CALL TO ORDER

Deputy Michael Pepe called the Regular Meeting, held on April 28, 2026 of the Montgomery County Legislature to order at 6:00 PM.

ROLL CALL OF MEMBERS

Roll call indicated that the following Legislators were present and absent:

Thomas W. Elwood, Legislator, District 1
Brian D Sweet, Legislaor, District 2
Michael L. Muhlebeck, Legislator, District 3
Robert Headwell, Jr., Legislator, District 4 - absent.
Aurelio J. Fiorillo, District 5 - absent
Chad J. Majewski, Legisator, District 6 - absent.
Michael J Pepe, Chair of the Legislature, District 7
Maria Kowalczyk, Legislator, District 8
Michele Pawlik, Legislator,-District 9

MOMENT OF SILENCE

Chair Pepe asked for a moment of silence, in honor of observing the passing of the following Montgomery County United States Veterans: Craig Spooner, Peter Joyce, Donald Tomlinson, Donad Bates, Alfred Morrone Jr., John Cook and Richard Iwanski. Montgomery County Sheriff's dispatcher Robert Shang III and Fonda-Fultonville Central School coach David Peterson.

SALUTE TO THE FLAG

The salute to the flag was lead by Montgomery County Sheriff Jeffrey Smith.

PUBLIC COMMENT AND PRESENTATION

County residents Gretchen and Clark Subik address the Legislators with concerns of possible annexation of land in the Town of Mohawk, Montgomery County. Fulton County has purchased some 330 acres of land that includes 154 acres in Montgomery County. Fulton County has stated this would be used for light advanced manufacturing (Industrial Park) and that brings up a major concern that they would look to annex that land in Montgomery County. They expressed their opinion on safety issues in general and with increased traffic effecting traffic for Fonda Fultonville School, in addition to increasing to the abundance of tractor trailer traffic in the Village of Fonda. Encouraged the protection of this farmland and to assist in preventing any annexation.

COMMUNICATIONS

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

MOTION was made by Legislator Kowalczyk, second by Legislator Pawlik TO ADOPT MINUTES OF March 24, 2026 Full Legislature Meeting, Committee meetings of April 21, 2026, that included: Health & Human Services, Education & Government, Public Safety, Personnel, Economic Development & Planning and Budget & Finance. Passed 6 Ayes.

ACCEPTANCE OF BUDGETARY TRANSFERS

MOTION TO ACCEPT BUDGETARY TRANSFERS REPORTS by Legislator Muhlebeck second by LegislatorSweet. Passed with Aye (6).

ACCEPTANCE OF PROCUREMENT RECORD

ACCEPTANCE OF PROCUREMENT RECORD by Legislator Kowlaczyk second by Legislator Pawlik passed with Ayes (6).

OLD BUSINESS

NEW BUSINESS

RESOLUTION NO. 111 of 2026 **DATED:** 4/28/2026

Resolution by Legislator: Pepe
Seconded by Legislator: Kowalczyk

RESOLUTION RE-ESTABLISHING THE TITLE OF SUPERVISING PUBLIC HEALTH NURSE AND ELIMINATING THE TITLE COMMUNITY HEALTH NURSE (PERSONNEL-PUBLIC HEALTH)

WHEREAS, the position of Community Health Nurse in the Public Health Department has been vacant; and

WHEREAS, due to the extended vacancy and ongoing recruitment challenges, the Public Health Director, in consultation with the Personnel Officer, has evaluated the operational needs of the department and determined that a restructuring is warranted; and

WHEREAS, based on that review, the Public Health Director has determined that the elimination of the Community Health Nurse position and the re-establishment of the Supervising Public Health Nurse position is optimal to meet the needs of the department; and

WHEREAS, it is respectfully requested that the position of Supervising Public Health Nurse be re-established in the Public Health Department within the CSEA Bargaining Unit at Grade S, with a base salary of $79,592 for 2026; and

WHEREAS, funding for this position is supported through vacancy savings in 2026, with ongoing costs offset by the elimination of the Community Health Nurse position and the position being partially reimbursable through New York State Department of Health Article 6 State Aid; and

RESOLVED, that the positions of Community Health Nurse, Lines 356 and 353, be and hereby are eliminated; and

FURTHER RESOLVED, that the Montgomery County Legislature hereby re-establishes the position of Supervising Public Health Nurse in the CSEA Bargaining Unit at Grade S, with a base salary of $79,592 for 2026; and

FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2026 Operating Budget as follows:

TRANSFER FROM:

A-16-4-4010-00-.1110 (356)	Community Health Nurse	$46,289.00
A-16-4-4010-05-.1110 (353)	Community Health Nurse	**$3,349.00**

TRANSFER TO:

A-16-4-4010-00-.1110 (NEW)	Supervising Public Health Nurse	$49,728.00

RESOLUTION VOTE, passed with Aye(6). Legislators Headwell, Jr., Fiorillo and Majewski were absent. (4/28/2026)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

NY STATE ARTICLE 6, PUBLIC HEALTH LAW, MANDATES THAT PUBLIC HEALTH MUST HAVE A DIRECTOR OF PATIENT SERVICES INCORPORATED WITHIN THE DEPARTMENT. ESTABLISHING THE POSITION OF SUPERVISING PUBLIC HEALTH NURSE WILL MEET THE REGULATIONS AS PER NY STATE LAW.

