construct a new tower a Lattimer Hill Road and purchase mobile and portable radios.

We continue to use grant money for items of necessity, however items that we can purchase without using county funds.

III. *Legislative Impact:*

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

IV. *Financial Impact:*

There is no financial impact for this resolution request as this grant is a zero match, however it does allow us to purchase necessary equipment at this time without the use of any county funds!

RESOLUTION NO. 17 of 2024

DATED: 1/23/2024

Resolution by Legislator: Wilson
Seconded by Legislator: Sweet

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN AGREEMENT - ST MARY'S HEALTHCARE (SHERIFF)

WHEREAS, it is necessary to purchase medical supplies to restock the County Ambulance after supplies are used on Emergency Calls; and

WHEREAS, it has been determined that St. Mary's Healthcare is the lowest cost supplier pursuant to the procedures set forth in the Montgomery County procurement policy; and

RESOLVED, that the Montgomery County Legislature hereby authorizes and directs the County Executive, to sign an agreement, after review and approval of the County Attorney with St. Mary's Healthcare for the purchase of medical supplies to restock the County Ambulances for a term of January 1, 2024- December 30, 2026.

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

MOTION TO RECONSIDER by Legislator Kelly, seconded by Legislator Purtell, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

RESOLUTION VOTE, passed with Aye(7). Legislator Pepe abstained. Legislator Majewski was absent. (1/23/2024)

[Attachment](#)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN AGREEMENT - ST MARY'S HEALTHCARE (SHERIFF)

II. *Justification:*

It is necessary for the Sheriff's Office to purchase medical supplies in order to restock the ambulance when does supplies are used on medical calls.

III. *Legislative Impact:*

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

IV. *Financial Impact:*

RESOLUTION NO. 18 of 2024

DATED: 1/23/2024

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

RESOLUTION AMENDING 2024 OPERATING BUDGET WITH CARRY-OVER FORFEITURE MONEY (DISTRICT ATTORNEY)

WHEREAS, the District Attorney has received monies from forfeiture crime proceeds in the year 2023 to be used to purchase equipment, provide training for law enforcement agencies throughout Montgomery County, and

WHEREAS, said monies have been deposited with the Montgomery County Treasurer in 2023; and

WHEREAS \$5,204.70 was unable to be used during the 2023 fiscal year; and

WHEREAS, it is necessary to add \$5,204.70 to the 2024 Operating Budget

RESOLVED, that the Montgomery County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

INCREASE REVENUES:

A-25-3-2626 Forfeiture Crime Proceeds - Restricted \$5,204.70

INCREASE APPROPRIATIONS:

A-25-4-1165-00-.4522 DA/Law Enforcement Program \$5,204.70

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Resolution to carryover 2023 forfeiture money to the 2024 budget for expenditure.

II. Justification:

The forfeiture money received in 2023 and the balance of \$5,204.70 was unable to be used prior to the end of 2023. We request a resolution to carry over this money to the 2024 budget for expenditure.

III. Legislative Impact:

Pursuant to Section 2.04(b) the County Legislature has the power to make appropriations.

IV. Financial Impact:

Budget neutral. Amount received would be the same amount appropriated.

RESOLUTION NO. 19 of 2024

DATED: 1/23/2024

Resolution by Legislator: Purtell
Seconded by Legislator: Pepe

RESOLUTION AMENDING 2024 OPERATING BUDGET – CARRY OVER GRANT 2022 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT TARGETED PROGRAM (SHERIFF)

WHEREAS, Resolution No. 119 of 2023 accepted a State Homeland Security Grant Statewide Interoperable Communications Grant (SICG); and

WHEREAS, said funds need to be appropriated in the 2024 Operating Budget.

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

INCREASE REVENUES:

A-15-3-3389.14	State Aid – Other Public Safety	\$469,162.50
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INCREASE APPROPRIATIONS:

A-15-4-3110-04-.2250	Technical Equipment	\$100,000.00
A-15-4-3110-04-.2255	Buildings/Grounds Equip,ent	\$19,162.50
A-15-4-3110-04-.2259	Computer Equipment	\$350,000.00

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION AMENDING 2024 OPERATING BUDGET – CARRY OVER GRANT 2022 STATEWIDE INTEROPERABLE COMMUNICATIONS GRANT TARGETED PROGRAM (SHERIFF)

II. Justification:

The 2022 SICG Grant will allow us to continue to upgrade and improve our radio tower sites and to be more efficient for the radio service provided and the equipment being utilized and stored. The other parts of the project will help improve our Supervisor channel on the Simulcast System and the microwave system that will allow us to monitor all of the sites in the County and it will alert if there is an issue.

III. Legislative Impact:

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

IV. Financial Impact:

There is no financial impact for this resolution request as this grant is a zero match, however it does allow us to purchase necessary equipment at this time without the use of any county funds!

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AN AGREEMENT ACCEPTING THE FY2023 STATE HOMELAND SECURITY PROGRAM (SLETPP)(SHSP) GRANT FUNDS AND AMENDING THE 2024 OPERATING BUDGET (SHERIFF)

WHEREAS, the Sheriff's Office and Emergency Services applied for and received the FY2023 State Homeland Security Program (SLETPP)(SHSP) Grant to assist in law enforcement/Emergency Services operations throughout Montgomery County; and

WHEREAS, the Sheriff's Office/Emergency Services has been notified by the New York State Division of Homeland Security and Emergency Services that Montgomery County has been awarded \$102,428.00, with no County match, to assist in law enforcement/Emergency Services operations throughout Montgomery County; and

WHEREAS, the Montgomery County Legislature hereby authorizes the acceptance of the FY2023 State Homeland Security Program (SLETPP)(SHSP)Grant; and

RESOLVED, the Montgomery County Legislature hereby authorizes and directs the County Executive, following review and approval of the County Attorney to sign the agreement for FY2023 State Homeland Security Program (SLETPP)(SHSP) Grant.

FURTHER RESOLVED, the Montgomery County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

INCREASE REVENUES:

A-15-3-3389 04	Other Public Safety	\$102,428.00
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INCREASE APPROPRIATIONS:

A-15-4-3110-04-.2220	Office Equipment	\$8,200.00
A-15-4-3110.04-.2230	Motor Vehicle Equipment	\$37,728.00
A-15-4-3110-04-.2250	Technical Equipment	\$1,100.00
A-15-4-3110.04-.2255	Building Equipment	\$28,400.00
A-15-4-3110.04-.2259	Computer Equipment	\$8,100.00
A-15-4-3110-04-4459	Computer Software	\$18,900.00

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AN AGREEMENT ACCEPTING THE FY2023 STATE HOMELAND SECURITY PROGRAM (SLETPP)(SHSP) GRANT FUNDS AND AMENDING THE 2024 OPERATING BUDGET (SHERIFF)

II. Justification:

The Sheriff's office and Emergency Services has for years received grant monies from the State to enhance our ability to serve the residents of Montgomery County. The purchases set forth in this years grant will support Fire, EMS and Law Enforcement across the entire county. Some of it is geared towards response, other parts are for operations, safety and intelligents gathering.

All of these items have been determined as needs based from experiences from prior incidents.

III. Legislative Impact:

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

IV. Financial Impact:

There is no financial impact for this resolution as it is a 100% no match grant provided to our agencies.

RESOLUTION NO. 21 of 2024

DATED: 1/23/2024

Resolution by Legislator: Kowalczyk
Seconded by Legislator: Allen

RESOLUTION AMENDING 2024 OPERATING BUDGET – CARRY OVER FY2022 DOMESTIC TERRORISM PREVENTION GRANT PROGRAM (SHERIFF)

WHEREAS, Resolution No. 207 of 2022 accepted a State Homeland Security Grant State IFY2022 Domestic Terrorism Prevention Grant Program; and

WHEREAS, said funds need to be appropriated in the 2024 Operating Budget.

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

INCREASE REVENUES:

A-15-3-3389.01	Other Public Safety	\$35,105.00
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INCREASE APPROPRIATIONS:

A-15-4-3110-01-.4452	Printing	\$13,000.00
A-15-4-3110-01-.4455	Training	\$22,105.00

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION AMENDING 2024 OPERATING BUDGET – CARRY OVER FY2022 DOMESTIC TERRORISM PREVENTION GRANT PROGRAM (SHERIFF)

II. Justification:

The Montgomery County Sheriff's Office is the lead agency for Montgomery County supports the creation and operations of a threat assessment and management team within the jurisdiction to include stakeholders as well as numerous private businesses within the county. Utilizing grant funds the Sheriff's office will create an informational pamphlet to be delivered to all the mentioned stakeholders, this pamphlet will include information about the TAM team and how to contact the lead agency as well as provide information and tips to the Sheriff's Office. The Sheriff's Office will also create and maintain online portals for reporting tips and utilize social media to provide additional awareness out to the general public.

