

CALL TO ORDER

Chair Sweet called the Regular Meeting of the Montgomery County Legislature for March 26, 2024 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
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 Allen led the Salute to the Flag.

MOMENT OF SILENCE

Chair Sweet asked for a moment of silence to observe the passing of the following individuals: Robrt Nurnberger, James Hernigle, Leo Joseph Perry, Alexander "AJ" Smullen and David R. Graff.

PUBLIC COMMENT AND PRESENTATION

COMMUNICATIONS

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

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

ACCEPTANCE OF BUDGETARY TRANSFERS

MOTION TO ACCEPT BUDGETARY TRANSFERS by Legislato Allen, seconded by Legislator Kowalczyk, passed with Aye(9).

ACCEPTANCE OF PROCUREMENT RECORD

ACCEPTANCE OF PROCUREMENT RECORD by Legislator Purtell, seconded by Legislator Wilson, passed with Aye(9).

OLD BUSINESS

NEW BUSINESS

RESOLUTION NO. 85 of 2024

DATED: 3/26/2024

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

RESOLUTION PROCLAIMING APRIL 2024 AS "ORGAN AND TISSUE DONATION AWARENESS MONTH" IN MONTGOMERY COUNTY (COUNTY CLERK)

WHEREAS, through Montgomery County's membership with the New York State Association of Counties (NYSAC) and the New York State Association of County Clerks (NYSACC) New York's Counties have come together to collectively support Organ and Tissue Donation Month in New York State; and

WHEREAS, currently, nearly 114,000 men, women, and children are awaiting organ transplants in the United States; and

WHEREAS, organ, tissue, marrow, and blood donation are life-giving acts recognized worldwide as expressions of compassion to those in need; and

WHEREAS, in New York State there are approximately 10,000 people waiting for an organ transplant, the third-highest in the nation; and there is an estimated 500 New Yorkers that die every year waiting for an organ transplant; and

WHEREAS, New York's county governments play a key role in raising awareness of the need of organ and tissue donation; and

WHEREAS, the Montgomery County Legislature and the Montgomery County Clerk's Office through its Department of Motor Vehicles are proclaiming April of 2024 as "Organ and Tissue Donation Awareness Month" in Montgomery County to promote an increase in the number of registered organ donors; and now, therefore be it

RESOLVED, that the Montgomery County Legislature hereby proclaims the month of April 2024 as "Organ and Tissue Donation Awareness Month" in Montgomery County; and be it further

FURTHER RESOLVED, the Montgomery County Department of Public Works is directed to raise the "Donate Life" flag at the Montgomery County Office Building located at 64 Broadway, Fonda, NY for the month of April 2024 as a means to raise awareness of the need for organ and tissue donors in Montgomery County.

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

DESIGNATING APRIL 2024 AS "ORGAN AND TISSUE DONATION AWARENESS MONTH" IN MONTGOMERY COUNTY

II. Justification:

With Montgomery County's membership with the New York State Association of Counties (NYSAC) and the New York State Association of County Clerks (NYSACC) New York's Counties have come together to collectively support Organ and Tissue Donation Month in New York State.

III. Legislative Impact:

Authorized by Article 2 of the County Charter

IV. Financial Impact:

NONE

RESOLUTION NO. 86 of 2024

DATED: 3/26/2024

Resolution by Legislator: Pepe
Seconded by Legislator: Wilson

RESOLUTION AUTHORIZING THE SALE OF REAL PROPERTY ACQUIRED BY TAX FORECLOSURE IN THE VILLAGE OF CANAJOHARIE (COUNTY TREASURER)

WHEREAS, Montgomery County has obtained the real property parcel by tax foreclosure known as SBL 63.70-2-26 (14 Wheeler Street), located in the Village of Canajoharie; and

WHEREAS, this property is not needed for County purposes; and

WHEREAS, this property was previously offered at the tax foreclosure auction but successful bidders failed to close on the property; and

WHEREAS, an interested party has expressed interest in obtaining and cleaning up said real property parcel.

RESOLVED, the Montgomery County Legislature hereby authorizes to convey all the right, title and interests of the County in and to said real property to Anngale Paul for the sum of \$100.00 plus associated deed filing fees; and

FURTHER RESOLVED, the County Treasurer is hereby authorized and directed to execute the deed and all related documents related to the conveyance of said property to Anngale Paul.

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Transfer tax foreclosed property located in the Village of Canajoharie owned by the County to Anngale Paul.

II. Justification:

Property was offered at previous tax foreclosure auctions with successful bidders failing to pay balance due and close on the property.

III. Legislative Impact:

Approval of the Montgomery County Legislature is required for the transfer of County owned property

IV. Financial Impact:

Property would be sold for \$100.00, cleaned up from fire damage and returned to the tax roll going forward.

Resolution by Legislator: Pepe
Seconded by Legislator: Kowalczyk

RESOLUTION CORRECTING THE 2024 TOWN AND COUNTY TAX ROLL-TOWN OF PALATINE (REAL PROPERTY)

WHEREAS, an application (RP-554) has been filed for a correction to the 2024 Town and County Tax Roll for the Town of Palatine, pursuant to Section 554 of the Real Property Tax Law, with the Director of Real Property, alleging an error in the 2024 Town and County Tax Roll:

Parcel 15.-2-40.21, 6831 State Highway 5, owned by Marcus and A. Elizabeth Hostetter was charged on inventory and an assessment that was not matching what the Assessor had intended; and

WHEREAS, the Director of Real Property has investigated and filed reports, pursuant to said law; and

WHEREAS, the Montgomery County Legislature finds that there was an error, shown as a Clerical Error, that is applicable in the application for correction; and

WHEREAS, Resolution 6 of 2024 allows the Montgomery County Auditor to sign corrections that do not exceed \$2,500, and any corrections in excess of that amount must be determined by the Montgomery County Legislature;

RESOLVED, that the tax levying body hereby is authorized to and directed to approve said application by making notations on the original application and the duplicate, and by entering the corrected extension of taxes;

RESOLVED, that said Director of Real Property is also authorized to and directed to make an order setting forth the corrected taxes, and directing the officer having jurisdiction over the tax roll to correct the roll, and to affix the order and approved applications to the tax roll and the warrants, per Section 554 of the Real Property Tax Law, such annexed applications and warrants becoming part of such rolls; and

RESOLVED, that the Director of Real Property shall immediately submit to the officers having jurisdiction over the tax rolls, and above order, all applications; and

RESOLVED, that the Director of Real Property shall mail notices of approval of the applications to the applicants and the Auditor shall submit a monthly report, setting forth all corrections and/or refunds processed, to the Legislature; and

RESOLVED, that, provided the applications were filed pursuant to Paragraph 7A of 554 of the Real Property Tax Law, the applicants will have 8 days from the date of mailing to pay such corrected taxes due, if any, without interest; and

RESOLVED, that said officers having charge of the tax rolls are hereby ordered and directed to immediately collect the current tax; and

FURTHER RESOLVED, that the Montgomery County Treasurer is directed to charge any taxes deleted from the current roll, by this resolution, wherever appropriate, against the account of the respective property taxing jurisdiction in the next ensuing tax levy; and