II. *Justification:*

AS PER NY STATE ARTICLE 6, PUBLIC HEALTH LAW, A MEMBER OF THE NURSING STAFF OF PUBLIC HEALTH MUST HOLD THE RESPONSIBILITIES OF THE DIRECTOR OF PATIENT SERVICES IN ORDER TO PROVIDE MANDATED TREATMENT TO UNDERSERVED POPULATIONS OF THE COUNTY.

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:*

Funding for this position in 2026 is supported by vacancy savings. Ongoing costs in 2027 and beyond will be covered through the elimination of the Community Health Nurse position and will be partially offset by reimbursement under New York State Department of Health Article 6 State Aid.

Additionally, the Assistant Director of Public Health position was eliminated during the 2026 budget process with the option to seek re-establishment if needed. The Director will forgo that option, as the creation of the Supervising Public Health Nurse position sufficiently meets the operational needs of the department.

RESOLUTION NO. 112 of 2026 **DATED:** 4/28/2026

Resolution by Legislator: Muhlebeck
Seconded by Legislator: Pawlik

RESOLUTION AMENDING THE 2026 OPERATING BUDGET TO ESTABLISH THE POSITION OF NETWORK COORDINATOR AND ABOLISH THE POSITION OF SENIOR NETWORK SYSTEMS ADMINISTRATOR (PERSONNEL-DATA PROCESSING)

WHEREAS, the Data Processing Department is anticipating several retirements in key technical positions which present an opportunity to evaluate operational needs and succession planning; and

WHEREAS, the Director of Data Processing, in consultation with the Personnel Officer, has conducted a review of the department's current structure and operational demands; and

WHEREAS, as a result of this review, it has been determined that restructuring the department through the creation of a Network Coordinator will maintain operational efficiency while providing a cost savings to the County; and

WHEREAS, it is therefore recommended that the position of Senior Network Systems Administrator (Line 602) be abolished upon vacancy and replaced with the title of Network Coordinator;

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery County Legislature hereby establishes the position of Network Coordinator within the CSEA Bargaining Agreement at Grade O, with a 2026 base salary of $65,307.00; and

BE IT FURTHER RESOLVED, that the position of Senior Network Systems Administrator (Line 602) with a base salary of $79,592 grade S in the CSEA Bargaining Agreement shall be abolished upon vacancy; and

BE IT FURTHER RESOLVED, that the effective date of the Network Coordinator position shall coincide with the vacancy of the Senior Network Systems Administrator position to ensure continuity of operations; and

BE IT FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2026 Operating Budget accordingly.

TRANSFER FROM:

A-14-4-1680-.1110(602) Senior Network Systems Administrator $44,843.00

TRANSFER TO:

A-14-4-1680-.1110(NEW) Network Coordinator $44,843.00

RESOLUTION VOTE, passed with Aye(6). Legislators Headwell, Jr., Fiorillo and Majewski were absent. (4/28/2026)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Creating the Position of Network Coordinator and Eliminating the Position of Senior Network Systems Administrator.

II. *Justification:*

This restructuring, in anticipation of pending vacancies, supports succession planning, maintains operational efficiency, and results in a cost savings to the County.

III. *Legislative Impact:*

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

IV. *Financial Impact:*

Funding for this position will be transferred from an existing line within the 2026 Data Processing budget; therefore, there is no additional financial impact to the County. A remaining balance of $5,980.28 will revert to fund balance. In future years, this restructuring is anticipated to result in an approximate annual savings of $14,000.

RESOLUTION NO. 113 of 2026 **DATED:** 4/28/2026

Resolution by Legislator: Pawlik
Seconded by Legislator: Majewski

RESOLUTION AMENDING THE 2026 OPERATING BUDGET TO RE-ESTABLISH THE POSITION OF MICRO COMPUTER TECHNICIAN AND ABOLISH THE POSITION OF NETWORK ENGINEER I (PERSONNEL-DATA PROCESSING)

WHEREAS, the Data Processing Department anticipates a vacancy in the position of Network Engineer I, Line 775, as a result of a pending promotion; and

WHEREAS, this anticipated vacancy provides an opportunity to evaluate the operational needs and staffing structure of the department; and

WHEREAS, the Director of Data Processing, in consultation with the Personnel Officer, has determined that the duties required are more appropriately aligned with the title of Micro Computer Technician; and

WHEREAS, this restructuring is supported within the existing 2026 budget, will maintain operational efficiency, and will provide both immediate and ongoing cost savings to the County; and