III. Legislative Impact:

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

IV. Financial Impact:

RESOLUTION NO. 22 of 2024

DATED: 1/23/2024

Resolution by Legislator: Wilson
Seconded by Legislator: Kowalczyk

RESOLUTION AMENDING THE 2024 OPERATING BUDGET - (SHERIFF)

WHEREAS, the Montgomery County Sheriff's Office has the need for a Medical Director to oversee the EMS Division; and

WHEREAS, there is currently a Medical Director budgeted in the 2024 operating budget; and

WHEREAS, the Medical Director wishes to be paid under contract instead of as an employee; and

RESOLVED, the County Executive is authorized to sign a contract with Katrina Kardos for \$15,000 a year for a term of 3 years after review and approval of the County Attorney; and

FURTHER RESOLVED, the County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

CHANGE APPROPRIATIONS:

From: A-15-4-3625 00 1120 (629) Medical Director \$15,000.00

To: A-15-4-3625-00-.4431 Professional Services \$15,000.00

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION AMENDING THE 2024 OPERATING BUDGET - (SHERIFF)

II. Justification:

The Medical Director wishes to be paid under contract instead of as an employee. Once the contract is recieved it will be provided to the County Attorney for review and approval.

III. Legislative Impact:

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

IV. Financial Impact:

No financial impact.

RESOLUTION NO. 23 of 2024

DATED: 1/23/2024

Resolution by Legislator: Pepe
Seconded by Legislator: Kowalczyk

RESOLUTION AMENDING THE 2024 OPERATING BUDGET - ESTABLISHING POSITION OF AN ADDITIONAL FT-PARAMEDIC AND ELIMINATING THE POSITION OF FT-EMT (SHERIFF)

WHEREAS, the Sheriff hereby requests an additional FT Paramedic and the elimination of an FT- EMT (line 623); and

WHEREAS, the additional FT-Paramedic will enable better operations for the County Ambulance and assist with its' Advanced Life Support Service; and

RESOLVED, the Montgomery County Legislature hereby authorizes and creates an additional FT-Paramedic; and

FURTHER RESOLVED, that the Montgomery County Legislature hereby eliminates the FT-EMT position line 623;

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

TRANSFER FROM:

A-15-4-3625-00-1110-623 Emerg Medical Technicial \$45,594.00

A 15-4-3625-00-1111-1166 Overtime Pay \$5,000.00

A-15-4-3625-00-1120-628 Paramedics/EMTs-PT \$5,000.00

A 15 4-3625-00-4447 Uniforms \$566.00

TRANSFER TO:

A-15-4-3625-00-1110-620 Paramedic \$56,160.00

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION AMENDING THE 2024 OPERATING BUDGET - ESTABLISHING POSITION OF AN ADDITIONAL FT-PARAMEDIC AND ELIMINATING THE POSITION OF FT-EMT (SHERIFF)

II. Justification:

After review of the 2024 budget and discussions with our EMS Consultants it has been determined that having 2 full time Paramedics will be better for operations the one full time Medic and one full time EMT

III. Legislative Impact:

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

IV. Financial Impact:

No additional fiscal impact - all monies are currently in the 2024 operating budget

RESOLUTION AMENDING THE 2024 OPERATING BUDGET FOR THE POSITION OF PRINCIPAL NETWORK SYSTEM ADMINISTRATOR (SHERIFF)

WHEREAS, resolution no. 272 of 2023 reclassified the position of Senior Network Administrator to Principal Network System Administrator; and

WHEREAS, the position of Principal Network System Administrator will have a base salary for 2024 of \$82,525; and

WHEREAS, the approval of resolution no. 272 in 2023 was passed after the adoption of the 2024 Operating Budget.

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

TRANSFER FROM:

A-25-4-1165-00-.1110 (171)	ASSISTANT DISTRICT ATTORNEY	\$2,850.00
A-25-4-1165-00-.1110 (1113)	SENIOR NETWORK SYSTEM ADMINISTRATOR	\$1,936.00
A-15-4-3020-14-.1110 (1033)	SENIOR NETWORK SYSTEM ADMINISTRATOR	\$75,023.00
A-15-4-3020-14-.1110 (114)	DEPUTY SHERIFF	\$1,358.00
A-15-4-3020-14-.1110 (129)	DEPUTY SHERIFF	\$1,358.00

TRANSFER TO:

A-15-4-3020-14-.1110 (201)	PRINCIPAL NETWORK SYSTEM ADMINISTRATOR	\$82,525.00
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RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Amending 2024 budget pursuant to resolution passed in 2023

II. Justification:

the additional responsibilities has led to the need for reclassification.

III. Legislative Impact:

Pursuant to Article 2 of the Montgomery County Charter, the Montgomery County Legislature has the authority to amend the operating budget.

IV. Financial Impact:

RESOLUTION NO. 27 of 2024

DATED: 1/23/2024

Resolution by Legislator: Sweet
Seconded by Legislator: Purtell

RESOLUTION APPOINTING MEMBER - MONTGOMERY COUNTY JURY BOARD (COUNTY LEGISLATURE)

WHEREAS, Section 503a (1) of the Judiciary Law provides for the appointment of a member of the Montgomery County Legislature to the County Jury Board; and

WHEREAS, said appointment shall be designated by the Montgomery County Legislature.

RESOLVED, that Legislator Robert Headwell, Jr., hereby is appointed to serve on the Montgomery County Jury Board for a one-year term ending on December 31, 2024.

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

APPOINTING MEMBER - MONTGOMERY COUNTY JURY BOARD

II. Justification:

Section 503a(1) of the Judiciary Law provides for the appointment of a member of the Montgomery County Legislature to the County Jury Board

III. Legislative Impact:

Section 503a(1) of the Judiciary Law provides for the appointment of a member of the Montgomery County Legislature to the County Jury Board

IV. Financial Impact:

Appointment resolution - no financial impact

RESOLUTION NO. 28 of 2024

DATED: 1/23/2024

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

RESOLUTION APPOINTING A MEMBER OF THE LEGISLATURE TO CORNELL COOPERATIVE EXTENSION OF FULTON AND MONTGOMERY COUNTIES ASSOCIATION BOARD OF DIRECTORS (COUNTY LEGISLATURE)

WHEREAS, Article V, Section 3B of the Constitution and Bylaws of the Cornell Cooperative Extension of Fulton and Montgomery Counties states that the Montgomery County Legislature shall appoint one Legislator to a one-year term to serve as a Director on the Association Board of Directors.

RESOLVED, that Legislator Martin Kelly s hereby appointed as a Director on the Association Board of Directors of the Cooperative Extension Association of Fulton and Montgomery Counties for a term beginning on January 1, 2024 and ending on December 31, 2024.

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

APPOINTING A MEMBER OF THE LEGISLATURE TO CORNELL COOPERATIVE EXTENSION OF FULTON AND MONTGOMERY COUNTIES ASSOCIATION BOARD OF DIRECTORS

II. Justification:

Article V, Section 3B of the Constitution and Bylaws of the Cornell Cooperative Extension of Fulton and Montgomery Counties states that the Montgomery County Legislature shall appoint one Legislator to a one-year term to serve as a Director on the Association Board of Directors

III. Legislative Impact:

Article V, Section 3B of the Constitution and Bylaws of the Cornell Cooperative Extension of Fulton and Montgomery Counties states that the Montgomery County Legislature shall appoint one Legislator to a one-year term to serve as a Director on the Association Board of Directors

IV. Financial Impact:

Appointing resolution - no financial impact

RESOLUTION NO. 29 of 2024

DATED: 1/23/2024

Resolution by Legislator: Pepe
Seconded by Legislator: Majewski

RESOLUTION RESCINDING RESOLUTION 187 OF 2007 AND RE-ESTABLISHING A MONTGOMERY COUNTY EMS ADVISORY BOARD (COUNTY LEGISLATURE)

WHEREAS, Resolution No. 187 of 2007 rescinded Resolution no. 79 of 2006 and re-established a seven member Montgomery County EMS Advisory Board, and

WHEREAS, it has been recommended by the EMS Advisory Board that Resolution 187 of 2007 be rescinded and that a ten member Montgomery County EMS Advisory Board be re-established to better reflect the needs of the EMS organizations and the Community.