FURTHER RESOLVED, that the Montgomery County Treasurer is directed to notify the appropriate districts, prior to May 1, 2024 of any levy cancelled by this resolution that will be charged back on the ensuing tax roll

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

[Attachment](#)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Approving the application for correction to the 2024 Town and County Tax Roll (Town of Palatine)

II. *Justification:*

Review of the application for Correction of Errors

III. *Legislative Impact:*

Pursuant to RPTL 554, an application for correction was filed with the Director of Real Property. The Director is recommending that the application be approved for a reduction over \$2,500, making it subject to review by the Montgomery County Legislature

IV. *Financial Impact:*

The total reduction of \$2,545.84 is to be applied to the 2024 Town and County Tax Roll for the Town of Palatine

RESOLUTION NO. 88 of 2024

DATED: 3/26/2024

Resolution by Legislator: Purtell
Seconded by Legislator: Wilson

RESOLUTION APPOINTING AUDIT COMMITTEE (LEGISLATURE)

WHEREAS, Local Law 1 of 2018 amended the Montgomery County Charter to read as follows:

For the purpose of maintaining proper control and supervision over all fiscal affairs, the County Legislature may:

(a) Appoint an Audit Committee, consisting of the Chairman of the County Legislature, the Chairman of the Budget and Finance Committee, and one additional County Legislator, who will have the responsibility for auditing vouchers and claims for payment against County funds or funds for which the County is responsible and shall certify the same for payment by the County Treasurer. In the event that the County Legislature shall appoint a County Auditor, the duties of the County Audit Committee shall assumed by said Auditor; and

WHEREAS, the Auditor has planned vacation and it is necessary to appoint an audit committee to perform the audit in the event of an absence.

NOW THEREFORE BE IT RESOLVED, that the Montgomery County Legislature hereby appoints a County Audit Committee as follows:

Brian Sweet- Chairman of the County Legislature

Martin Kelly- Chairman of the Budget and Finance Committee; and

Herbert Allen- Legislator

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

RESOLUTION APPOINTING AUDIT COMMITTEE FOR THE MONTH OF APRIL (LEGISLATURE)

II. *Justification:*

Auditor will be absent for the month of April and it is necessary to appoint an audit committee to perform the audit for the month of April.

III. *Legislative Impact:*

Authorized pursuant to Local Law 1 of 2018 .

IV. *Financial Impact:*

This resolution will ensure the finances of the County continue to run smoothly if the auditor is incapacitated.

RESOLUTION NO. 89 of 2024

DATED: 3/26/2024

Resolution by Legislator: Pepe
Seconded by Legislator: Sweet

BOND RESOLUTION OF THE COUNTY OF MONTGOMERY, NEW YORK (THE "COUNTY"), DATED MARCH 26, 2024, AUTHORIZING RENOVATIONS OF COUNTY-OWNED PROPERTY AT 1 VENNER ROAD, ESTIMATING THE AGGREGATE COST THEREOF TO BE \$1,750,000.00; APPROPRIATING SAID AMOUNT THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,750,000.00 SERIAL BONDS OF THE COUNTY TO FINANCE SAID COST

WHEREAS, the previously acquired a building and improvements located on real property located at 1 Venner Road in the City of Amsterdam, Montgomery County (the "Property"); and

WHEREAS, the County Legislature has heretofore approved funding for renovations to the Property (the "Project"); and

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

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

SECTION 1

Pursuant to Sections 31.00 and 32.00 of the Local Finance Law, constituting Chapter 33-A of the Consolidated Laws of the State of New York (the "Law"), the County hereby authorizes financing of the Project. The maximum aggregate cost of the Project is hereby estimated to be \$1,750,000.00, which shall initially be paid from proceeds of the issuance of \$1,750,000.00 serial bonds to finance such costs.

SECTION 2

It is determined that the period of probable usefulness of the aforesaid specific object or purpose is ten (10) years pursuant to Section 11.00 a. 12 of the Law.

SECTION 3

The plan of financing includes the issuance of \$1,750,000.00 serial bonds and the levy of a tax upon all of the real property in the County to pay the principal of and interest on said bonds as the same shall become due and owing.

SECTION 4

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

SECTION 5

The proposed average maturity date of the bonds authorized pursuant to this resolution is expected to exceed five (5) years.

SECTION 6

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

SECTION 7

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

SECTION 8

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

SECTION 9

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

SECTION 10

Subject to the provisions of this Bond Resolution and the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes, or the renewals of said obligations and of Section 50.00 and Section 60.00 of the Law, the powers and duties of the Montgomery County Legislature relative to authorizing serial bonds and bond anticipation notes and prescribing the terms, form and content as to sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Treasurer of the County, the chief fiscal officer of the County. Pursuant to the provisions of paragraph a of Section 56.00 of the Local Finance Law, the power to determine whether to issue bonds and bond anticipation notes having substantially level or declining annual debt service, as provided in paragraph d of Section 21.00 of the Local Finance Law, is hereby delegated to the Treasurer of the County, the chief fiscal officer of said County. In addition to the delegation of powers described above, the powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the County Treasurer, who shall advertise such

bonds for sale, conduct the sale and award the bonds in such manner as he shall deem best for the interests of the County; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any other order or rule of the State Comptroller applicable to the sale of municipal bonds.

SECTION 11

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

SECTION 12

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

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

SECTION 13

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

SECTION 14

This resolution shall take effect immediately.

RESOLUTION VOTE, passed with Aye(8). Legislator Headwell, Jr. voted Nay. (3/26/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Authorization to issue bonds for further renovations of Venner Rd property.

II. Justification:

Funding needed to continue revovation of Venner Rd property

III. Legislative Impact:

Approval of a super majority (2/3 vote in favor) to issue bonds in the name of the County.

IV. Financial Impact:

Principal and interest payments to be included in subsequent operating budgets. Paid over the next ten (10)

years.

RESOLUTION NO. 90 of 2024

DATED: 3/26/2024

Resolution by Legislator: Wilson
Seconded by Legislator: Kowalczyk

RESOLUTION ACCEPTING GRANT FOR ROUND 6 OF THE MUNICIPAL ZERO-EMISSION VEHICLE (ZEV) INFRASTRUCTURE GRANT PROGRAM. AMENDING 2024 OPERATING BUDGET – NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION (DEC) (ECONOMIC DEVELOPMENT, PLANNING & TOURISM)

WHEREAS, the County was awarded grants totaling \$268,000 from the New York State Department of Environmental Conservation (DEC) to purchase and install Electric Vehicles Charging infrastructure on county owned properties.

RESOLVED, the County Executive is hereby authorized to sign any documents associated with said grant funds and project, upon review and approval of the County Attorney; and

FURTHER RESOLVED, that the Montgomery County Department of Economic Development & Planning are hereby authorized to administer said grant on behalf of Montgomery County; and

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

INCREASE REVENUES:

A-24-3-3789 State Economic Assistance & Opportunity \$268,000

INCREASE APPROPRIATIONS:

A-24-4-6430-00-.4438 Misc. Supporting Services \$268,000

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

[Attachment](#)

[Attachment](#)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Resolution accepts award of grant from DEC for EV Charging Stations at various County facilities

II. Justification:

Resolution is necessary to pay for said project awarded by the grant.

III. *Legislative Impact:*

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

IV. *Financial Impact:*

Revenues received from the grant offset the appropriations.