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery County Legislature hereby re-establishes the position of Micro Computer Technician within the CSEA Bargaining Agreement at Grade H, with a 2026 base salary of $48,022; and

BE IT FURTHER RESOLVED, that one position of Network Engineer I, Line 775, Grade L, with a 2026 base salary of $55,703, shall be abolished upon the incumbent's successful completion of the probationary period in the higher-level title; and

BE IT FURTHER RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2026 Operating Budget as follows:

TRANSFER FROM:

A-14-4-1680-.1110(775) Network Engineer I $32,015.00

TRANSFER TO:

A-14-4-1680-.1110(17) Micro Computer Technician $32,015.00

RESOLUTION VOTE, passed with Aye(6). Legislators Headwell, Jr., Fiorillo and Majewski were absent. (4/28/2026)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

To restructure staffing within the Data Processing Department by re-establishing the position of Micro Computer Technician and abolishing the position of Network Engineer I, following a promotion and successful completion of probation.

II. *Justification:*

This restructuring, in anticipation of a vacancy resulting from a promotion, aligns the position with current operational needs, maintains efficiency, and results in a cost savings to the County.

III. *Legislative Impact:*

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

IV. *Financial Impact:*

Funding for this position will be transferred from an existing line within the 2026 Data Processing budget; therefore, there is no additional financial impact to the County. A remaining balance of $4,521.33 will revert to fund balance. In future years, this restructuring is anticipated to result in an approximate annual savings of approximately $7,600.

RESOLUTION NO. 114 of 2026 **DATED:** 4/28/2026

Resolution by Legislator: Elwood
Seconded by Legislator: Majewski

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN APPROVED CHILD CARE FACILITIES AGREEMENTS FOR 2026-2027 (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:

- 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 Wyoming Conference
- Community Maternity Services
- Elmcrest Children's Center
- Hillside Children's Center
- The House of the Good Shepherd
- LaSalle School
- Mountain Lake Academy
- Northeast Parent & Child Society
- Parson's Child & Family Center
- St. Anne's Institute
- St. Catherine's Center for Children
- Together for Youth
- Vanderheyden
- The William George Agency for Children's Services

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, 2026 through May 31, 2027 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(6). Legislators Headwell, Jr., Fiorillo and Majewski were absent. (4/28/2026)

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:*

These funds are budgeted in lines:

A-18-4-6011-00-.6123 – Juvenile Delinquent

A-18-4-6011-00-.6143 – Raise the Age

RESOLUTION NO. 115 of 2026 **DATED:** 4/28/2026

Resolution by Legislator: Muhlebeck
Seconded by Legislator: Majewski

RESOLUTION AUTHORIZING THE MONTGOMERY COUNTY HEALTH DEPARTMENT TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF AMSTERDAM FOR COMMUNITY HEALTH PROGRAMMING AND EVENTS (PUBLIC HEALTH/MENTAL HEALTH)

WHEREAS, the Montgomery County Health Department is committed to promoting the health, safety, and overall well-being of residents throughout Montgomery County; and

WHEREAS, collaboration between municipal partners enhances the ability to deliver meaningful, accessible, and community-based programs; and

WHEREAS, the City of Amsterdam and Montgomery County share a mutual interest in supporting community events and initiatives that improve public health outcomes, increase access to services, and foster community engagement; and

WHEREAS, it is desirable to formalize this collaboration through a Memorandum of Understanding (MOU) outlining the roles, responsibilities, and funding parameters associated with joint programming efforts; and

WHEREAS, said MOU will allow for the coordination and implementation of programs and events that support residents of all ages and abilities, with a focus on inclusive, preventive, and community-centered services;

NOW, THEREFORE, BE IT RESOLVED, that the Montgomery County Legislature hereby authorizes the Montgomery County Health Department to enter into a Memorandum of Understanding with the City of Amsterdam for the purpose of planning, supporting, and implementing community-based events and programming that promote the health, safety, and well-being of county residents; and

BE IT FURTHER RESOLVED, that the total annual funding associated with this MOU shall not exceed **$35,000**, and such funding shall be utilized solely for the purposes outlined within the agreement and subject to county financial policies and oversight; and

BE IT FURTHER RESOLVED, that the MOU shall include, but not be limited to, support for the following programs and activities:

- Tiny Tadpoles Adaptive Swim Classes
- Summer and Winter Swim Programs
- National Night Out
- Approved and organized events at the Amsterdam Municipal Golf Course in support of the Joseph P. Dwyer Program

- Holiday Tree Lighting Ceremony
- Tabling at summer pool days and summer camps
- Tabling at City-sponsored events, including but not limited to Spring Fling and Italia Fest
- Unified Sports Camp for children with special healthcare needs
- Additional related programming that may arise throughout the year based on identified community health needs

BE IT FURTHER RESOLVED, that the County Executive is hereby authorized to execute the Memorandum of Understanding and any related documents necessary to effectuate this resolution; and

BE IT FINALLY RESOLVED, that the Montgomery County Health Department shall maintain appropriate documentation and oversight to ensure that all funds are expended in accordance with the terms of the MOU and in support of the intended public health objectives.