RESOLVED, that Resolution 187 of 2007 is hereby rescinded, and

FURTHER RESOLVED, that the Montgomery County Legislature hereby re-establishes the Montgomery County EMS Advisory Board, in accordance with NYS County Law Section 223-b, whose duties shall include:

- cooperation with appropriate state agencies in relation to such programs for EMS training, EMS-related activities and mutual aid;
- to act as an advisory body to the Montgomery County Legislature and to the Montgomery County EMS coordinator;
- participation in such programs for EMS training, EMS-related activities and mutual aid and mutual aid programs in cases of emergencies in which the services of EMS providers would be used;

- to perform such other duties as may be prescribed in relation to EMS training, EMS-related activities and mutual aid in cases of emergencies in which the services of EMS providers would be used; and

FURTHER RESOLVED, that the Montgomery County Emergency Management Director shall act as a liaison officer between the Montgomery County Legislature and said advisory board and the EMS providers in the county and the officers and governing boards or bodies thereof, and

FURTHER RESOLVED, there shall be ten appointments to the EMS Advisory Board which shall consist of the following representation, for a period of two years:

- 1 Representative from Lake Valley EMS (2-year term) – Tom Pasquarelli, or designee
- 1 Representative from Mercy Flight (2-year term) Dick Kane, or designee
- 1 Representative from SAVAC (2-year term) Mickey Swartz, or designee
- 1 Representative from Amsterdam Fire Dept. (2-year term) Chief Tony Agresta, or designee
- 1 Representative from Fire Advisory Board (2-year term) Pamela VanAlstyne, or designee
- 1 Representative from Sheriff’s Office (2-year term) Brittney Dobbs, or designee
- 1 Representative from St Mary’s Hospital (2-year term) Ken Chicoski, or designee
- 1 Representative from Life Net (2-year term) Steve Sculley-Beaman, or designee
- 1 Representative from Montgomery County Public Health (2-year term) Undetermined
- 1 Representative from Montgomery County EMS Coordinators (2-year term) Justin Smith, or designee

MOTION TO AMEND by Legislator Purtell, seconded by Legislator Pepe, to:

Amend the name of representative from the Fire Advisory Board from Justin Smith to Pamela VanAlstyne

Amend the name of representative from the Montgomery County EMS Coordinator from Steve Kuck to Justin Smith

passed with Aye(8). Legislator Majewski was absent.(1/23/2024)

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION RESCINDING RESOLUTION 187 OF 2007 AND RE-ESTABLISHING A MONTGOMERY COUNTY EMS ADVISORY BOARD(LEGISLATURE)

II. Justification:

It has been recommended by the EMS Advisory Board that Resolution 187 of 2007 be rescinded and that a ten member Montgomery County EMS Advisory Board be re-established to better reflect the needs of the EMS organizations and the Community.

III. Legislative Impact:

Authorized by NYS County Law Section 223-b.

IV. Financial Impact:

None

RESOLUTION NO. 30 of 2024

DATED: 1/23/2024

Resolution by Legislator: Kowalczyk
Seconded by Legislator: Wilson

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO A SUBLET AGREEMENT FOR USE OF OFFICE SPACE AT THE MONTGOMERY COUNTY TOURISM SATELLITE OFFICE (ECONOMIC DEVELOPMENT)

WHEREAS, the Tourism Department leases a satellite office at 54 Bridge St. Suite A, Amsterdam, NY 12010 in the city of Amsterdam; and

WHEREAS, the fee for the use of this space is \$1,300 per month and the United Way of the Greater Capital Region is entering into a sublet agreement with the County of Montgomery to use a portion of this office space at a fee of \$400 per month; and

RESOLVED, that the Montgomery County Legislature hereby authorizes and directs the County Executive upon review and approval of the County Attorney, to sign a sublet agreement with the United Way of the Greater Capital Region to pay \$400 per month for the use of a portion of office space in the Montgomery County Tourism Satellite Office at 54 Bridge St. Suite A Amsterdam, NY 12010; and

FURTHER RESOLVED, that said agreement shall be for a period of one year, commencing on February 1, 2024, at a rate of \$400 per month, up until December 31, 2024; and

FURTHER RESOLVED, that the Montgomery County Executive is authorized and directed, upon review and approval of the County Attorney to execute an amendment of the lease at 54 Bridge St. to reflect this sublet agreement.

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN SUBLET BUILDING USE AGREEMENT--Sublet for Use of Office Space Montgomery County Tourism

II. Justification:

TO PROVIDE AUTHORIZATION OF SUBLET WITH UNITED WAY OF GREATER CAPITAL REGION

III. Legislative Impact:

THE COUNTY EXECUTIVE HAS THE AUTHORITY TO SIGN CONTRACTS ON BEHALF OF THE COUNTY PURSUANT TO ARTICLE 3 OF THE CHARTER

IV. Financial Impact:

Subletting with the United Way of the Greater Capital Region will save the County \$400 per month on their \$1300 per month lease agreement with Lultimo for the Montgomery County Tourism Satellite Office.

RESOLUTION NO. 31 of 2024

Resolution by Legislator: Pepe
Seconded by Legislator: Sweet

RESOLUTION APPOINTING REPUBLICAN ELECTION COMMISSIONER (LEGISLATURE)

WHEREAS, the Republican Election Commissioner's position will become vacant on January 26, 2024; and

WHEREAS, the Republican Party Chairperson has submitted a certification that the party recommends, Shawna Weaver of 5 Woodrow Road, Amsterdam, New York to be appointed as the Republican Election Commissioner for the remainder of the current term ending on December 31, 2025; and

WHEREAS, the Montgomery County Legislature has undergone a committee review of the appointment; and

WHEREAS, it has been less than thirty days since the certification has been filed with the Montgomery County Legislature.

RESOLVED, that Shawna Weaver of 5 Woodrow Road, Amsterdam New York is hereby appointed as Republican Election Commissioner pursuant to Election Law section 3-204 and Resolution No. 85 of 2005 to fill the remainder of the current term, effective January 26, 2024 through December 31, 2025.

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Resolution appointing Republican Election Commissioner

II. Justification:

There is an upcoming vacancy in the position of Republican Election Commissioner and an appointment is necessary to fill the position.

III. Legislative Impact:

Pursuant to NYS Election law Section 3-204 election commissioners shall be appointed by the county legislature.

IV. Financial Impact:

The position is fully funded in the 2024 Operating Budget

RESOLUTION NO. 32 of 2024

Resolution by Legislator: Pepe
Seconded by Legislator: Wilson

RESOLUTION AUTHORIZING AND APPROVING REVISED SETTLEMENT AGREEMENT TO AN ACTION RELATING TO THE OPIOID CRISIS (COUNTY LEGISLATURE)

WHEREAS, the matter of County of Suffolk v. Purdue Pharma L.P., et al., under Index No. 400001/2017 is pending in the Supreme Court, Suffolk County, regarding the opioid addiction crisis, in which the County of Montgomery is the named plaintiff in the action (the "Action"); and

WHEREAS, the Action is against several defendants, including manufacturers of opioids, distributors of opioids and chain pharmacies; and

WHEREAS, the Action alleges several causes of action against Defendant CVS based on claims that they contributed to the opioid epidemic by failing to comply with their obligations under the federal Controlled Substances Act and the New York Controlled Substances Act to implement adequate measures to prevent diversion of the prescription opioids they distributed in Montgomery County, all of which contributed to a public health crisis in Montgomery County; and

WHEREAS, due to developments in the case, Defendant CVS has agreed to enter into a revised settlement agreement to distribute \$176,052.49 to Montgomery County; and

NOW THEREFORE BE IT RESOLVED, that the County Executive is hereby authorized and directed, subject to County Attorney approval, to execute any necessary documents to effectuate the settlement with the Defendant CVS; and

BE IT FURTHER RESOLVED, that Simmons Hanly and the County Attorney are authorized and directed to execute any necessary documents to effectuate this settlement including but not limited to the Revised CVS Sharing Agreement; and

BE IT FURTHER RESOLVED, that this Legislature, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this resolution constitutes a Type II Action pursuant to Section 617.5(c)(26) and (33) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management, and information collections.

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION AUTHORIZING AND APPROVING A REVISED SETTLEMENT AGREEMENT TO AN ACTION RELATING TO THE OPIOID CRISIS (COUNTY LEGISLATURE)

II. Justification:

A settlement has been reached with additional parties in the opioid litigation, including a revised and increased settlement amount for Montgomery County from Defendant CVS.

III. Legislative Impact:

Authorized pursuant to Article 2 of the Montgomery County Charter.

IV. Financial Impact:

If all incentives of the settlement are met, said settlement will result in **\$176,052.49** over the span of the settlement, an increase of \$65,384.72

RESOLUTION NO. 33 of 2024

DATED: 1/23/2024

Resolution by Legislator: Pepe
Seconded by Legislator: Majewski

RESOLUTION APPOINTING MEMBERS OF THE MONTGOMERY COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD (COUNTY LEGISLATURE)

WHEREAS, Article 25AA, Section 302 of the New York State Agricultural and Markets Law, as amended, provided for the establishment of an Agricultural and Farmland Protection Board; and

WHEREAS, the Montgomery County Board of Supervisors established the Montgomery County Agricultural and Farmland Protection Board in 1993; and

WHEREAS, the Board shall consist of eleven members, at least four of whom shall be active farmers, one shall represent agribusiness, and one may represent an organization dedicated to agricultural land preservation, all whom shall reside within Montgomery County; and

WHEREAS, the Board also shall include the Chairperson of the County Soil and Water Conservation District's Board of Directors or an employee of the County Soil and Water Conservation District designated by the Chairperson, a member of the County legislative body, a County Cooperative Extension agent, the County Planning Director, and the County Director of Real Property Tax Services; and

WHEREAS, the members of the Board shall be appointed by the Chairperson of the County legislative body, who shall solicit nominations from farm membership organizations except for the chairperson of the county soil and water conservation district's board of directors or his or her designee, the county planning director and director of real property tax services who shall serve ex officio; and

WHEREAS, the term for the members shall be four years; and

WHEREAS, the Montgomery County Agricultural and Farmland Protection Board currently consists of the following members

NAME	TITLE	ADDRESS	TERM EXPIRES
Roy Dykeman	Active Farmer	RD#1, Box 331, Fultonville, NY 12072	12/31/2023
David Rivkovich	Active Farmer	7350 Sthwy 5s, Fort Plain, NY 13339	12/31/2023
James Hoffman	Agribusiness	371 Martin Road, Fonda, NY 12068	12/31/2023
Kenneth Rose	Director of Economic Development/Planning	9 Park St., Fonda, NY 12068	12/31/2023
Martin Kelly	Montgomery County Legislator	187 Sthwy 163, Fort Plain, NY 13339	12/31/2023
Michael Cole	Active Farmer	142 Hickory Grove Road, Canajoharie, NY 13317	12/31/2024
Tom Nelson	Farm Bureau	829 Pattersonville Road Pattersonville, NY 12137	12/31/2024
Robert Harris	Active Farmer	923 Sthwy 162, Sprakers, NY 12166	12/31/2024
Russ Kelly	Cornell Cooperative Extension	120 Scott Road, Fultonville, NY 12072	12/31/2024
Corey Nellis	Montgomery County Soil & Water	4001 Sthwy 5s, Fultonville, NY 12072	Co-terminious with Term of Office
Christine DePasquale	Montgomery County Director of Real Property	20 Park Street, Fonda, NY 12068	Co-terminious with her term of Office

WHEREAS, the terms of some current members have expired.