RESOLUTION NO. 91 of 2024

DATED: 3/26/2024

Resolution by Legislator: Pepe
Seconded by Legislator: Majewski

RESOLUTION SCHEDULING PUBLIC HEARING - MONTGOMERY COUNTY ALL-HAZARD MITIGATION PLAN 5-YEAR UPDATE (ECONOMIC DEVELOPMENT/PLANNING)

WHEREAS, the Disaster Mitigation Act of 2000 requires that local governments have either a single-jurisdiction or a multi-jurisdiction all-hazard mitigation plan that has been approved by the Federal Emergency Management Agency (FEMA) to receive project funding from the Hazard Mitigation Grant Program; and

WHEREAS, the New York State Division of Homeland Security and Emergency Services has awarded a Planning Grant Application from Montgomery County and their jurisdictions to update the existing 2016 All-Hazard Mitigation Plan; and

WHEREAS, the Federal Emergency Management Agency (FEMA) has directed the Montgomery County Legislature to hold a public hearing for comments on the draft final plan; and

RESOLVED, that the County Legislature hereby schedules a Public Hearing on the Hazard Mitigation Plan grant to be held at 5:55 p.m., April 23, 2024, in the Chambers of the County Legislature, County Office Building, Fonda, New York.

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Schedules Public Hearing for Montgomery County Hazard Mitigation Plan

II. *Justification:*

Program requirements include the provisions for public participation.

III. *Legislative Impact:*

IV. Financial Impact:

Cost of Public Hearing Notice Est. \$20

RESOLUTION NO. 92 of 2024

DATED: 3/26/2024

Resolution by Legislator: Majewski
Seconded by Legislator: Kowalczyk

RESOLUTION SCHEDULING 30 DAY PUBLIC REVIEW PERIOD - MONTGOMERY COUNTY ALL-HAZARD MITIGATION PLAN 5-YEAR UPDATE (ECONOMIC DEVELOPMENT/PLANNING)

WHEREAS, the Disaster Mitigation Act of 2000 requires that local governments have either a single-jurisdiction or a multi-jurisdiction all-hazard mitigation plan that has been approved by the Federal Emergency Management Agency (FEMA) to receive project funding from the Hazard Mitigation Grant Program; and

WHEREAS, the New York State Division of Homeland Security and Emergency Services has awarded a Planning Grant Application from Montgomery County and their jurisdictions to update the existing 2016 All-Hazard Mitigation Plan; and

WHEREAS, the Federal Emergency Management Agency (FEMA) has directed the Montgomery County Legislature to open a 30-day review period for comments on the draft final plan; and

RESOLVED, that the County Legislature hereby schedules a 30-day public review period for Montgomery County Hazard Mitigation Plan, commencing on March 27, 2024, notice of which shall be published in a newspaper having general circulation, and

FURTHER RESOLVED, that notice of this review period and a draft of the final plan shall be posted and open to public inspection online and at the Montgomery County Department of Economic Development and Planning Office.

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Resolution authorizes the commencement of the 30 day public review period for the review of the Montgomery county all-hazard mitigation plan

II. Justification:

This 30 day review period associated with plan adoption is required by FEMA policy.

III. Legislative Impact:

Authorized pursuant to the Montgomery County Charter Articles 2 & 3

[Attachment](#)

[Attachment](#)

Statement of Legislative and Financial Impact:

I. Nature of Request:

AUTHORIZING COUNTY EXECUTIVE TO SIGN AMENDED AGREEMENT WITH LIRO ENGINEERS, INC. FOR ENGINEERING SERVICES-EXIT 29 REDEVELOPMENT PROJECT

II. Justification:

Professional engineering services for this project is necessary for continued abatement and demolition oversight services on the western side of Exit 29.

III. Legislative Impact:

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

IV. Financial Impact:

\$87,742 would need to be allocated from the fund balance.

RESOLUTION NO. 94 of 2024

DATED: 3/26/2024

Resolution by Legislator: Kelly
Seconded by Legislator: Purtell

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT WITH MARSHALL AND STERLING FOR BROKERAGE SERVICES (EXECUTIVE)

WHEREAS, a request for proposals was issued soliciting quotes for brokerage services; and

WHEREAS, Marshal and Sterling, our current broker was the only proposal received; and

WHEREAS, the County Executive recommends the continuation of their contract for Brokerage Services for a multi-year term not to exceed \$120,000 a year.

RESOLVED, that the County Executive, following review and approval by the County Attorney, is authorized and directed to sign said agreement with Marshall and Sterling with the fee schedule attached hereto and made a part hereof; and

FURTHER RESOLVED, that said agreement shall be effective January 1, 2025 and ending June 30, 2026.

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO A CONTRACT WITH MARSHALL AND STERLING FOR BROKERAGE SERVICES (EXECUTIVE)

II. Justification:

An RFP was issued for insurance brokerage services.

III. Legislative Impact:

Authorized pursuant to Article 2 of the Montgomery County Charter.

IV. Financial Impact:

Contract is not to exceed \$120,000.00 for Brokerage Services.

RESOLUTION NO. 95 of 2024

DATED: 3/26/2024

Resolution by Legislator: Pepe
Seconded by Legislator: Wilson

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN RENEWAL AGREEMENT WITH MATRIX/ARAYA (EXECUTIVE)

WHEREAS, the agreement with Matrix/Araya is set to expire; and

WHEREAS, it has been recommended by the County Executive that Montgomery County renew the current contract agreement and continue to utilize the pharmacy benefit services provided by Matrix/Araya; and

RESOLVED, that the County Executive, following review and approval by the County Attorney, is authorized and directed to sign said agreement with Matrix/Araya with the fee schedule attached hereto and made a part hereof; and

FURTHER RESOLVED, that said agreement shall be effective January 1, 2025, and ending December 31, 2027.

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Renewal agreement with Matrix/Araya.

II. *Justification:*

Matrix/Araya, is the current pharmacy benefit manager for Montgomery County, who provides, manages and administers prescription drug programs including the maintenance of a nationwide network of pharmacy, claims administration, prescription drug management and rebate services.

III. *Legislative Impact:*

Pursuant to section 2.04 (b) of the charter the Montgomery County Executive has the authority to sign contracts.

IV. *Financial Impact:*

Montgomery County will not see any changes in the Matrix/Araya fee schedule for the term of the agreement. All funds are budgeted.

RESOLUTION NO. 96 of 2024

DATED: 3/26/2024

Resolution by Legislator: Allen
Seconded by Legislator: Sweet

INTRODUCTORY LAW A (LOCAL LAW 1 OF 2024) - A LOCAL LAW AUTHORIZING LEASE AGREEMENTS WITH CORNELL COOPERATIVE EXTENSION AND FULMONT COMMUNITY ACTION AGENCY

WHEREAS, Montgomery County is not currently utilizing all of the space in the Annex Building; and

WHEREAS, Montgomery County wishes to lease this property to other entities that benefit the public.