RESOLUTION VOTE, passed with Aye(5). Legislators Headwell, Jr., Fiorillo, Majewski and Kowalczyk were absent. (4/28/2026)

RESOLUTION VOTE, passed with Aye(5). Legislators Majewski and Pawlik abstained. Legislators Headwell, Jr. and Fiorillo were absent. (4/28/2026)

CoA MOU

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Resolution authorizing the Montgomery County Health Department and the City of Amsterdam to enter into an MOU

II. *Justification:*

The Montgomery County Health Department has funds from various sources via New York State that are budgeted annually to support programs in areas of need that must be spent per grant and regulatory guidelines.

III. *Legislative Impact:*

Authorized pursuant to Article 2 of the Montgomery County Charter.

IV. *Financial Impact:*

Funds are already recognized per 2026 Operating budget and spent within NYS funding guidelines.

RESOLUTION NO. 116 of 2026 **DATED:** 4/28/2026

Resolution by Legislator: Majewski
Seconded by Legislator: Muhlebeck

RESOLUTION AMENDING THE 2026 OPERATING BUDGET (MENTAL HEALTH)

WHEREAS, the Director of Community Services has been notified there is additional funding from the National Opioid Official Settlement for a portion due from annual allocations; 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, and will be placed into an account specifically earmarked for Opioid Settlements; and

WHEREAS, Montgomery County has been notified via the National Opioids Settlement Portal that the following allocations are payable for the fiscal year of 2026 totaling $70,179.65; and

WHEREAS, funds will not be utilized until wires are received and receipts issued to the Mental Health Dept. to verify receipt of said funds:

Walgreen's $6,923.05 April 2026

Janssen $4,224.39 June 2026

TEVA $11,453.47 July 2026

Distributor $27,519.76 July 2026

CVS $20,058.98 July 2026

Resolved, that the County Treasurer is hereby authorized and directed to amend the 2026 Operating Budget as follows:

INCREASE REVENUES:

A-17-3-2735 OPIOID SETTLEMENT FUNDS $70,179.65

INCREASE APPROPRIATIONS:

A-17-4-4230-00-4556 OPIOID SETTLEMENT FUNDS $70,179.65

RESOLUTION VOTE, passed with Aye(6). Legislators Headwell, Jr., Fiorillo and Majewski were absent. (4/28/2026)

Allocations

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

To accept funds as per notice from the National Opioid Settlement Fund.

II. *Justification:*

To accept and utilize funds for fiscal year 2026.

III. *Legislative Impact:*

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

IV. *Financial Impact:*

Accepting $70,179.65 in additional funds.

RESOLUTION NO. 117 of 2026 **DATED:** 4/28/2026

Resolution by Legislator: Fiorillo
Seconded by Legislator: Pepe

RESOLUTION AMENDING THE 2026 OPERATING BUDGET (MENTAL HEALTH)

WHEREAS, the Director of Community Services has been notified there is additional funding from the National Opioid Official Settlement for a portion due from TEVA/New York Statewide Opioid Settlement Agreement; 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, and will be placed into an account specifically earmarked for Opioid Settlement funds; and

WHEREAS, Montgomery County has been notified these funds were wire transferred per notice in the amount of $2,436.54 at this time from Directing Administrator of the National Opioid Settlements.

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2026 Operating Budget as follows:

INCREASE REVENUES:

A-17-3-2735 OPIOID SETTLEMENT FUNJDS $2,436.54

INCREASE APPROPRIATIONS:

A-17-4-4230-00-4556 OPIOID SETTLEMENT FUNDS $2,436.54

RESOLUTION VOTE, passed with Aye(6). Legislators Headwell, Jr., Fiorillo and Majewski were absent. (4/28/2026)

Settlement Email and Deposit

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

To accept funds as per notice from Directing Administrator dated March 31, 2026.

II. *Justification:*

To accept and utilize funds for fiscal year 2026.

III. *Legislative Impact:*

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

IV. *Financial Impact:*

One time receipt of $2,436.54.

RESOLUTION NO. 118 of 2026 **DATED:** 4/28/2026

Resolution by Legislator: Fiorillo
Seconded by Legislator: Pepe

RESOLUTION ACCEPTING A DIVISION OF CRIMINAL JUSTICE SERVICES GRANT, NYS FY2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) AND AMENDING THE 2026 OPERATING BUDGET (SHERIFF)

WHEREAS, the Sheriff has been awarded a grant totaling $99,000.00 from the Division of Criminal Justice Services (DCJS) Edward Byrne Memorial Justice Assistance Grant (JAG); and

WHEREAS, the funding has been approved by the State to enhance our Law Enforcement Equipment.

