

FOURTH REGULAR SESSION

Johnstown, NY

April 10, 2023

Roll Call – Quorum Present

Supervisors: Argotsinger, Blackmon, Bowman, Bradt, Breh, Callery, Fagan, Fogarty, Greene, Groff, Horton, Howard, Kinowski, Lauria, Potter, Wilson, Young

TOTAL: Present: 18 Absent: 3 (Born, Goderie, Van Genderen)

Chairman Horton called the meeting to order at 1:00 p.m. Following the Pledge of Allegiance to the Flag.

Chairman Horton stated that he hoped that everyone had time with their families and time to reflect during the Easter Holiday.

PUBLIC HEARINGS/SCHEDULED SPEAKERS

1:30 P.M. PUBLIC HEARING REGARDING THE DRAFT, MAP, PLAN AND REPORT FOR PROPOSED FULTON COUNTY SEWER DISTRICT NO. 5: NYS ROUTE 30/30A

1:45 P.M. PUBLIC HEARING TO RECEIVE COMMENTS REGARDING THE COUNTY’S COMMUNITY DEVELOPMENT NEEDS, AND TO DISCUSS THE POSSIBLE SUBMISSION OF ONE OF MORE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATIONS FOR PETOFF GARDENS SEWER SYSTEM/BUILDING IMPROVEMENTS (2023 PROGRAM YEAR)

2:00 P.M. PUBLIC HEARING REGARDING PROPOSED LOCAL LAW “A” OF 2023 TO PROVIDE REAL PROPERTY TAX EXEMPTIONS FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO SECTION 466-A OF THE REAL PROPERTY TAX LAW

COMMUNICATIONS

1. Resolution from Sullivan County, dated March 6, 2023
Subj: Resolution Introduced by Executive Committee Opposing the Proposed NYS Soil and Water Conservation District Law Changes
2. Resolution from Delaware County, dated March 22, 2023
Subj: Resolution Calling on the Governor of New York State to Reconsider Part N of the Article VII Revenue Bills within the 2023 Executive Budget
3. Resolution from Franklin County, dated March 16, 2023
Subj: Resolution Calling on Governor Hocul to Remove Part M of article VII Revenue Bills From the 2024 Executive Budget

REPORTS

A. Industrial Development Agency Annual Report 2022 (Priority Reading)

REPORTS OF SPECIAL COMMITTEES

Soil and Water Conservation District Board: Supervisor Lauria stated that the Flower and Tree Sale is currently going on. He noted that the Soil and Water Conservation District Board appreciates the endorsement of the new office building plan for the District.

CHAIRMAN'S REPORT

Chairman Horton presented the following Chairman's Report:

First, I hope that you all had time to enjoy the religious holidays this past week with family and friends.

Since I cheated everyone on my short Chairman's report last month, I thought I would make up for it today.

On 3/15 I met with the Gloversville School District along with Supervisors Jack Wilson and Charles Potter and Social Services Commissioner Anne Solar. Confidential individual cases of certain students were discussed along with general social issues that affect the students and their lack of attendance and therefore low graduation rates in the district. The socioeconomic environment for a large number of students and the lack of parental influence stressing the importance of education in the home environment has created a severe problem in primary and secondary education.

I met with Gregg Truckenmiller on 3/24. He discussed his desire to work more closely with the County. Issues of enrollment, consistency of relevant programs, and capital programs were discussed. State funding of the college is based upon enrollment. It is a bit of a catch twenty-two. To attract students, you need to have relevant programs. You cannot develop and fund these programs after you enroll the students. Educational Programs are an investment in the future, that needs to come first. Then as the class room is populated, the funding from the State supports the program. Where does the seed money come from?

I attended the monthly board meeting of the CRG. It is always an enlightening meeting. The positivity of this group speaks well for the future of Fulton County. They have several parallel paths they are working on. One is to fund small business growth and development through the grant funding they have secured. Over the last 5-6 years, they are approaching 100 grants with a total combined value of \$2.350 million. Currently they have 16 microenterprise grants with a value of \$300,000. They also have 30 Cares Act grants totaling \$500,000 with an additional \$250,000

yet to come. The second endeavor is to identify and fund the clean up of several environmental sites in the County. The third effort is to identify future sites for development to attract businesses to locate in Fulton County. I believe that they are making good progress on all three fronts. They have an excellent team and a dedicated board of directors.

3/28 The Great Sacandaga Lake Museum and Visitor's center committee met. Scott Henze, Arron, Jon Stead, Gail Cramer, Northampton and Northville historian, and Samantha Saladino from the County along with the Architect did fact finding and preliminary floor plan needs assessments. We also weighed in on architectural styles to be incorporated into the design by viewing photos presented to the group by the architect. The group then offered opinions on how we individually felt and reacted to the different styles. It worked out very well. Next step will be to have the architect come back to us with some preliminary design sketches.

4/3 I met at the Sheriff's office and viewed a video of an out of control suspect while in custody. The suspect who has a record and has previously been incarcerated, was threatening to kill the officers. It was a very disturbing video. We also discussed staffing, overtime, and safety of both the deputies and the public. Due to personnel shortages, many calls cannot be responded to in a timely manner.

I met with Steve Santa Maria for an hour or so to learn more about EMS in the County.

4/6 Jon Stead and I met with the Fulton Montgomery Chamber of Commerce. Anne Boles, Executive Director, and David Jankowski, who chairs the Government Affairs Committee for the Chamber, spent 1 -3/4 hours with us discussing possible new roles in supporting tourism along with our tourism department, and the new relationships to be explored between the Chamber and the County. Before the meeting, I spoke with Scott Henze about the meeting. He of course was invited if he wanted to attend, but in the interest of time and diverse subject matter, we collectively decided that the meeting was going to be focused on listening to each other's thoughts and future ideas, and Scott's attendance was not necessary. It was agreed that we need to develop some time to develop our tourism program and then meet again with the Chamber at a future date. Other ideas will be presented to the Economic Development Committee.