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

NOW THEREFORE BE IT RESOLVED, that Introductory Local Law A (Local Law 1) of 2024 hereby is submitted to the Legislature of the County of Montgomery for consideration:

INTRODUCTORY LOCAL LAW A (LOCAL LAW 1 OF 2024) - A LOCAL LAW AUTHORIZING LEASE AGREEMENTS WITH CORNELL COOPERATIVE EXTENSION AND FULMONT COMMUNITY ACTION AGENCY

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

SECTION 1. The purpose of this local law is to authorize the Montgomery County Executive to enter into leases with Cornell Cooperative Extension and Fulmont Community Action Agency for space in the Montgomery County Office Buildings.

SECTION 2. That the spaces to be leased are as follows:

Cornell Cooperative Extension: Room 202 at 20 Park Street, Fonda NY 12068
Fulmont Community Action Agency: Annex Rooms 205, 206, 212, 213 at 20 Park Street, Fonda NY 12068 & Basement space, 9 Park Street, Fonda, NY 12068

SECTION 3. That the lands described in Section 2 are not being used by the County for ordinary county purposes.

SECTION 4. The interests of Montgomery County in the lands described in Section 2 were not acquired for highway purposes or through tax sale. They may only be leased pursuant to the provisions of this law.

SECTION 5. That the lands described in Section 2 may be leased to Cornell Cooperative Extension and Fulmont without advertising or competitive bidding.

SECTION 6. That rent to Cornell Cooperative Extension shall be waived as a portion of the County's annual support and maintenance.

That rent between Fulmont to Montgomery County for the property described in Section 2 shall be as follows: \$120.00 annually due by January 30. Fulmont shall also be responsible for all garbage disposal costs.

SECTION 7. That the County Executive be, and hereby is, authorized to sign leases for a term of one year with Cornell Cooperative Extension and Fulmont for the property described in Section 2.

SECTION 8. This lease can be canceled at any time for any reason by Montgomery County.

SECTION 9. To the extent that this local law is inconsistent with Section 215 of the County Law of the State of New York it shall supersede that section.

SECTION 10. If any clause, sentence or paragraph of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder of the local law, which shall as to such remainder remain in effect.

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

A LOCAL LAW AUTHORIZING LEASE AGREEMENTS WITH CORNELL AND FULMONT

II. Justification:

To provide authorization for leases with Cornell Cooperative Extension and Fulmont.

III. Legislative Impact:

The Legislature is empowered by the Municipal Home Rule Law to pass local laws relating to the sale or lease of County owned property.

IV. Financial Impact:

Will result in lease payments of \$120.00 a year for Fulmont.

RESOLUTION NO. 97 of 2024

Resolution by Legislator: Pepe
Seconded by Legislator: Sweet

DATED: 3/26/2024

RESOLUTION URGING ACTION BY NEW YORK STATE LEGISLATORS TO ADVOCATE ON BEHALF OF SUNY COMMUNITY COLLEGES TO INCREASE FUNDING TO COMMUNITY COLLEGES IN THE STATE BUDGET (LEGISLATURE)

WHEREAS, SUNY's community colleges serve the largest percentage of low income, historically marginalized populations, and working adults of all SUNY sectors; and

WHEREAS, the State's direct tax support for SUNY's community colleges is lower than it was a decade ago, has not increased in three years, and has fallen behind the NY state counties' direct tax support to community colleges by \$97 million; and

WHEREAS, the community college sector trustees and presidents and Montgomery County Legislature have advocated for New York State to meet its obligation to equally share its support of the community colleges with the counties; and

WHEREAS, increasing the base operating aid by \$97 million will bring the State's share of direct state tax support for operating aid equal to that of New York's counties and support training 20,000 New Yorkers in high demand jobs through the Empire State Community College Workforce Guarantee; and

WHEREAS, despite advocacy efforts the Governor's Executive Budget calls for no increase in base operating aid; and

WHEREAS, with no increase to base operating aid, community colleges will be unable to appropriately and substantially meet the workforce needs of New York State and Montgomery County, particularly in healthcare, semi-conductor manufacturing, IT and regionally based industry sectors; and

WHEREAS, Montgomery County has faithfully carried out our fiduciary duties.

NOW THEREFORE BE IT RESOLVED, that the Montgomery County Legislature hereby urges New York State Legislators to advocate on behalf of the community college sector of SUNY by ensuring that NYS meets its fiduciary obligation to equally share its financial support of the community colleges with the counties by adding an additional \$97 million in operating base aid for the community colleges as requested;

BE IT FURTHER RESOLVED, that the Chair of the Legislature is hereby authorized and directed to forward advocacy letters to State Legislators concerning the same.

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

URGING ACTION BY NEW YORK STATE LEGISLATORS TO ADVOCATE ON BEHALF OF SUNY COMMUNITY COLLEGES TO INCREASE FUNDING TO COMMUNITY COLLEGES IN THE STATE BUDGET

II. Justification:

NYS's direct tax support for SUNY's community colleges is lower than it was a decade ago, has not increased in three years, and has fallen behind the NY state counties' direct tax support to community colleges by \$97 million.

III. Legislative Impact:

Authorized pursuant to Article 2 of the Montgomery County Charter.

RESOLUTION ADOPTING AND FUNDING CAPITAL PROJECTS INCLUDED IN THE CAPITAL PLAN

II. *Justification:*

Funding for projects need to be in place to proceed

III. *Legislative Impact:*

Authorized pursuant to Article 2 of the Montgomery County Charter

IV. *Financial Impact:*

County appropriation of \$1,150,000 of fund balance to be used to fund projects

RESOLUTION NO. 99 of 2024

DATED: 3/26/2024

Resolution by Legislator: Wilson

Seconded by Legislator: Kelly

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 has appropriated funds for professional services in the 2024 Operating Budget; and

WHEREAS, the Department solicited proposals for professional consulting services from qualified firms to assist in this restructuring process; and

WHEREAS, the Bonadio Group was the only proposal that was received; and

WHEREAS, the Bonadio Group will provide a full agency review of internal controls and efficiency related to the analysis of current operations and workflow initiatives within DSS.

RESOLVED, that the Montgomery County Legislature hereby authorizes and directs, upon review and approval of the County Attorney, the County Executive to sign an agreement with the Bonadio Group for professional consulting services for the term of May 1, 2024 through December 31, 2024 at a cost not to exceed \$170,000.

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

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:*

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

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.

RESOLUTION NO. 100 of 2024

DATED: 3/26/2024

Resolution by Legislator: Purtell
Seconded by Legislator: Allen

RESOLUTION INCREASING PETTY CASH ACCOUNT AMOUNT (SOCIAL SERVICES)

WHEREAS, pursuant to County Law 371 a petty cash fund was previously established in the Department of Social Services for \$500.00; and

WHEREAS, the money in the Department's petty cash account is used for various circumstances such as for our caseworkers who may need to purchase emergency food, cleaning supplies, pay for parking, after hours postage, etc.; and

WHEREAS, the Commissioner believes it would be beneficial to increase said account to \$1,000.00 due to a relocation of staff to our new building at 1 Venner Road in Amsterdam; and

WHEREAS, the Department would keep \$500.00 in our Fonda location and \$500.00 in our Amsterdam location; and

WHEREAS, pursuant to County Law 371 this petty cash fund shall continue from year to year until it is abolished.