RESOLVED, the Montgomery County Executive, upon the review and approval of the County Attorney, is authorized and directed to sign necessary paperwork accepting $99,000.00 from the Division of Criminal Justice Services (DCJS) Edward Byrne Memorial Justice Assistance Grant (JAG); and

RESOLVED, the Montgomery County Treasurer is hereby authorized and directed to amend the 2026 Operating Budget as follows:

INCREASE REVENUES:

A-15-3-3389.14	State Aid Other Public Safety	$99,000.00

INCREASE APPROPRIATIONS:

A-15-4-3110-02-.2230	Motor vehicle Equipment	$99,000.00

RESOLUTION VOTE, passed with Aye(6). Legislators Headwell, Jr., Fiorillo and Majewski were absent. (4/28/2026)

Attachment

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

RESOLUTION ACCEPTING A DIVISION OF CRIMINAL JUSTICE SERVICES GRANT, NYS FY2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) AND AMENDING THE 2026 OPERATING BUDGET (SHERIFF)

II. *Justification:*

The Sheriff's Office applied for and received a grant from DCJS totaling $99,000.00. This money is to support the upfit of a new Patrol Vehicle.

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:*

No financial impact as this grant requires no match funds.

RESOLUTION NO. 119 of 2026 **DATED:** 4/28/2026

Resolution by Legislator: Kowalczyk
Seconded by Legislator: Pawlik

RESOLUTION AUTHORIZING COUNTY EXECUTIVE TO SIGN AN INTERMUNICIPAL AGREEMENT BETWEEN THE VILLAGE OF CANAJOHARIE WASTEWATER TREATMENT PLANT AND THE MONTGOMERY COUNTY SANITARY DISTRICT NO.1 FOR SLUDGE TREATMENT/DISPOSAL (SANITARY DISTRICT)

WHEREAS, Montgomery County through the Montgomery County Sanitary District No.1 operates a wastewater treatment plant that generates digested sludge which requires treatment/disposal; and

WHEREAS, the Village of Canajoharie is the owner and operator of wastewater treatment facilities which can be used to treat/dispose of said sludge; and

WHEREAS, Montgomery County and the Village of Canajoharie are municipal corporations; and

WHEREAS, the Sludge Agreement is expected to benefit Montgomery County and the Village of Canajoharie; and

WHEREAS, the Montgomery County Sanitary District No.1 Board of Directors approves of said Sludge Disposal Agreement; and

WHEREAS, the Village of Canajoharie has approved the Sludge Agreement; and

NOW BE IT RESOLVED, the Montgomery County Legislature hereby authorizes and directs the County Executive, following the review and approval of the County Attorney, to execute the Sludge Agreement, which is an Intermunicipal Agreement for sludge treatment/disposal with the Village of Canajoharie at a cost of $0.05 per gallon terminating on May 31, 2027.

RESOLUTION VOTE, passed with Aye(6). Legislators Headwell, Jr., Fiorillo and Majewski were absent. (4/28/2026)

Attachment

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Resolution authorizing the County Executive to execute an intermunicipal agreement between the Village of Canajoharie Wastewater Treatment Plant and the Montgomery County Sanitary District No.1 for sludge treatment/disposal.

II. *Justification:*

The Montgomery County Sanitary District No.1 generates sludge which requires treatment/disposal. The Village of Canajoharie operates a wastewater treatment plant that is capable of treating said sludge.

III. *Legislative Impact:*

Pursuant to General Municipal Law 119-o, municipal corporations have the power to enter into agreements for the performance among themselves or one for the other respective functions, powers and duties on a cooperative basis. These agreements must be entered into by a majority voting strength of its governing body.

Pursuant to Article 2 of the Charter, the Montgomery County Executive has the authority to enter into contracts.

IV. *Financial Impact:*

Budgeted.

RESOLUTION NO. 120 of 2026 **DATED:** 4/28/2026

Resolution by Legislator: Pepe
Seconded by Legislator: Pawlik

RESOLUTION AUTHORIZING THE COUNTY EXECUTIVE TO SIGN AGREEMENTS FOR CONTROL OF GRASS AND BRUSH ON COUNTY ROADS FOR 2026-2027 (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, 2026, through May 31, 2027 at a total cost of $157,912.00 to the County Road Fund.

RESOLUTION VOTE, passed with Aye(6). Legislators Headwell, Jr., Fiorillo and Majewski were absent. (4/28/2026)

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 394.78 miles of county roads for the period of one year - June 1, 2026, through May 31, 2027.

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 2026 Operating Budget. This is not an increase from previous contract.