RESOLVED, that the following is hereby appointed for the following terms as members of the Montgomery County Agricultural and Farmland Protection Board:

NAME	TITLE	ADDRESS	TERM EXPIRES
Roy Dykeman	Active Farmer	RD#1, Box 331, Fultonville, NY 12072	12/31/2027
David Rivkovich	Active Farmer	7350 Sthwy 5s, Fort Plain, NY 13339	12/31/2027
James Hoffman	Agribusiness	371 Martin Road, Fonda, NY 12068	12/31/2027
Kenneth Rose	Director of Economic Development/Planning	113 Park Dr., Fultonville, NY 12072	coterminious with term of office
Martin Kelly	Montgomery County Legislator	187 Sthwy 163, Fort Plain, NY 13339	coterminious with term of office

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

APPOINTING MEMBER OF THE MONTGOMERY COUNTY AGRICULTURAL AND FARMLAND PROTECTION BOARD

II. Justification:

This is authorized pursuant to Agriculture and Markets Law Section 302.

III. Legislative Impact:

This is authorized pursuant to Agriculture and Markets Law Section 302.

IV. Financial Impact:

No financial impact.

RESOLUTION NO. 34 of 2024

DATED: 1/23/2024

Resolution by Legislator: Wilson
Seconded by Legislator: Sweet

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO AMEND THE AGREEMENT WITH UTC ASSOCIATIONS, INC. (COUNTY EXECUTIVE)

WHEREAS, Resolution 263 of 2022 authorized using \$350,000 of ARPA funds to hire UTC Associates, Inc. to undertake a review of the information technology department; and

WHEREAS, funds were included in the 2024 operating budget to continue the work under this contract.

NOW THEREFORE BE IT RESOLVED, that the Montgomery County Legislature authorizes and directs the Montgomery County Executive, after review and approval of the Montgomery County Attorney, to execute an amendment to the contract with UTC Associates, Inc. to increase the total contract to not exceed \$885,000 for a term through January 31, 2024; and

BE IT FURTHER RESOLVED, that the Montgomery County Treasurer is authorized and directed to amend the 2024 Operating Budget as follows:

INCREASE:

A599 Appropriated Fund Balance \$225,000

INCREASE:

A14-4-1680-00.4438 Misc. Supporting Services \$225,000

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO AMEND THE AGREEMENT WITH UTC ASSOCIATIONS, INC.

II. Justification:

Additional work is necessary under the contract to increase necessary IT upgrades.

III. Legislative Impact:

Authorized pursuant to Articles 2 and 3 of the Montgomery County Charter.

IV. Financial Impact:

Requires the use of Fund Balance.

RESOLUTION NO. 35 of 2024

DATED: 1/23/2024

Resolution by Legislator: Pepe
Seconded by Legislator: Sweet

RESOLUTION AMENDING 2024 OPERATING BUDGET - CARRYING OVER AMERICAN RESCUE PLAN FUNDS FOR MULTIPLE PROJECTS APPROVED IN THE 2022 BUDGET YEAR

WHEREAS, Montgomery County authorized the use of American Rescue Plan funds for the purpose of assisting County departments, municipalities \ and local non-profit organizations with specific needs or improvements on particular projects designated as an allowable use of American Rescue Plan funds, and

WHEREAS, said funds were not totally expended as of December 31, 2023; and

WHEREAS, it is necessary to carry forward the unexpended amounts into the 2024 Operating Budget to complete said projects.

RESOLVED, the County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

INCREASE REVENUS:

A-06-3-4089-00 Federal Aid, Other \$272,957.80

INCREASE APPROPRIATIONS:

A-01-4-1011-00.4438 Misc. Supporting Services \$237,302.87

A-01-4-1011-00.4579 County Contribution - Toursim \$35,648.93

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Resolution authorizing amendment to 2024 budget to carry over unexpended ARPA funding

II. Justification:

Funds need to be included in 2024 budget for expenditures to take place

III. Legislative Impact:

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

IV. Financial Impact:

Funds for said appropriations are derived from the ARPA funding already received

RESOLUTION NO. 36 of 2024

DATED: 1/23/2024

Resolution by Legislator: Wilson
Seconded by Legislator: Sweet

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN AGREEMENT WITH BARTON AND LOGUIDICE, D.P.C. FOR PROFESSIONAL SERVICES-LOCAL SOLID WASTE MANAGEMENT PLAN UPDATE (ECONOMIC DEVELOPMENT AND PLANNING)

WHEREAS, the Montgomery County is in need of the development of a Local Solid Waste Management Plan Update to satisfy the requirements of the New York State Department of Environmental Conservation (NYSDEC); and

WHEREAS, in order to carry out said tasks and goals associated with the awarded funds the County solicited a RFP for the preparation of a Local Solid Waste Management Plan Update and one response was received; and

WHEREAS, Barton and Loguidice, D.P.C, provided a proposal for a cost not to exceed \$25,000 to prepare a Local Solid Waste Management Plan Update for Montgomery County.

RESOLVED, the Montgomery County Legislature hereby authorizes awarding a of a contract to Barton and Loguidice, D.P.C. at a cost not to exceed \$25,000 for the preparation of Local Solid Waste Management Plan Update as outlined in the RFP; and

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

FURTHER RESOLVED, that the County Treasurer is hereby authorized to amend the 2024 operating budget as follows:

of Montgomery County Industrial Development Agency (the "Agency") and may be required to be filed in the office of the Secretary of State of the State of New York the certificates required by Section 856 of the Act; and

WHEREAS, to accomplish its stated purposes, the Agency is authorized and empowered under the Act to acquire, construct, reconstruct and install one or more "projects" (as defined in the Act) or to cause said projects to be acquired, constructed, reconstructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, pursuant to a closing on December 20, 2019 (the "Closing"), the Agency entered into a lease agreement dated as of December 1, 2019 (the "Lease Agreement") by and between the Agency and Mohawk Solar LLC (the "Company"), in connection with a project (the "Project") for the benefit of the Company, said Project consisting of the following: (A)(1) the acquisition of an interest in approximately 1,000 acres of land located in the Town of Canajoharie, Montgomery County, New York and the Town of Minden, Montgomery County, New York (collectively, the "Land"), (2) the construction on the Land of a solar-powered electric generating facility, including, but not limited to, PV modules, metal racks and electric equipment with related foundations (collectively, the "Facility") and (3) the acquisition and installation of certain machinery and equipment therein and thereon (collectively, the "Equipment") (the Land, the Facility and the Equipment hereinafter referred to as the "Project Facility"), all of the foregoing to be operated by the Company as a solar-powered electric generating facility and other directly and indirectly related activities; (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes and real estate transfer taxes (the "Financial Assistance"); and (C) the lease of the Project Facility to the Company pursuant to the terms of the Lease Agreement; and

WHEREAS, simultaneously with the execution and delivery of the Lease Agreement, (A) the Company executed and delivered to the Agency a certain lease to agency dated as of December 1, 2019 (the "Underlying Lease") by and between the Company, as landlord and the Agency, as tenant, pursuant to which the Company leased to the Agency the Land and all improvements now or hereafter located on the land (collectively, the "Premises"), (B) the Company and the Agency executed and delivered a payment in lieu of tax agreement dated as of December 1, 2019 (the "Original PILOT Agreement") by and between the Agency and the Company, pursuant to which the Company agreed to pay certain payments in lieu of taxes with respect to the Project Facility, (C) the Company and the Agency executed and delivered a certain recapture agreement dated as of December 1, 2019 (the "Section 875 GML Recapture Agreement") by and between the Company and the Agency, required by the Act, regarding the recovery or recapture of certain sales and use taxes, (D) the Agency filed with the assessor and mailed to the chief executive officer of each "affected tax jurisdiction" (within the meaning of such quoted term in Section 854(16) of the Act) a copy of a New York State Board of Real Property Services Form 412-a (the form required to be filed by the Agency in order for the Agency to obtain a real property tax exemption with respect to the Initial Project Facility under Section 412-a of the Real Property Tax Law) (the "Real Property Tax Exemption Form") relating to the Project Facility and the PILOT Agreement, (E) the Agency executed and delivered to the Company a sales tax exemption letter (the "Sales Tax Exemption Letter") to ensure the granting of the sales tax exemption which forms a part of the financial assistance to be provided by the Agency, and (F) the Agency filed with the New York State Department of Taxation and Finance the form entitled "IDA Appointment of Project Operator or Agent for Sales Tax Purposes" (the form required to be filed pursuant to Section 874(9) of the Act) (the "Thirty-Day Sales Tax Report") (collectively, with the Lease Agreement, the "Basic Documents"); and