RESOLVED, the Montgomery County Legislature hereby increases the petty cash account amount to \$1,000.00; and be it

FURTHER RESOLVED, that the County Treasurer is authorized and directed to transfer an additional \$500.00 from the cash account to the petty cash account for the purposes of increasing the petty cash account amount for the Department of Social Services.

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Increase petty cash account amount from \$500.00 to \$1,000.00 for our Health and Human Services building in Amsterdam.

II. *Justification:*

It would be beneficial to increase the petty cash account amount for the Department of Social Services due to having two separate work locations.

III. *Legislative Impact:*

Pursuant to County Law 371, a petty cash fund can be established for any administrative unit or officer to be used for petty change.

IV. *Financial Impact:*

Funds will be transferred from the cash account to the petty cash account.

RESOLUTION NO. 101 of 2024

DATED: 3/26/2024

Resolution by Legislator: Purtell
Seconded by Legislator: Pepe

**RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AGREEMENT WITH IPH
(INTERFAITH PARTNERSHIP FOR THE HOMELESS) (SOCIAL SERVICES)**

WHEREAS, the Department of Social Services in accordance with Social Services Law Title 18 NYCRR 352.8, must provide emergency assistance to eligible homeless persons; and

WHEREAS, the Office of Temporary and Disability Assistance Regulation 18 NYCRR 304 (Code Blue) requires counties to authorize payment to emergency shelters providing such care; and

WHEREAS, the Department has previously contracted with Interfaith Partnership for the Homeless (IPH), a qualified non-profit organization who operates Danielle's House, which provides 8 seasonal emergency shelter beds between the months of November and April; and

NOW, THEREFORE BE IT RESOLVED, that the Montgomery County Legislature, after review and approval by the County Attorney, hereby authorizes, and directs the County Executive to sign and execute an agreement with IPH for Code Blue services for the term of October 1, 2023 through September 30, 2024 at an amount not to exceed \$185,000.

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Authorizing the County Executive to sign agreement for Code Blue services with IPH.

II. *Justification:*

The Department is mandated to provide emergency housing for the vulnerable homeless population.

III. *Legislative Impact:*

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

IV. *Financial Impact:*

This contract will be funded 100% by State dollars. Reimbursement for Code Blue expenses is available up to \$442,000. After reviewing IPH's proposed budget, the Department has decided to allocate \$185,000 for expenditures related to activities with OTDA's Code Blue regulation.

RESOLUTION NO. 102 of 2024

DATED: 3/26/2024

Resolution by Legislator: Majewski
Seconded by Legislator: Wilson

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN APPROVED CHILD CARE FACILITIES AGREEMENTS FOR 2024-2025 (SOCIAL SERVICES)

WHEREAS, the Commissioner of Health & Human Services is charged with the responsibility for the administration of all child welfare services in Montgomery County pursuant to Section 395 et seq. of Social Services Law; and

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

WHEREAS, these facilities and their per diem rates are regulated by OCFS; and be it

RESOLVED, the facilities that Montgomery County utilizes are as follows:

- Berkshire Farm Center & Services for Youth
- Cayuga Home for Children dba Cayuga Centers
- The Charlton School
- Children's Home of Jefferson County
- Children's Home of Kingston
- Children's Home of Poughkeepsie
- Children's Home of Wyoming Conference
- Community Maternity Services
- Elmcrest Children's Center
- Hillside Children's Center
- The House of the Good Shepherd

- LaSalle School
- Lincoln Hall
- Mountain Lake Children’s Residence
- Northeast Parent & Child Society
- Parson’s Child & Family Center
- St. Anne’s Institute
- St. Catherine’s Center for Children
- Vanderheyden Hall
- The William George Agency for Children’s Services, Inc.

FURTHER RESOLVED, that the Montgomery County Legislature, after review and approval by the County Attorney, hereby authorizes and directs the County Executive to sign, and execute prospective contract documents for a term of June 1, 2024 through May 31, 2025 entered into between the County and OCFS-approved agencies providing services to county children in need of foster care and/or behavioral service.

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Authorization of the County Executive to sign state approved child care facilities agreements.

II. Justification:

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

III. Legislative Impact:

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

IV. Financial Impact:

There is no additional financial impact as these services are currently budgeted.

RESOLUTION NO. 103 of 2024

DATED: 3/26/2024

Resolution by Legislator: Majewski
Seconded by Legislator: Pepe

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AGREEMENT WITH CATHOLIC CHARITIES OF FULTON AND MONTGOMERY COUNTIES FOR WARMING STATION (SOCIAL SERVICES)

WHEREAS, regulation 18 NYCRR 304.2 was adopted to ensure that social services districts have a

comprehensive plan for addressing homelessness that reflects coordination of locally available services; and

WHEREAS, per 18 NYCRR 304.1, a Code Blue alert must be called when temperatures are expected to fall below 32 degrees Fahrenheit with wind chill for at least two consecutive hours, for which the decision must be declared by 5:00 PM each day and remain in effect until the temperature rises above 32 degrees Fahrenheit with wind chill, but at least until 7:00 AM the next morning; and

WHEREAS, to follow the OTDA regulations and coordinate with local agencies, the Department of Social Services is desirous of continuing our contract with Catholic Charities for the operation of their warming station from November through April; and

WHEREAS, the warming station has a capacity of 10 beds and provides a warm place to sleep, free laundry facilities, showers, essential hygiene items, and case management services to the vulnerable homeless population; and

NOW, THEREFORE BE IT RESOLVED, that the Montgomery County Legislature, after review and approval by the County Attorney, hereby authorizes, and directs the County Executive to sign and execute an agreement with Catholic Charities for the warming station for the term of October 1, 2023 through September 30, 2024 not to exceed \$197,000.

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Authorizing the County Executive to sign agreement for Code Blue services with Catholic Charities.

II. Justification:

The Department is mandated to provide emergency housing for the vulnerable homeless population.

III. Legislative Impact:

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

IV. Financial Impact:

This contract will be funded 100% by State dollars. Reimbursement for Code Blue expenses is available up to \$442,000. The Department has reviewed Catholic Charities request for funds to operate the warming station and has allocated them \$197,000 for essential, additional costs directly related to the requirements of the Code Blue regulation to provide shelter during inclement weather.

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AGREEMENT WITH NORTHWOODS CONSULTING PARTNERS, INC FOR TRAVERSE SOFTWARE (SOCIAL SERVICES)

WHEREAS, the Department of Social Services has increasing demands to complete and maintain more detailed case records using multiple data entry requirements; and

WHEREAS, for continuity of services it is recommended that the Department continues to contract with Northwoods Consulting Partners, Inc. for their user friendly, mobile option software; and

WHEREAS, the Department has utilized Northwoods' proprietary software, Traverse, for the last three years for document management to store and share case information allowing caseworkers to reallocate their time to better serve our families and children.

RESOLVED, that the Montgomery County Legislature, after review and approval by the County Attorney, hereby authorizes, and directs the County Executive to sign and execute a three-year Software as a Service agreement with Northwoods Consulting Partners, Inc. for their proprietary software, Traverse, for the term of April 1, 2024 through March 31, 2027 not to exceed \$344,400.

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Authorizing the County Executive to sign agreement with Northwoods Consulting Partners, Inc. for their software, Traverse.