RESOLUTION NO. 121 of 2026 **DATED:** 4/28/2026

Resolution by Legislator: Pawlik
Seconded by Legislator: Kowalczyk

RESOLUTION AMENDING THE 2026 OPERATING BUDGET (PUBLIC WORKS)

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

WHEREAS, Montgomery County has a need to expand the current Dept. of Motor Vehicles space in the county office building; and

WHEREAS, the Montgomery County Executive has secured a portion of the project funds from New York State once design has been completed; and

WHEREAS, per Resolution 257 of 2025, CT Male Associates of Latham, New York, was issued a contract for professional services for alteration designs on County Facilities; and

WHEREAS, CT Male has submitted to the Commissioner of Public Works an amendment for services in the amount of $40,500.00 to complete space planning and design requirements to the DMV.

RESOLVED, the Montgomery County Legislature here by authorizes and directs the County Treasurer to amend the 2026 Operating Budget as follows:

INCREASE

A 599 Appropriated Fund Balance $40,500.00

INCREASE APPROPRIATIONS

A 12-4-1620-00-4431 Professional Services $40,500.00

RESOLUTION VOTE, passed with Aye(6). Legislators Headwell, Jr., Fiorillo and Majewski were absent. (4/28/2026)

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 Office Building at 64 Broadway, Fonda, New York.

II. *Justification:*

Montgomery County has secured grant funds thru NYS for renovations to the facility to relocate the current DMV. Stipulations to the grant are to have design & contracts in place prior to reimbursement.

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 $40,500.00 for professional services. These funds will later be replenished from the grant upon completion of construction.

RESOLUTION NO. 122 of 2026 **DATED:** 4/28/2026

Resolution by Legislator: Pawlik
Seconded by Legislator: Majewski

RESOLUTION APPROVING THE SALE OF SURPLUS EQUIPMENT (PUBLIC WORKS)

WHEREAS, the Commissioner of Public Works has undergone a review with the Sheriff and determined that certain equipment is surplus and no longer needed for County department use.

RESOLVED, that the following items are authorized to be sold at auction to the highest bidder without further action needed by the Montgomery County Legislature:

LOT ITEMS

- 2001 Gradall, VIN ending in 6532
- 2005 GMC Bucket, VIN ending in 1926
- 2013 Impala, VIN ending 4833
- 2019 Charger, VIN ending 9231
- Gun Safe
- Printing Press
- Miscellaneous Print Shop Equipment
- 2015 Ford Tauras VIN 5731
- 2019 Dodge charger VINm3229
- Miscellaneous Furniture

RESOLUTION VOTE, passed with Aye(6). Legislators Headwell, Jr., Fiorillo and Majewski were absent. (4/28/2026)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Resolution approving sale of surplus and abandoned equipment.

II. *Justification:*

To remove said equipment from fixed assets and create revenue for the Dept. of Public Works and the Sheriff's Department.

III. *Legislative Impact:*

Disposal of county personal property is authorized through County Law 215.

IV. *Financial Impact:*

Any funds received for surplus equipment are additional revenue for the County that was not budgeted.

RESOLUTION NO. 123 of 2026 **DATED:** 4/28/2026

Resolution by Legislator: Pepe
Seconded by Legislator: Kowalczyk

RESOLUTION AMENDING 2026 OPERATING BUDGET-THE CHUCTANUNDA CREEK TRAIL EXTENSION MASTER PLAN (ECONOMIC DEVELOPMENT, PLANNING & TOURISM)

WHEREAS, the County was awarded a grant from New York State Empire State Development (ESD) Strategic Planning and Feasibility Studies Program to conduct a planning initiative for a continuous trail corridor within the City of Amsterdam and extending the trail through the Town of Amsterdam and into the Village of Hagaman; and

WHEREAS, that said grant funding was awarded in the amount in the amount of $30,000 with a total project cost of $60,000; and

WHEREAS, an in-kind cash match of $12,500 being requested from the County and $12,500 is being requested from the City of Amsterdam; and

WHEREAS, Resolution 103 of 2026 accepted said grant and authorized $12,500 be allocated as the County's cash match; and

WHEREAS, an amendment to Resolution 103 of 2026 is necessary to account for the revenues received from the City of Amsterdam in the amount of $12,500 and the grant in the amount of $30,000.

RESOLVED, that the County Treasurer is hereby authorized and directed to amend the 2026 Operating Budget as follows in order to accommodate for the funds received from the City of Amsterdam and the grant:

INCREASE REVENUES:

A-24-3789	Econ Assistance & Opportunity	$42,500

INCREASE APPROPRIATIONS:

A-24-4-6430-00.4431	Professional Services	$42,500

RESOLUTION VOTE, passed with Aye(5). Legislator Pawlik abstained. Legislators Headwell, Jr., Fiorillo and Majewski were absent. (4/28/2026)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Resolutions authorizes budget amendment for the planning of the Chuctanunda Trail Extension through the Town of Amsterdam and into the Village of Hagaman.

II. *Justification:*

Resolution is necessary to receive and pay for said funds awarded by grant.