WHEREAS, pursuant to the terms of the Original PILOT Agreement, the Company was required to make the First PILOT Payment (as defined in the Original PILOT Agreement) no later than January 1, 2023 (the "PILOT Start Date"); and

WHEREAS, the Agency has received a request from the Company (the "PILOT Request") indicating the PILOT Start Date and other obligations in the Basic Documents were premised upon completing construction in November, 2021, however, due to supply chain constraints and other commercial challenges neither construction nor the commercial operation date of the Project have occurred; and

WHEREAS, in connection with the PILOT Request, the Company had discussions with the Town of Minden ("Minden"), the Town of Canajoharie ("Canajoharie"), the Canajoharie Central School District ("CCSD"), the Fort Plain Central School District ("FPCSD") and Montgomery County (the "County"), as the affected jurisdictions (within the meaning of such term in Section 854(16) of the Act), relating to the proposed modifications to the Original PILOT Agreement and the other Basic Documents (collectively, the "Modifications"); and

WHEREAS, as a result of such discussions, Minden, Canajoharie, CCSD and FPCSD have, by the execution of certain terms sheets with the Company as provided to the Agency (collectively, the "Consents"), each agreed to the Modifications relating to such affected jurisdiction; and

WHEREAS, pursuant to the PILOT Request, in order to implement the Modifications, the Company has requested that the Agency modify the terms of the Original PILOT Agreement and the other Basic Documents in order to reflect the terms of the Modifications (collectively referred to hereinafter as the "Modification Documents"); and

WHEREAS, by resolution adopted by the members of the Agency on September 21, 2023 (the "Modification Resolution"), the Agency approved the PILOT Request and authorized the execution and delivery of the Modification Documents, including, among others, an amended and restated payment in lieu of tax agreement by and between the Agency and the Company (the "Amended and Restated PILOT Agreement, and collectively with the Original PILOT Agreement, the "PILOT Agreement"), provided that (a) the Company shall be required to make Administrative Payments on January 15th of each year thereafter for the term of the Lease Agreement, as amended by the Modification Documents and (b) such approval by the Agency was conditional upon the approval of the Modifications by the Legislature, by an adopted resolution; and

WHEREAS, Section 858(15) of the Act requires that PILOT payments pursuant to the PILOT Agreement be allocated among the Affected Tax Jurisdictions in proportion to the amount of real property tax and other taxes which would have been received by each Affected Tax Jurisdiction had the Project not been tax exempt due to the status of the Agency (the "Pro Rata Allocation"), unless otherwise agreed by the Affected Tax Jurisdictions; and

WHEREAS, the Modifications identified above will constitute a diversion from the Pro Rata Allocation; and

WHEREAS, the Agency desires that the County, through the County Legislature, as one of the Affected Tax Jurisdictions with respect to the Project, adopt a resolution indicating whether the County Legislature agrees to the terms of the proposed Modifications;

NOW, THEREFORE, BE IT RESOLVED BY THE MONTGOMERY COUNTY LEGISLATURE, AS FOLLOWS:

Section 1. For the purpose of satisfying the requirements contained in the Agency’s Uniform Tax Exemption Policy (the “UTEP”) and Section 858(15) of the Act, the Legislature hereby (a) acknowledges notification of any deviation from the Agency’s UTEP, (b) waives any formal notice from the Agency of any deviation from the Agency’s UTEP, and (c) approves the payment terms to be contained in the Modification Documents, provided, however, that the Modifications will not include any changes to the PILOT Payments due to the County, and the PILOT Payments due to the County will continue to be calculated unchanged as set forth in Section 2.02(C) of the Original PILOT Agreement.

Section 2. The Chairperson of the County Legislature (the “Chairperson”) is hereby authorized, on behalf of the County, to execute and deliver a consent to the PILOT Request (the “Consent”) for the purpose of evidencing its approval to the proposed payment terms to be set forth in the Modification Documents, with such changes, variations, omissions and insertions as the Chairperson shall approve, the execution thereof by the Chairperson to constitute conclusive evidence of such approval.

Section 3. The officers, employees and agents of the County are hereby authorized and directed for and in the name and on behalf of the County to do all acts and things required or provided for by the applicable provisions of this resolution in order to ensure compliance with such provisions as they relate to the execution and delivery of the Consent, and to execute and deliver all such additional certificates, instruments and documents, and to do all such further acts and things as may be necessary or, in the opinion of the officer, employee or agent acting, desirable and proper to effect the purposes of the foregoing resolution.

Section 4. This resolution shall take effect immediately.

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Resolution requests approval of modification of PILOT Agreement for Mohawk Solar LLC due to renogation of terms with the Town of Minden, Town of Canajoharie, Fort Plain Central School District and Canajoharie Central School District.

II. Justification:

Canajoharie Central School District, Fort Plain Central School District, Town of Canajoharie and Town of Minden had discussions with the Company to amend the terms of their payments for the project.

III. Legislative Impact:

Authorized pursuant to Article 2 of the Montgomery County Charter.

IV. Financial Impact:

None. PILOT Payments and terms to the County remain unchanged from the existing PILOT.

RESOLUTION NO. 38 of 2024

DATED: 1/23/2024

Resolution by Legislator: Wilson
Seconded by Legislator: Purtell

RESOLUTION AMENDING THE 2024 OPERATING BUDGET - CARRY OVER PHEP GRANT FUNDS (PUBLIC HEALTH)

WHEREAS, the Montgomery County Legislature accepted Public Health Emergency Preparedness (PHEP) grant funds per Resolution # 114 of 2016; and

WHEREAS, the 2023-24 PHEP Grant funds for the period of July 1, 2023-June 30, 2024 were appropriated in the 2023 Public Health budget; and

WHEREAS, there are unexpended 2023-24 PHEP Grant funds available for carry over to the 2024 Public Health budget.

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

INCREASE REVENUES:

A-16-3401-06 Public Health Grant - PHEP Grant \$9,840.44

INCREASE APPROPRIATIONS:

A-16-4010-06-4490 Public Health Grant - PHEP Grant - Special Costs \$9,840.44

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

To carry over unspent 2023 grant funds to the current 2024 budget.

II. Justification:

To utilize available PHEP grant funds for approved NYSDOH expenditures.

III. Legislative Impact:

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

IV. Financial Impact:

No impact to the general fund, all grant expenditures are offset by grant revenue funds.

RESOLUTION NO. 39 of 2024

DATED: 1/23/2024

Resolution by Legislator: Pepe
Seconded by Legislator: Purtell

RESOLUTION AMENDING THE 2024 OPERATING BUDGET - CARRY OVER GRANT FUNDS - CORONAVIRUS CRISIS RESPONSE FUNDS - COVID-19 (PUBLIC HEALTH)

WHEREAS, The Montgomery County Legislature accepted COVID grant funds via Resolution # 124 of 2021; and

WHEREAS, the 2021-2022 COVID 19 grant funds, for the period of January 1, 2021-December 2022 were appropriated in the 2022 Public Health Budget, and carried over into the 2023 Public Health Budget via Resolution # 98 of 2023; and

WHEREAS, there are unexpended 2023 COVID 19 grant funds that NYSDOH has approved for counties to carryover and spend into 2024 after conducting surveys of Public Health Departments that determined most counties had unspent funds.

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

INCREASE REVENUES:

A-16-3-3401-09 Public Health Grant - COVID 19 \$143,216.15

INCREASE APPROPRIATIONS:

A-16-4-4010-09-4490 Public Health Grant - COVID 19 - Special Costs \$143,216.15

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

To carryover upsent 2023 grant funds to the current 2024 budget.

II. Justification:

To utilize available COVID 19 grant funds for approved NYSDOH expenditures.

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 to the general fund as any appropriations are offset by grant revenue funds.

RESOLUTION NO. 40 of 2024

DATED: 1/23/2024

Resolution by Legislator: Sweet
Seconded by Legislator: Purtell

RESOLUTION AMENDING THE 2024 OPERATING BUDGET - CARRY OVER GRANT FUNDS - STRENGTHENING NYSDOH INFRASTRUCTURE, WORKFORCE, AND DATA SYSTEMS FUNDING (PUBLIC HEALTH)

WHEREAS, the Montgomery County Legislature accepted NYSDOH Infrastructure, Workforce, and Date Systems grant funds via Resolution # 140 of 2023; and

WHEREAS, the 2023 Infrastructure grant funds were appropriated in the 2023 Public Health Budget; and

WHEREAS, there are unexpended 2023 Infrastructure grant funds available to carry over to the 2024 Public Health Budget; and

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

INCREASE REVENUES:

A-16-3-3401-52 Public Health Grant - Infrastructure \$24,958.73

INCREASE APPROPRIATIONS:

A-16-4-4010-52-4490 Public Health Grant - Infrastructure - Special Costs \$24,958.73

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

To carry over unspent 2023 grant funds to the current 2024 budget.