II. Justification:

To increase efficiencies in the Department of Social Services. Caseworkers can efficiently collect, retrieve, and share case content and evidence from anywhere. Traverse automatically analyzes the information collected with no additional work required. This process empowers caseworkers, supervisors, directors, and commissioners to make informed, confident decisions for the vulnerable adults, children, and families they serve.

III. Legislative Impact:

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

IV. Financial Impact:

Costs for this agreement have been included in the 2024 Operating Budget. The annual cost of the agreement is \$114,800 for three years and will be budgeted appropriately in years 2 and 3. The Department has also been put in touch with a Northwoods Fiscal Advocate to help with possible grants and other funding opportunities.

Resolution by Legislator: Pepe
Seconded by Legislator: Allen

RESOLUTION AMENDING 2024 OPERATING BUDGET FOR THE PURCHASE OF A VEHICLE FOR THE COUNTY'S CENTRAL MAIL SERVICE - (YOUTH & VETERANS SERVICES)

WHEREAS, the 2024 Operating Budget designated \$50,000 for the purchase of a new vehicle for Veterans' transportation, and

WHEREAS, the 2024 Operating Budget also designates \$15,000 for the purchase of a used vehicle for the County's Central Mail Service, and

WHEREAS, the purchase price of the new vehicle for Veterans' transportation was lower than originally quoted leaving a balance of \$8574, and

WHEREAS, transferring the unused balance from the Veterans Motor Vehicle Equipment line to the Central Mail Service Motor Vehicle Equipment line will allow for the purchase of a better used vehicle for the County's Central Mail Service.

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

TRANSFER FROM:

A-21-6510-00-2230 Motor Vehicle Equipment \$8,574

TRANSFER TO:

A-21-1671-00-2230 Motor Vehicle Equipment \$8,574

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

AMENDING 2024 OPERATING BUDGET REQUESTING TRANSFER OF FUNDS FOR THE PURCHASE OF A VEHICLE FOR THE COUNTY'S CENTRAL MAIL SERVICE - YOUTH & VETERANS SERVICES/CENTRAL MAIL

II. Justification:

TRANSFER OF FUNDS TO ALLOW FOR PURCHASE OF BETTER USED VEHICLE FOR CENTRAL MAIL SERVICE

III. Legislative Impact:

PURSUANT TO ARTICLE 2 OF THE CHARTER, THE LEGISLATURE HAS THE AUTHORITY TO MAKE APPROPRIATIONS

IV. *Financial Impact:*

TRANSFER OF FUNDS TO ALLOW FOR PURCHASE OF BETTER USED VEHICLE FOR CENTRAL MAIL SERVICE

RESOLUTION NO. 106 of 2024

DATED: 3/26/2024

Resolution by Legislator: Wilson
Seconded by Legislator: Kelly

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

WHEREAS, Pursuant to resolutions 215 & 283 of 2022 and 69 & 71 of 2023 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 were encumbered; and

WHEREAS, the Treasurer determined that it is necessary to remove the funds from the encumbrance and place in the 2024 operating budget to fund said projects.

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

INCREASE:

A-06-3-4089-00	Federal Aid - ARPA	86,033
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INCREASE:

A-10-4-1430-00-4409 Furniture	\$27,864
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A-10-4-1430-00-4421 Property Lease Repair	\$58,169
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RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

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 and removed from fiscal closing for expenditures to take place

III. *Legislative Impact:*

IV. *Financial Impact:*

The additional funds in the amount of \$24,211.41, to come from the County Fund Balance.

RESOLUTION NO. 108 of 2024

DATED: 3/26/2024

Resolution by Legislator: Pepe
Seconded by Legislator: Wilson

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN AN AGREEMENT WITH ANTHEM FOR THE MEDICARE ADVANTAGE PLAN (PERSONNEL)

WHEREAS, in 2024, the Personnel Officer directed our Health Insurance Broker to market our retiree over 65 health insurance, as our Medicare eligible retiree population was facing significant member disruption due to contract negotiations between our current carrier and local providers including major hospitals and treatment centers in and around the Capital District; and

WHEREAS, negotiations between our current carrier and local providers have mostly ceased and the providers refuse to participate with or bill our carrier either in network or out of network causing the potential for significant harm to our retiree over 65 population; and

WHEREAS, as a result of the disruption, it has been recommended by the Personnel Officer that Montgomery County change carriers from Humana to Anthem specifically for our retiree over 65 population for health insurance only, (no prescription drugs); and

WHEREAS, although Humana provided excellent service to Montgomery County and its retiree's, the disruption is significant; and

WHEREAS, Anthem is matching and/or providing a better benefit than current plan design; and

WHEREAS, Anthem pricing is projected to be a \$201,739 annual savings; and

RESOLVED, that the County Executive, following review and approval by the County Attorney, is authorized and directed to sign an agreement with Anthem for retiree over 65 health insurance only, (no prescription drugs) at a rate of \$127.81 per member per month.

FURTHER RESOLVED, that said agreement shall be effective June 1, 2024 through December 31, 2024.

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

[Attachment](#)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN AN AGREEMENT WITH ANTHEM FOR THE MEDICARE ADVANTAGE PLAN

II. *Justification:*

Montgomery County provides health insurance benefits to retirees who are age 65 and over. Further Negotiations

between our current carrier and local providers have mostly ceased and the providers refuse to participate with or bill our carrier either in network or out of network causing significant harm to our retiree population.

III. *Legislative Impact:*

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

IV. *Financial Impact:*

Cost savings to the County of \$201,739.00.

RESOLUTION NO. 109 of 2024

DATED: 3/26/2024

Resolution by Legislator: Pepe
Seconded by Legislator: Kowalczyk

RESOLUTION AMENDING 2024 OPERATING BUDGET (PUBLIC WORKS)

WHEREAS, County employees who work on the DPW Facility are paid out of the DM Fund; and

WHEREAS, funds need to be transferred within the department's budget to properly account for workers salary; and

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

TRANSFER FROM

A-12-4-1620-00-1110 Full Time Employees \$42,096.00

TRANSFER TO

DM-12-4-5130-00-1110 Full Time Employees \$42,096.00

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Budget transfer to account for full time employees currently employed within the Dept. of Public Works.

II. *Justification:*

Employees who work directly on the DPW Facility as pertains to maintenance are paid through the DM Fund within the department. Funds need to be transferred to allocate for this.

III. *Legislative Impact:*

Pursuant to Article 2 of the County Charter.

IV. *Financial Impact:*

Budget Neutral. Funds are allocated for in the 2024 Budget.

RESOLUTION NO. 110 of 2024

DATED: 3/26/2024

Resolution by Legislator: Purtell
Seconded by Legislator: Pepe

RESOLUTION TO ASSIGN HIGHWAY CONSTRUCTION CONTRACTS FROM GORMAN BROTHERS, INC. TO ALL STATES CONSTRUCTION, INC. D.B.A. GORMAN CONSTRUCTION (PUBLIC WORKS)

WHEREAS, Resolution 85 of 2023 awarded Bid Items A-64 (In Place Recycled Base Course), A-69 (Cold In Place Surface Recycling), A-71 (Latex Modified Asphalt) and A-79 (In Place Recycled Base with Portland) to Gorman Brothers, Inc. of Albany, NY; and

WHEREAS, Gorman Brothers, Inc. recently sold its business to All States Construction, Inc. D.B.A. Gorman Construction; and

WHEREAS, the Commissioner of Public Works has recommended extending contracts for a period of one year per resolution 85 of 2023 to Gorman Brothers, Inc. which has recently sold to All States Construction, Inc. D.B.A. Gorman Construction with an address of 446 St Hwy 161, Amsterdam, NY 12010; and

RESOLVED, that the County Executive, following review and approval by the County Attorney is hereby authorized and directed to assign the contracts for Highway Construction to All States Construction, Inc. D.B.A. Gorman Construction with all other terms remaining in full effect.