III. *Legislative Impact:*

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

IV. *Financial Impact:*

$12,500 was utilized from Fund Balance per resolution 103 of 2026 and the remainder $42,500 will be offset via revenues from grant and City contribution. $5,000 in kind will be provided through staff time.

RESOLUTION NO. 124 of 2026 **DATED:** 4/28/2026

Resolution by Legislator: Muhlebeck
Seconded by Legislator: Fiorillo

RESOLUTION SCHEDULING PUBLIC HEARING – MONTGOMERY COUNTY MICROENTERPRISE PROGRAM – OFFICE OF HOMES AND COMMUNITY RENEWAL (ECONOMIC DEVELOPMENT/PLANNING)

WHEREAS, Montgomery County is applying for funding for economic development purposes through the Office of Homes and Community Renewal's Community Development Block Grant (CDBG) Microenterprise Program, and

WHEREAS, the Office of Community Renewal provides grants to communities that wish to sponsor economic development activities that create or retain jobs for low- and moderate-income persons. The goal of the program is to fund projects that result in high quality, full-time jobs that are well paying and provide benefits and training to low- and moderate-income persons, and

WHEREAS, Montgomery County has prioritized economic development and job creation provisions which will result in a direct and positive impact to low and moderate income persons, and

WHEREAS, Montgomery County has been very successful in helping existing and start-up through other microenterprise grants; and

WHEREAS, they want to continue on the success of the previous available funding; and

WHEREAS, Montgomery County is proposing to request funding for a Montgomery County Microenterprise program, under the terms set forth in the Office of Homes and Community Renewal's Community Development Block Grant Program, and

WHEREAS, program requirements include the provision to hold a public hearing on the grant application,

RESOLVED, that the County Legislature hereby schedules a Public Hearing on the Montgomery County Microenterprise grant to be held at 5:55 p.m., May 26th, 2026 in the Chambers of the County Legislature, County Office Building, Fonda, New York, and

RESOLVED, that the County Executive, following review and approval by the County Attorney, is hereby authorized and directed to sign and submit all required application and subsequent reporting materials for funding under the Office of Homes and Community Renewal's Community Development Block Grant (CDBG) Microenterprise Program.

RESOLUTION VOTE, passed with Aye(6). Legislators Headwell, Jr., Fiorillo and Majewski were absent. (4/28/2026)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Schedules Public Hearing for Montgomery County Microenterprise grant application.

II. *Justification:*

Program requirements include the provisions for public participation.

III. *Legislative Impact:*

Authorized pursuant to the Montgomery County Charter Articles 2 & 3.

IV. *Financial Impact:*

Cost of Public Hearing Notice.

RESOLUTION NO. 125 of 2026 **DATED:** 4/28/2026

Resolution by Legislator: Pawlik
Seconded by Legislator: Majewski

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW C (LOCAL LAW 3 OF 2026) - A LOCAL LAW REQUIRING SOURCE SEPARATION AND SEGREGATION OF RECYCLABLE OR REUSEABLE MATERIALS FROM SOLID WASTE (LEGISLATURE)

WHEREAS, General Municipal Law §120-aa requires to adopt a local law or ordinance to require the source separation and segregation of recyclable or reuseable materials from solid waste; and

WHEREAS, a copy of this local law in final form has been on the desks of the Montgomery County Legislature for seven calendar days, excluding Sundays; and

WHEREAS, this law is a Type II action under the State Environmental Quality Review Act.

NOW THEREFORE BE IT RESOLVED, that Introductory Local Law C (Local Law 3 of 2025) hereby is submitted to the Legislature of the County of Montgomery for consideration:

LOCAL LAW 3 OF 2026 - A LOCAL LAW REQUIRING SOURCE SEPARATION AND SEGREGATION OF RECYCLABLE OR REUSEABLE MATERIALS FROM SOLID WASTE

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

SECTION 1. Definitions

Components- paper, glass, metals, plastics, garden and yard waste

Economic markets- refers to instances in which the full avoided costs of proper collection, transportation and disposal of source separated materials are equal to or greater than the cost of collection, transportation and sale of said material less the amount received from the sale of said material

SECTION 2. Purpose.

The purpose of this law is to comply with State General Municipal Law and require that solid waste which has been left for collection or which is delivered by the generator of such waste to a solid waste management facility, shall be separated into recyclable, reuseable or other components for which economic markets for alternate uses exist.

SECTION 3. Solid waste which has been left for collection or which is delivered by the generator of such waste to a solid waste management facility, shall be separated by the generator into recyclable, reuseable or other components for which economic markets for alternate uses exist.

SECTION 4. To the extent that this local law is inconsistent with existing laws it shall supersede them.

SECTION 5. If any clause, sentence or paragraph of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder of the local law, which shall as to such remainder remain in effect.

SECTION 6. This law shall take effect upon filing with the Secretary of State.