II. Justification:

To utilize available Infrastructure funds for approved NYSDOH expenditures.

III. Legislative Impact:

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

IV. Financial Impact:

No financial impact to the general fund, as any appropriations are offset by grant revenue funds.

RESOLUTION NO. 41 of 2024

DATED: 1/23/2024

Resolution by Legislator: Wilson
Seconded by Legislator: Purtell

RESOLUTION AMENDING THE 2024 OPERATING BUDGET - CARRY OVER GRANT FUNDS 2023-24 RABIES GRANT FUNDS (PUBLIC HEALTH)

WHEREAS, the Montgomery County Legislature accepted Rabies grant funds per Resolution # 104 of 2022; and

WHEREAS, the 2022-2025 Rabies Grant funds, for the period of April 1, 2023 to March 31, 2024 were appropriated in the 2023 Public Health budget; and

WHEREAS, there are unexpended 2023-24 Rabies grant funds available to carry over to the 2024 Public Health budget.

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

INCREASE REVENUES:

A-16-3-3401-02 Public Health Grant - Rabies Grant \$3,750.41

INCREASE APPROPRIATIONS:

A-16-4-4010-02-4490 Public Health Grant - Rabies Grant - Special Costs \$3,750.41

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

To carry over unspent 2023 grant funds to the current 2024 budget.

II. Justification:

To utilize available Rabies grant funds for approved NYSDOH expenditures.

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 to the general fund as any appropriations are offset by grant funds.

RESOLUTION NO. 42 of 2024

DATED: 1/23/2024

Resolution by Legislator: Pepe
Seconded by Legislator: Majewski

RESOLUTION AMENDING THE 2024 OPERATING BUDGET (MENTAL HEALTH)

WHEREAS, the Director of Community Services has been notified there is additional funding due from the Office of Addiction Supports and Services (OASAS) from the Opioid Settlement Fund; and

WHEREAS, these funds are being provided to the Local Government Unit for Montgomery County to procure at its discretion based on the allowable use of funds per Settlement and Statute, with other additional funding guaranteed to other litigating entities with the County as applicable; and

WHEREAS, these funds are designated to be used for the state fiscal year 2024 and allocated to the LGU (\$211,709) and the City of Amsterdam (\$19,000) to be passed through Montgomery County Community Services.

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

INCREASE REVENUES:

A-17-3-2735 OPIOID SETTLEMENT FUNDS \$230,709

INCREASE APPROPRIATIONS:

A-17-4-4230-00-4556 OPIOID SETTLEMENT FUNDS \$230,709

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

To accept Opioid Settlement funding as per NYS OASAS notice dated November 22, 2023.

II. Justification:

To accept and utilize funds for state fiscal year 2024.

III. Legislative Impact:

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

IV. Financial Impact:

No impact to general fund.

RESOLUTION NO. 43 of 2024

DATED: 1/23/2024

Resolution by Legislator: Kelly
Seconded by Legislator: Pepe

RESOLUTION AMENDING 2024 OPERATING BUDGET - 2023 LOSS TEAM PROJECT CONTRACT FOR MENTAL HEALTH ASSOCIATION IN NYS, INC. (MHANYS) GRANT FUNDS - MENTAL HEALTH

WHEREAS, the Montgomery County Health Department has been awarded grant funds provided through the MHANYS grant for Loss Team Project activities in Montgomery County;

WHEREAS, MHANYS has awarded the Montgomery County Health Department funding in the amount of \$12,480 to fund allowable activities as outlined by MHANYS.

RESOLVED, that the County Executive, upon review and approval by County Attorney, is hereby authorized and directed to sign any and all MHANYS grant contracts for the contract period of January 1, 2023 - December 31, 2023.

FURTHER RESOLVED, that the Montgomery County Legislature hereby authorizes and directs the County Treasurer to amend the 2024 Operating Budget as follows:

INCREASE REVENUES:

A-17-3-3490	Mental Health	\$12,480.00
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INCREASE APPROPRIATIONS:

A-17-4-4310-00-4526	Education Programs	\$12,480.00
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RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Funds need to be adjusted via resolution in order for reimbursement of costs for LOSS Team activities for the Loss Team Project grant program that were not anticipated in the original 2024 Operating Budget.

II. Justification:

Funds need to be approved in order to be received and utilized via grant.

III. Legislative Impact:

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

IV. Financial Impact:

No financial impact, revenues offset expenses via grant funds to counties for Loss Project grant activities.

RESOLUTION NO. 44 of 2024

DATED: 1/23/2024

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

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AGREEMENT WITH THE BONADIO GROUP (SOCIAL SERVICES)

WHEREAS, the Department of Social Services is in the process of restructuring to increase efficiencies and improve workflow; and

WHEREAS, the Department is desirous of contracting with the Bonadio Group for the objective of providing professional consulting services to assist in this restructuring process; and

WHEREAS, the Bonadio Group will provide internal control and efficiency review related to the analysis of current operations and workflow initiatives within the Fiscal Services/DSS Funding units, as well as provide a full agency review that will help management evaluate the efficiency and policies in each unit of the Department.

RESOLVED, that the Montgomery County Legislature hereby authorizes and directs the County Executive, upon review and approval of the County Attorney, to sign an agreement with the Bonadio Group for professional consulting services for the term of January 1, 2024 through December 31, 2024 for Project 1: Fiscal Services/DSS Funding, not to exceed \$30,000 and Project 2: Full Agency Review, not to exceed \$195,000.

RESOLUTION WITHDRAWN BY SPONSOR(1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Authorizing the County Executive to sign an agreement with the Bonadio Group for professional consulting services.

II. Justification:

To maximize the Department's restructuring and reorganization, the Department has determined it would be in the best interest of the County to work with Bonadio to integrate themselves within our department with their expansive level of knowledge and experience as well as their professional licensed CPAs and CFEs.

III. Legislative Impact:

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

IV. Financial Impact:

For Project 2: Full Agency Review, there was a significant cost reduction to the Department by choosing this program. Their consultants can gain efficiencies by reviewing multiple departments at the same time. They are more likely to find cost savings and efficiency opportunities with access and knowledge of the department as a whole.

Fees for quality control auditor services have been reported to and approved by OTDA and OCFS by other LDSSs that have used Bonadio's services. This means that a percentage of their fees are reimbursable through the individual programs they work with, or through general administrative expenses.

The Department plans on using money that is budgeted within line A-18-4-6010-00-.4438.

The reimbursement on the total \$225,000 is approximately \$112,608 Federal, \$12,669 State, and the Local \$99,723.

RESOLUTION NO. 45 of 2024**DATED: 1/23/2024**

Resolution by Legislator: Kelly
Seconded by Legislator: Wilson

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN RENEWAL AGREEMENT - 2024 TRANSPORTATION OF FULTON COUNTY VETERANS - YOUTH & VETERANS' SERVICES

WHEREAS, the Executive Director of Youth & Veterans' Services has recommended that Montgomery County continue to transport Fulton County veterans to and from the VA Medical Center in Albany, NY and the VA Primary Care Clinic in Fonda, NY; and

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

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

RESOLVED, that the County Executive, following review and approval by the County Attorney, hereby is authorized and directed to sign a renewal agreement for the transportation of Fulton County veterans to and from the VA Medical Center in Albany, NY and the VA Primary Care Clinic in Fonda, NY; and

FURTHER RESOLVED, that said Agreement shall be for a one-year period beginning on January 1, 2024 and ending on December 31, 2024, and

FURTHER RESOLVED, that said Agreement shall provide for transportation of Fulton County veterans, depending upon availability of space, at a charge of \$30.00 each way to the VA Medical Center in Albany, NY and at \$15 each way to the VA Primary Care Clinic in Fonda, NY.

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

[Attachment](#)

Statement of Legislative and Financial Impact:**I. Nature of Request:**

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

II. Justification:

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

III. Legislative Impact:

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

IV. Financial Impact:

Montgomery County will receive up to \$14,500 for performance of the contract.

RESOLUTION NO. 46 of 2024

DATED: 1/23/2024

Resolution by Legislator: Pepe
Seconded by Legislator: Majewski

RESOLUTION AMENDING 2024 OPERATING BUDGET - NYSDOH 2023 LOCAL HEALTH DEPARTMENT PERFORMANCE INCENTIVE AWARD (PUBLIC HEALTH)

WHEREAS, the Montgomery County Public Health Department participated in the New York State Department of Health (NYSDOH) Local Health Department Performance Incentive Initiative focused on promoting wastewater surveillance from December 2022 to August 2023; and

WHEREAS, Montgomery County Public Health had strong participation in the program; and

WHEREAS, NYSDOH has awarded the Montgomery County Public Health Department incentive funding in the amount of \$6,000 based on achieved performance.