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Gorman Brothers, Inc. has sold all divisions of their company that pertains to construction to All States Construction, Inc. D.B.A. Gorman Construction.

II. *Justification:*

Contract terms and conditions will remain the same.

III. *Legislative Impact:*

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

IV. *Financial Impact:*

No financial impact as contract parameters remain the same.

RESOLUTION NO. 111 of 2024

DATED: 3/26/2024

Resolution by Legislator: Wilson
Seconded by Legislator: Sweet

RESOLUTION TO AWARD BIDS AND AUTHORIZE THE COUNTY EXECUTIVE TO EXECUTE CONTRACTS - 2024 ROAD MAINTENANCE PROGRAM (PUBLIC WORKS)

WHEREAS, the Department of Public Works has solicited bids for the 2024 season; and

WHEREAS, the Department of Public Works advertised for bids pursuant to section 103, Article 5-a of General Municipal Law, for a period of 30 days; and

WHEREAS, bids were opened on February 22, 2024 at 10:00 am per bid specifications.

RESOLVED, that bids for materials and/or professional services will be awarded to the lowest responsible, responsive bidder with an option to extend the contracts for a period of one (1) year per the 2024 bid specifications; and

FURTHER RESOLVED, that the Montgomery County Executive is authorized to enter into contracts, upon review by the Montgomery County Attorney, with the following companies for material and professional services for 2024 as the lowest most responsible bidders as follows

A-3 Pipe

CMP circular galvanized, CMP circular aluminized

CMP Arch aluminized and galvanized, High Density Polyethylene and Fittings

Chemung Supply Corp	Town & County Bridge and Rail
2420 Corning Rd	PO Box 16395
Elmira, NY 14903	Albany, NY 12122

Lane Enterprises LLC	Steel Sales Inc.
825 Rt 37	PO Box 539
Ballston Spa, NY 12020	Sherburne, NY 13460

A-3 Pipe

HDPE smooth bore and Fittings:

Lane Enterprises LLC
825 Rt 37

Ballston Spa, NY 12020

A-4 Crushed Stone

(All bidders – price per ton plus haul to determine vendor)

Rifenburg Construction Inc.	Santos Construction Corp	Cushing Stone Co. Inc.
159 Brick Church Rd	39 Gilliland Ave	725 St Hwy 5S
Troy, NY 12180	Amsterdam, NY 12010	Amsterdam, NY 12010

Cobleskill Stone Products Inc.	Callanan Industries Inc.	Adirondack Natural Resources
PO Box 220	PO Box 15097	410 St Hwy 30
Cobleskill, NY 12043	Albany, NY 12212	Northville, NY 12134

A-5 Stone Fill

(All bidders – price per ton plus haul to determine vendor)

Cushing Stone Co. Inc.	Cobleskill Stone Products Inc .
725 St Hwy 5S	PO Box 220
Amsterdam, NY 12010	Cobleskill, NY 12043

Callanan Industries Inc.	Adirondack Natural Resources
PO Box 15097	410 St Hwy 30
Albany, NY 12212	Northville, NY 12134

A-9 Herbicide Application

Allen Chase Enterprises Inc.	DeAngelo Contracting Services In.
24 Co Rt 1A	100 North Conahan Dr
Oswego, NY 13126	Hazleton, PA 18201

A-31 Fine Gravel

(All bidders – price per ton plus haul to determine vendor)

Rifenburg Construction Inc.	Santos Construction Corp
159 Brick Church Rd	39 Gilliland Ave
Troy, N.Y. 12180	Amsterdam, NY 12010

A-32 Foundation Course Gravel

(All bidders – price per ton plus haul to determine vendor)

Rifenburg Construction Inc.	Santos Construction Corp
159 Brick Church Rd	39 Gilliland Ave
Troy, N.Y. 12180	Amsterdam, NY 12010

A-67 Pneumatically Placed Concrete (Shotcrete)

R&B Construction LLC	Town & County Bridge & Rail
1094 Bullshead Rd	PO Box 16395
Amsterdam, NY 12010	Albany, NY 12122

A-80 Bituminous Concrete

(All bidders – price per ton plus haul to determine vendor)

Cushing Stone Co. Inc.	Cobleskill Stone Products Inc .
725 St Hwy 5S	PO Box 220
Amsterdam, NY 12010	Cobleskill, NY 12043

Callanan Industries Inc.	Empire Paving Materials Inc.
PO Box 15097	1900 Duanesburg Rd
Albany, NY 12212	Duanesburg, NY 12056

A-81 Cold Planning

(Specific width needed, purchased from low bidder)

Cobleskill Stone Products Inc.	Callanan Industries Inc.
PO Box 220	PO Box 15097
Cobleskill, NY 12043	Albany, NY 12212

A-82 Hot In-Place Surface Recycling

Highway Rehabilitation Corp

2258 Rt 22

Brewster, NY 10509

A-88 Abrasives for Snow & Ice Control

(All bidders – price per ton plus haul to determine vendor)

Rifenburg Construction Inc. Cushing Stone Co. Inc.

159 Brick Church Rd

725 St Hwy 5S

Troy, N.Y. 12180

Amsterdam, NY 12010

Cobleskill Stone Products Inc. Adirondack Natural Resources

PO Box 220

410 St Hwy 30

Cobleskill, NY 12043

Northville, NY 12134

A-93 Application of Silane Sealer to Various Bridge Decks in Montgomery County

Town & County Bridge and Rail

PO Box 16395

Albany, NY 12122

A-94 Bridge Repair and Maintenance Equipment and Labor Rental

R&B Construction LLC Town & County Bridge & Rail

1094 Bullshead Rd

PO Box 16395

Amsterdam, NY 12010

Albany, NY 12122

A-95 Electrical Repair and Maintenance

Les Hazzard & Sons Inc.

1969 Wagners Hollow Rd

Fort Plain, NY 13339

A-97 Maintenance and Service to Fire Prevention Apparatuses

Professional Fire Protection Inc.
185 East State St
Johnstown, NY 12095

A-21-24 Painting Lines on County Highways

Seneca Pavement Marking Inc.
3526 Watkins Rd
Horseheads, NY 14845

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

To award bids for material and professional services for the 2024 construction season to the lowest responsible responsive bidder.

II. Justification:

Montgomery County Department of Public Works has a need to award bids to the lowest responsible responsive bidder for the purchase of materials and award of professional services on county highways for the 2024 construction season.

III. Legislative Impact:

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

IV. Financial Impact:

Funds for materials and all services are included in the 2024 County Road Fund Budget, both maintenance and CHIPS funding.