RESOLUTION VOTE, passed with Aye(6). Legislators Headwell, Jr., Fiorillo and Majewski were absent. (4/28/2026)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

RESOLUTION ADOPTING INTRODUCTORY LOCAL LAW C (LOCAL LAW 3 OF 2026) - A LOCAL LAW REQUIRING SOURCE SEPARATION AND SEGREGATION OF RECYCLABLE OR REUSEABLE MATERIALS FROM SOLID WASTE

II. *Justification:*

Required by GML 120-aa

III. *Legislative Impact:*

Required by GML 120-aa

IV. *Financial Impact:*

No impact on fund balance.

RESOLUTION NO. 126 of 2026 **DATED:** 4/28/2026

Resolution by Legislator: Muhlebeck
Seconded by Legislator: Pawlik

RESOLUTION AUTHORIZING AND APPROVING A SETTLEMENT AGREEMENT WITH MULTIPLE ENTITIES IN THE OPIOID LITIGATION (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, a global settlement is proposed with the following entities:

1) Associated Pharmacies, Inc. (and American Associated Pharmacies);

(2) J M Smith Corporation;

(3) Morris and Dickson Co., L.L.C.;

(4) Louisiana Wholesale Drug Company, Inc.;

(5) North Carolina Mutual Wholesale Drug Company, Inc.; and

(6) United Natural Foods, Inc. (and SuperValu).

WHEREAS, this settlement will result in a one-time settlement payment; and

WHEREAS, it is in the best interest of Montgomery County to resolve this matter with respect to these entities without further litigation and enter into the proposed Agreement as it shall settle all allegations and avoid protracted litigation.

NOW THEREFORE BE IT RESOLVED, that the Montgomery County Legislature authorizes and directs the Montgomery County Executive, Montgomery County Attorney and Simmons Hanley Conroy to execute any necessary documents to effectuate the direct settlement including a Participation Agreement; and

BE IT FURTHER RESOLVED, that the Montgomery County Legislature 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(6). Legislators Headwell, Jr., Fiorillo and Majewski were absent. (4/28/2026)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Resolution approving settlement in the litigation captioned County of Suffolk v. Purdue Pharma L.P., et al., Index No. 400001/2017 with the following entities:

1) Associated Pharmacies, Inc. (and American Associated Pharmacies);

(2) J M Smith Corporation;

(3) Morris and Dickson Co., L.L.C.;

(4) Louisiana Wholesale Drug Company, Inc.;

(5) North Carolina Mutual Wholesale Drug Company, Inc.; and

(6) United Natural Foods, Inc. (and SuperValu).

II. *Justification:*

A settlement is being recommended to close out these smaller claims.

III. *Legislative Impact:*

Authorized pursuant to Article 2 of the Montgomery County Charter.

IV. *Financial Impact:*

Will result in a one-time payment of approximately $7,596.05.

RESOLUTION NO. 127 of 2026 **DATED:** 4/28/2026

Resolution by Legislator: Pepe
Seconded by Legislator: Majewski

RESOLUTION AMENDING 2026 OPERATING BUDGET (COUNTY LEGISLATURE)

WHEREAS, Resolution #295 of 2025 and Resolution #93 of 2026 authorized salary adjustments for the County Sheriff and County Clerk, and

WHEREAS, the funding of these salary adjustments need to be included in the 2026 Operating Budget.

RESOLVED, the Montgomery County Treasurer is authorized and directed to amend the 2026 Operating Budget as follows:

INCREASE:

A599 Appropriated Fund Balance $27,122

INCREASE APPROPRIATIONS:

A-08-4-1410-00-1110 (79) County Clerk $13,950

A-15-4-3110-00-1110 (509) Sheriff $13,127

RESOLUTION VOTE, passed with Aye(6). Legislators Headwell, Jr., Fiorillo and Majewski were absent. (4/28/2026)

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

RESOLUTION AMENDING THE 2026 OPERATING BUDGET

II. *Justification:*

Resolutions were passed in December 2025 and March 2026 require changes to the 2026 Operating Budget.

III. *Legislative Impact:*

Authorized pursuant to Article 2 of the Montgomery County Charter.

IV. *Financial Impact:*

Additional funding of $27,122 is needed to fund these adopted resolutions

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RESOLUTION NO. 128 of 2026 **DATED:** 4/28/2026

Resolution by Legislator: Kowalczyk
Seconded by Legislator: Muhlebeck

RESOLUTION APPROVING ABSTRACT OF AUDITED CLAIMS

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 March 17, 2026, through April 21, 2026 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(6). Legislators Headwell, Jr., Fiorillo and Majewski were absent. (4/28/2026)

Click here for resolution attachment

Click here for resolution attachment

Statement of Legislative and Financial Impact:

I. *Nature of Request:*

Approval of 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 financiall impact.

OTHER

ADJOURNMENT

MOTION TO ADJOURN by Legislator Kowalczyk, second by Legislator Pawlik. Meeting adjourned at 6:19 pm.

Respectfully submitted,

Patricia Beck
Clerk of the Montgomery County Legislature