RESOLVED, that the Montgomery County Legislature hereby authorizes and directs the County Treasurer to amend the 2024 Operating Budget as follows:

INCREASE REVENUES:

A-16-3-3401-00 State Aid - Public Health \$6,000.00

INCREASE APPROPRIATIONS:

A-16-4-4010-00-449 Advertising \$6,000.00

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

[Click here for resolution attachment](#)

Statement of Legislative and Financial Impact:

I. Nature of Request:

To accept award and amend Article 6 State Aid appropriations and revenues in the 2024 Operating Budget - NYSDOH 2023 Local Health Department Performance Incentive Award.

II. Justification:

NYSDOH has granted an additional funding award to the Montgomery County Public Health Department. Funds are to be utilized to continue and support Article 6 State Aid Eligible programs.

III. Legislative Impact:

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

IV. Financial Impact:

Total appropriations will be offset by an equivalent amount of revenue, therefore, that is no financial impact to the operating budget.

RESOLUTION NO. 47 of 2024

DATED: 1/23/2024

Resolution by Legislator: Purtell
Seconded by Legislator: Kelly

RESOLUTION AMENDING THE 2024 OPERATING BUDGET - CARRY OVER THE 2023 DWYER FUNDS (MENTAL HEALTH)

WHEREAS, the 2023 Mental Health Operating Budget included \$100,000 Dwyer Funds; and

WHEREAS, the Montgomery County Mental Health Department has \$49,784.41 funds remaining from the 2023 Operating Budget; and

WHEREAS, the NYS Office of Mental Health has agreed to allow Local Government Units (LGU's) to carry over any unused 2023 funds to be used by March 31, 2024.

RESOLVED, that the Montgomery County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

INCREASE REVENUES:

A-17-3-3490 Mental Health \$49,784.41

INCREASE APPROPRIATIONS:

A-17-4-4320-00-4565 Community Support System \$49,784.41

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Amending the 2024 Operating Budget - carry over 2023 Dwyer Funds (Mental Health).

II. Justification:

To accept and utilize funds from the Dwyer Program that were not spent during the 2023 fiscal year so they may be extended up to March 31, 2024.

III. Legislative Impact:

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

IV. Financial Impact:

There is no financial impact, funds are 100% NYS OMH pass through funds.

RESOLUTION NO. 48 of 2024

DATED: 1/23/2024

Resolution by Legislator: Kelly
Seconded by Legislator: Pepe

RESOLUTION AMENDING THE 2024 OPERATING BUDGET (MENTAL HEALTH)

WHEREAS, the 2023 Operating Budget included Opioid Settlement Funds (Resolution # 18 of 2023) from NYS Attorney General, and (Resolution # 44 of 2023) from OASAS; and

WHEREAS, the Montgomery County Mental Health Department has funds remaining from the 2023 Operating Budget in the amounts of \$6627 Res # 18, and \$55567 Res # 44, that can carry over into the 2024 Operating Budget.

RESOLVED, the Montgomery County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

INCREASE REVENUES:

A-17-3-2735 OPIOID SETTLEMENT FUNDS \$62,194.00

INCREASE APPROPRIATIONS:

A-17-4-4230-00-4556 OPIOID SETTLEMENT FUNDS \$62,194.00

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Amending the 2024 Operating Budget - carry over of 2023 Opioid Settlement Funds (Mental Health).

II. Justification:

To accept and utilize funds from Opioid Settlement that were not spent during the fiscal year 2023 so they may be expended FY 2024.

III. Legislative Impact:

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

IV. Financial Impact:

There is no financial impact, funds are settlement dollars from NYS Attorney General and OASAS.

RESOLUTION NO. 49 of 2024

DATED: 1/23/2024

Resolution by Legislator: Kelly
Seconded by Legislator: Pepe

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN AGREEMENT – 2024 RESOURCE ALLOCATION PLAN (YOUTH & VETERANS’ SERVICES)

WHEREAS, the 2023-2024 New York State budget appropriated state-wide funding for youth development programs and youth sports programs; and

WHEREAS, the NYS Office of Children and Family Services has allocated \$109,865.00 to Montgomery County for 2024 youth development and youth sports programs; and

WHEREAS, the 2024 Operating Budget appropriated funds in the amount of \$109,865.00 in the Department of Youth and Veterans' Services for Youth Programs; and

WHEREAS, Montgomery County must submit a signed Resource Allocation Plan (RAP) to the NYS OCFS as a required component of the approved Children and Family Services Plan; and

WHEREAS, by signing and submitting the RAP, Montgomery County will qualify for State reimbursement for the 2024 program year for funds allocated and paid to youth development and youth sports programs within the County totaling \$109,865.00 as recommended by the Executive Director of Department of Youth and Veterans Services. N

RESOLVED, that the Montgomery County Legislature hereby authorizes and directs the County Executive, following review and approval by the County Attorney, to sign the Resource Allocation Plan (RAP) agreement with the NYS Office of Children and Family Services.

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Authorize County Executive to sign the Resource Allocation Plan with NYS OCFS in order to receive state reimbursement monies designated for positive youth development in Montgomery County.

II. Justification:

Authorize County Executive to sign the Resource Allocation Plan with NYS OCFS in order to receive state reimbursement monies designated for positive youth development in Montgomery County.

III. Legislative Impact:

The County Executive has the power to sign the RAP agreement pursuant to Article 3 of the Charter.

IV. Financial Impact:

Authorize County Executive to sign the Resource Allocation Plan with NYS OCFS in order to receive state reimbursement monies designated for positive youth development in Montgomery County.

RESOLUTION NO. 50 of 2024

DATED: 1/23/2024

Resolution by Legislator: Sweet
Seconded by Legislator: Kelly

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN THE 2024 INSURANCE RENEWEL CONTRACT FOR MONTGOMERY COUNTY SANITARY DISTRICT NO.1 (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, 2024, and

WHEREAS, 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 \$27,826.53; and

WHEREAS, NBT Mang Insurance - William Vangorder is named the broker of record;

WHEREAS, a transfer of funds is needed to cover the cost of the premiums.

RESOLVED, upon 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 property, general liability, automobile, excess catastrophe, inland marine, and crime policies with NYMIR for a term of January 1, 2024 to December 31, 2024 at an amount not to exceed \$27,826.53.

FURTHER RESOLVED, the Montgomery County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget (Sanitary District) as follows:

TRANSFER FROM:

G-26-4-1990-00-.4400 Contingent Account \$ 2,500.00

TRANSFER TO:

G-26-4-1910-00-.4480 Insurances \$ 2,500.00

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

[Attachment](#)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Authorize the County Executive to sign the 2024 insurance renewal contract for the Montgomery County Sanitary District No.1

II. Justification:

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

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:

A one time transfer is necessary.

RESOLUTION NO. 51 of 2024

DATED: 1/23/2024

Resolution by Legislator: Pepe
Seconded by Legislator: Kelly

RESOLUTION APPOINTING MEMBER TO THE MONTGOMERY COUNTY SANITARY DISTRICT NO.1 BOARD OF DIRECTORS (SANITARY DISTRICT)

WHEREAS, Resolution 281 of 2013 states the Montgomery County Sanitary District no.1 Board of Directors shall consist of seven (7) members comprised of the current legislators representing Legislative Districts No.1, No.2, and No.3, the Mayors of the Villages of Fort Plain, Nelliston, and Palatine Bridge and one (1) member at large to be approved by the County Legislative Board, for a one (1) year term; and

WHEREAS, the Montgomery County Sanitary District No.1 Board of Directors recommends appointing George Capece Jr. as member at large for 2024.

Resolved, that George Capece Jr. is hereby appointed as the "at-large" member to the Board of Directors of the Montgomery County Sanitary District No.1 for a one (1) year term ending on December 31, 2024.

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Appoint member to the Montgomery County Sanitary District No.1 Board of Directors.

II. *Justification:*

Pursuant to Resolution 281 of 2013 an "at-large" member of the Sanitary District No.1 Board of Directors shall be appointed by the Montgomery County Legislature.

III. *Legislative Impact:*

Pursuant to Resolution 281 of 2013 an "at-large" member of the Sanitary District No.1 Board of Directors shall be appointed by the Montgomery County Legislature.

IV. *Financial Impact:*

None.

RESOLUTION NO. 52 of 2024

DATED: 1/23/2024

Resolution by Legislator: Wilson
Seconded by Legislator: Pepe

RESOLUTION AMENDING RESOLUTION 232 OF 2023 (PUBLIC WORKS)

WHEREAS, Resolution 232 of 2023 conveyed property aquired for storm water drainage to Ron Allen Trucking as an adjoining landowner; and

WHEREAS, Ron Allen Trucking has since conveyed their interest as an adjoining landowner to KEL Land Management, LLC; and

WHEREAS, it is necessary to amend Resolution 232 of 2023 to amend the conveyance to be to KEL Land Management, LLC, as the property must be conveyed to an abutting landowner.