RESOLUTION NO. 112 of 2024

DATED: 3/26/2024

Resolution by Legislator: Kowalczyk
Seconded by Legislator: Purtell

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO ENTER INTO AN AGREEMENT - GRASS

AND BRUSH CONTROL ON COUNTY ROADS FOR 2024-2025 (PUBLIC WORKS)

WHEREAS, Montgomery County contracts for grass and brush control with the ten towns, the City of Amsterdam, and the Village of St. Johnsville on county roads; and

WHEREAS, the current contract is due to expire for such services and there is a need to renew the contract for Grass and Brush Control on County Roads;

RESOLVED, pursuant to Section 135A of the Highway Law, Montgomery County Legislature hereby authorizes and directs the County Executive, upon review and approval by the County Attorney, to enter into agreements with the ten towns located within Montgomery County; the City of Amsterdam, and the Village of St. Johnsville for provision of grass and brush control on county roads; and

FURTHER RESOLVED, payment for work to be performed under the terms of said agreement for grass and brush control shall be at a rate of \$400.00 per center line miles for the contract year June 1, 2024 through May 31, 2025 at a total cost of \$157,912.00 to the County Road Fund.

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

For authorization allowing the County Executive to enter into contracts with the ten towns, the City of Amsterdam, and the Village of St. Johnsville, for the purpose of grass and brush control on 398.4 miles of county roads for the period of one year - June 1, 2024 through May 31, 2025.

II. Justification:

The current contract with the ten towns, the City of Amsterdam, and the Village of St. Johnsville is due to expire.

There is a need for grass and brush control on county roads for maintenance and safety reasons.

III. Legislative Impact:

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

IV. Financial Impact:

Appropriations for the contract are included in the 2024 Operating Budget. This is not an increase from previous contract.

RESOLUTION NO. 113 of 2024

Resolution by Legislator: Kowalczyk
Seconded by Legislator: Pepe

DATED: 3/26/2024

RESOLUTION AMENDING THE 2024 OPERATING BUDGET AND ADDING A FULL TIME ASSISTANT PUBLIC DEFENDER (PUBLIC DEFENDER)

WHEREAS, the Montgomery County Public Defender’s Office has been advised by the New York State Indigent Legal Services (NYS ILS) of funds available for an additional FT Assistant Public Defender position; and

WHEREAS, the NYS ILS has oversight of all public defense in NYS and has established caseload maximum standards regarding the number of cases that should be handled by each Public Defender; and

WHEREAS, due to the ever increasing workload, the attorneys who handle Amsterdam City Court have reached and/or exceeded the maximum caseload; and

WHEREAS, the Public Defender respectfully requests the addition of a grant funded Assistant Public Defender FT to be established with a base salary of \$86,005, Grade I of the Non-Bargaining Personnel Policy; and

WHEREAS, should the grant funding for this position be reduced and/or end the position shall be eliminated; and

RESOLVED, that the Montgomery County Legislature hereby establishes one additional full time Assistant Public Defender with a base salary of \$86,005 Grade I in the non-bargaining policy.

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

INCREASE:

A-28-3025-50	Indignet Legal Services - Grant	\$ 113,142
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INCREASE:

A-28-4-1170-.50(NEW)	Assistant Public Defender FT	\$71,233
A-10-4-9001-00.8810	FICA	\$5,449
A-10-4-9001-00.8820	Retirement	\$5,841
A-10-4-9001-00.8830	Workers Compensation	\$3,659
A-10-4-9001-00.8850	Hospital & Medical Ins.	\$26,960

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. Nature of Request:

Add a grant funded FT Assistant Public Defender

II. Justification:

To meet NYS ILS current caseload standards

III. *Legislative Impact:*

Pursuant to Article 2 of the Charter, the County Executive has the authority to authorize new employee hiring and appropriate funds.

IV. *Financial Impact:*

None. No cost to County. 100% grant funded. should the grant funding for this position be reduced and/or end the position shall be eliminated

RESOLUTION NO. 114 of 2024

DATED: 3/26/2024

Resolution by Legislator: Purtell
Seconded by Legislator: Wilson

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

WHEREAS, forfeiture money from a criminal case in the amount of \$3,813.75 has been deposited with the Montgomery County Treasurer and placed in Revenue Line .2626 (Forfeiture Crime Proceeds - Restricted), and

WHEREAS, said forfeiture funds are to be used to purchase equipment, pay for training and provide funds for travel related to extradition of defendants for various law enforcement agencies throughout Montgomery County, it is

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

INCREASE REVENUES:

A-25-3-2626	FORFEITURE CRIME PROCEEDS - RESTRICTED	\$3,813.75
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INCREASE EXPENDITURES:

A-25-4-1165-.4522	DA/LAW ENFORCEMENT PROGRAM	\$3,813.75
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RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

To use forfeiture money from drug related prosecutions in Montgomery County to purchase equipment, provide money for training to law enforcement agencies throughout Montgomery County as well as provide money for travel related expenses in connection with extraditing defendants from other states back to NYS for prosecution with no cost to the County of Montgomery.

II. *Justification:*

Law enforcement agencies benefit from purchases made using forfeiture money for equipment, training and travel that they would otherwise not have available to them. Said funds were deposited with the Montgomery County

Treasurer on February 21, 2024 in the amount of \$3,813.75.

III. *Legislative Impact:*

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

IV. *Financial Impact:*

Forfeiture money deposited will offset expenditures.

RESOLUTION NO. 115 of 2024

DATED: 3/26/2024

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 February 28, 2024 through March 26, 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(9). (3/26/2024)

[Click here for resolution attachment](#)

[Click here for resolution attachment](#)

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. 116 of 2024

DATED: 3/26/2024

Resolution by Legislator: Wilson

Seconded by Legislator: Pepe

RESOLUTION TO APPROVE CONTRACT WITH CATALIS (DATA PROCESSING)

WHEREAS, it is necessary to enter into a contract for case management for Probation to help maintain files; and

WHEREAS, a quote has been received from Catalis for a three year agreement; and

WHEREAS, this program is widely used by Probation Departments across New York State.

NOW THEREFORE BE IT RESOLVED, that the Montgomery County Executive, upon review and approval of the County Attorney is authorized and directed to enter into a contract with Catalis for a term of three years at a cost of \$11,250.00 for year one, \$11,925.00 for year two and \$12,640.00 for year three.

RESOLUTION VOTE, passed with Aye(9). (3/26/2024)

[Catalis Order Form/Contract](#)

Statement of Legislative and Financial Impact:

I. Nature of Request:

RESOLUTION TO APPROVE CONTRACT WITH CATALIS

II. Justification:

It is necessary to obtain case management software for Probation.

III. Legislative Impact:

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

IV. *Financial Impact:*

No budgetary transfers necessary, funds are allocated in the Data Processing Budget for 2024.

EXECUTIVE SESSION

MOTION TO ENTER EXECUTIVE SESSION by Legislator Purtell, seconded by Legislator Kelly, passed with Aye(7). Legislators Pepe and Allen were absent.

MOTION TO EXIT EXECUTIVE SESSION by Legislator Kelly, seconded by Legislator Majewski, with no action taken. Passed with Aye(7). Legislator Pepe and Allen were absent. No action was taken.

ADJOURNMENT

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

Respectfully submitted,

Patricia Beck
Clerk of the Montgomery County
Legislature