NOW THEREFORE BE IT RESOLVED, that Resolution 232 of 2023 is hereby amended to replace all references to Ron Allen Trucking with KEL Land Management, a limited liability corporation with a business location of 361 E. Main St., Canajoharie NY 13317.

RESOLUTION VOTE, passed with Aye(5). Legislators Kelly and Headwell, Jr. voted Nay. Legislator Allen abstained. Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

II. *Justification:*

The abutting land has changed ownership and the resolution needs to be updated.

III. *Legislative Impact:*

Authorized pursuant to Article 2 of the Montgomery County Charter.

IV. *Financial Impact:*

\$500 to the County.

RESOLUTION NO. 53 of 2024

DATED: 1/23/2024

Resolution by Legislator: Majewski
Seconded by Legislator: Wilson

RESOLUTION AMENDING THE 2024 OPERATING BUDGET (PUBLIC WORKS)

WHEREAS, Montgomery County DPW is responsible for alterations and projects on County owned Facilities.

WHEREAS, Montgomery County contracts with NYS Unified Courts for office and court facilities in Fonda, New York; and

WHEREAS, the Honorable Rebecca Slezak, Supreme Court Judge, has secured appropriations for renovations to the Montgomery County Courthouse; and

WHEREAS, per Resolution 184 of 2023, CT Male Associates of Latham, New York, was issued an amendment to their professional services contract to begin space planning; and

WHEREAS, CT Male Associates of Latham, New York provided the initial plans for redesigning the court house several years ago and using them is a continuation of services; and

WHEREAS, CT Male has submitted to the Commissioner of Public Works an additional amendment for services in the amount of \$74,800.00 to complete space planning and design requirements to the Court Facility unless additional changes are required by the Office of Court Administration; and

WHEREAS, professional service fees are reimbursed by the NYS Unified Courts to Montgomery County.

RESOLVED, the Montgomery County Legislature here by authorizes and directs the County Treasurer to amend the 2024 Operating Budget as follows:

INCREASE

A 599 Appropriated Fund Balance \$74,800.00

INCREASE APPROPRIATIONS

A 12-4-1620-00-4431 Professional Services \$74,800.00

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Funds need to be transferred to provide for professional service fees for alterations to the Montgomery County Court House at 58 Broadway, Fonda, New York.

II. *Justification:*

NYS Unified Court System has allocated 1 Million Dollars, over 5 years, for alterations to the Court Facility. Montgomery County DPW is responsible to oversee alteration projects on County owned Facilities and professional services are required and reimbursable for this project.

III. *Legislative Impact:*

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

IV. *Financial Impact:*

Fund balance to be reduced by \$74,800.00 for services. Funds allocated to the project now and in the future will be 100% reimbursed by the NYS Unified Courts.

RESOLUTION NO. 54 of 2024

DATED: 1/23/2024

Resolution by Legislator: Sweet
Seconded by Legislator: Kowalczyk

RESOLUTION AMENDING RESOLUTION 216 OF 2023 (PUBLIC WORKS)

WHEREAS, Resolution 216 of 2023 authorized the implementation and funding costs of Sprakers Hill Culvert, in the Town of Root, through Bridge NY Funding; and

WHEREAS, NYS Dept. of Transportation has requested added verbiage to Resolution 216 of 2023 prior to Commissioner of Transportation's signature; and

RESOLVED, Resolution 216 of 2023 is amended to include the following:

FURTHER RESOLVED, the Montgomery County Legislature hereby agrees and commits that construction of the project shall begin no later than twenty four (24) months after award and the construction phase of the project shall be completed within thirty (30) months.

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Amend resolution 216 of 2023

II. *Justification:*

NYS Dept. of Transportation has mandated a time completion of projects within Bridge NY funding.

III. *Legislative Impact:*

Authorized pursuant to Article 2 of the Charter.

IV. Financial Impact:

No impact per this resolution.

RESOLUTION NO. 55 of 2024

DATED: 1/16/2024

Resolution by Legislator: Kelly
Seconded by Legislator: Pepe

RESOLUTION ESTABLISHING POSITION OF MEDICAL DIRECTOR PT

WHEREAS, the Commissioner of Health and Human Services along with the Public Health Director are in need of a Medical Director to continue to perform essential functions of their respective departments in accordance with NYS regulations; and

WHEREAS, they are seeking to share the position, associated costs, duties and responsibilities of a Medical Director PT; and

WHEREAS, after review with the Personnel Officer, it has been determined that the position of Medical Director PT is an appropriate title for the required duties and responsibilities; and

WHEREAS, the position will be established with a base salary of \$16,000, Group P in the Non-Bargaining Policy which will be funded by both the Public Health Department in the amount for 2024 of \$12,000 and the Department of Social Services in the amount of \$4,000; and

RESOLVED, that the Montgomery County Legislature hereby establishes the position of Medical Director PT with a base salary of \$16,000, Group P of the Non-Bargaining Policy; and

FURTHER RESOLVED, the position of Physician-PT is hereby eliminated upon the filling of the Medical Director PT position; and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2024 Operating Budget as follows:

TRANSFER FROM:

A-16-4-4010.00.1120-315	PHYSICIAN-PT	\$12,000
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A -18 -4 -6010.00.1110-426	WELFARE EMPLOYMENT REP.	\$4,000
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TRANSFER TO:

A-16-4-4010.00.1120-(NEW)	Medical Director PT	\$12,000
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A -18 -4 -6010.00.1120-(NEW)	Medical Director PT	\$4,000
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RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Resolution establishing the position of Medical Director PT for both Public Health and Social Services.

II. Justification:

The Commissioner of Health and Human Services along with the Public Health Director are in need of a Medical Director to continue to perform essential functions of their respective departments in accordance with NYS regulations.

III. Legislative Impact:

Pursuant to Article 2 of the Montgomery County Charter, the Montgomery County Legislature is authorized to create positions of employment and make appropriations.

IV. Financial Impact:

This position is being funded by monies that were already allocated to the respective departments. Subsequent years will be allocated in future budgets. Please note, although essential to the functions of some services, the salary reflects the very PT nature of the position.

RESOLUTION NO. 56 of 2024

DATED: 1/23/2024

Resolution by Legislator: Kelly
Seconded by Legislator: Kowalczyk

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO CONTRACTS WITH COLLAR CITY FOR PROVISION OF AUCTIONING SERVICES (COUNTY LEGISLATURE)

WHEREAS, it is necessary to hire a company to run the tax foreclosure auctions for Montgomery County; and

WHEREAS, Montgomery County issued a Request For Proposals in 2023 for tax auctioning services ; and

WHEREAS, the Montgomery County Legislature wishes to award the contract to Collar City as the lowest, responsible, responsive bidder.

NOW THEREFORE BE IT RESOLVED, that the Montgomery County Executive is hereby directed to sign a contract with Collar City for a term of five years to run the tax foreclosure auctions for Montgomery County.

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO CONTRACTS WITH COLLAR CITY FOR PROVISION OF AUCTIONING SERVICES

II. Justification:

The current contract for tax auctioning services has expired and it is anticipated that entering into a contract for auctioning services will be financially beneficial to the County.

III. Legislative Impact:

IV. Financial Impact:

It is anticipated that this contract for auctioning services will result in a financial gain to the County.

RESOLUTION NO. 57 of 2024

DATED: 1/23/2024

Resolution by Legislator: Pepe
Seconded by Legislator: Wilson

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN CONTRACT WITH C.T. MALE ASSOCIATES FOR ENGINEERING SERVICES TO THE FMCC CAMPUS PAVING PROJECT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan includes a \$70,000 appropriation for engineering and design services to the Campus Paving Project, and

WHEREAS, the engineering and design services will entail the following:

1. Topographic Survey
2. Subsurface Investigation
3. Pavement Design and Drawings

and

WHEREAS, FMCC received an updated cost proposal from C.T. Male Associates dated June 14, 2023 to perform these services at a cost of \$69,600.00, and

WHEREAS, the FMCC Campus Paving Project breakdown of costs are as follows:

NYS	\$34,800.00
Montgomery County	\$17,400.00
Fulton County	\$17,400.00
Total	\$69,600.00; and

RESOLVED, the Montgomery County Executive, upon review and approval by the County Attorney, is authorized and directed to sign a contract with C.T. Male Associates for engineering and design services at a cost not to exceed \$69,600; and

FURTHER RESOLVED, that this resolution is contingent upon a similar resolution being passed by Fulton County.

RESOLUTION VOTE, passed with Aye(8). Legislator Majewski was absent. (1/23/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO EXECUTE AN CONTRACT WITH C.T. MALE ASSOCIATES FOR ENGINEERING SERVICES TO THE FMCC CAMPUS PAVING PROJECT

II. Justification:

FMCC received an updated cost proposal from C.T. Male Associates dated June 14, 2023 to perform these services at a cost of \$69,600.00

III. *Legislative Impact:*

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

IV. *Financial Impact:*

Budget neutral.

ADJOURNMENT

MOTION TO ADJOURN by Legislator Kelly, seconded by Legislator Kowalczyk, passed with Aye(8). Legislator Majewski was absent.

Respectfully submitted,

Patricia Beck
Clerk of the Montgomery County
Legislature