So it has been a very interesting month. So what do I take from this past month's experiences?

One, that despite our challenges, we have a bright future. No one can take away the natural beauty of our area, nor the close geographical proximity to a huge population base and the growing high tech business development near-by. Our challenges are to judiciously use our limited resources to the best advantage for the people of Fulton County. Next month, I hope to present some thoughts on these subjects.

PROCLAMATIONS

DECLARING WEEK OF APRIL 9-15 OF 2023 AS “PUBLIC SAFETY TELECOMMUNICATORS WEEK IN FULTON COUNTY”

WHEREAS, public safety telecommunicators across the nation play a vital role in safeguarding the health and welfare of its citizens; and

WHEREAS, local communities rely on public safety answering points (PSAP), public safety communications centers, emergency operations centers (EOC), and other public safety command centers; and

WHEREAS, the Fulton County 911 Central Dispatch Center is a critical component of emergency communications and provides life-saving emergency services to the local region on a continuous 24/7 basis; and

WHEREAS, Fulton County’s Emergency Services Dispatchers and supervisory personnel provide their professional expertise dedicated to making sure that necessary public safety emergency response gets point-to-point in times of need; now, therefore be it

RESOLVED, That the Board of Supervisors hereby expresses its appreciation for Fulton County Emergency Services Dispatch personnel during national Public Safety Telecommunicators Week for their dedication to local communities’ safety; and, be it further

RESOLVED, That the Board hereby proclaims April 9-15, 2023 *“Public Safety Telecommunicators Week in Fulton County”*.

DECLARING WEEK OF MAY 7-13 OF 2023 AS “CORRECTIONS OFFICERS WEEK IN FULTON COUNTY”

WHEREAS, Corrections Officers, working in facilities at all levels, help keep local communities safe and help rehabilitate offenders; and

WHEREAS, Corrections staff have a difficult job, but play a vital role in the criminal justice system; and

WHEREAS, Corrections Officers, supervisory staff and support staff at the Fulton County Correctional Facility rise to meet the many challenges presented to them and fulfill an important public service; and

WHEREAS, the Board of Supervisors recognizes the key role of the Correctional Facility in protecting Fulton County citizens and in working to improve the lives of the incarcerated when possible; now, therefore be it

RESOLVED, That the Board of Supervisors hereby expresses its gratitude for the essential service, commitment and dedication provided by Corrections Officers, Corrections supervisory staff and Corrections support personnel in Fulton County; and, be it further

RESOLVED, That the Board hereby proclaims May 7-13, 2023 “*Corrections Officers Week in Fulton County*”.

**RECOGNIZING FULMONT COMMUNITY ACTION AGENCY, INC. AND
DECLARING MAY 2023 “COMMUNITY ACTION MONTH IN FULTON COUNTY”**

WHEREAS, Fulmont Community Action Agency is one of the 47 Community Action Agencies serving the low income, elderly and disabled residents of the State of New York; and

WHEREAS, Fulmont Community Action Agency has taken the lead in serving the low income, elderly and disabled residents of Fulton and Montgomery counties for over 56 years; and

WHEREAS, Fulmont Community Action Agency conducts numerous programs to meet the needs of Fulton and Montgomery County residents, including Head Start, Universal Pre-Kindergarten, Weatherization, EmPower, Senior Transportation, Community Services, Wheels for Work and Women, Infants and Children Program, and the Volunteer Tax Assistance (VITA) Programs; and

WHEREAS, Fulmont prides itself in continuously evaluating community needs, re-engineering itself and its resources and deploying solutions to assist the region’s most needy; and

WHEREAS, Fulmont Community Action Agency, in partnership with government, the private sector and low income citizens, continues to identify poverty conditions and pinpoint programs to help; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors hereby proclaims the month of May 2023 as “Community Action Month in Fulton County”.

**DECLARING MAY 2023
“OLDER AMERICANS MONTH IN FULTON COUNTY”**

WHEREAS, Fulton County includes a growing number of older Americans who contribute their strength, wisdom, and experience to our community; and

WHEREAS, communities benefit when people of all ages, abilities, and backgrounds are welcomed, included, and supported; and

WHEREAS, Fulton County recognizes our need to create a community that provides the services and supports older Americans need to thrive and live independently for as long as possible; and

WHEREAS, in recognition of the 60th Anniversary of celebrating Older Americans Month, the Board of Supervisors urges all citizens to join in the goals of this year's theme "*Aging Unbound*":

- Embrace the opportunity to change. Find a new passion, go on an adventure, and push boundaries by not letting age define your limits. Invite creativity and purpose into your life by trying new activities in your community to bring in more growth, joy, and energy.
- Explore the rewards of growing older. With age comes knowledge, which provides insight and confidence to understand and experience the world more deeply. Continue to grow that knowledge through reading, listening, classes, and creative activities.
- Stay engaged in your community. Everyone benefits when everyone is connected and involved. Stay active by volunteering, working, mentoring, participating in social clubs, and taking part in activities at your local senior center or elsewhere in the community.
- Form relationships. As an essential ingredient of well-being, relationships can enhance your quality of life by introducing new ideas and unique perspectives. Invest time with people to discover deeper connections with family, friends, and community members”

now, therefore be it

RESOLVED, That the Board of Supervisors hereby proclaims May 2023, as “OLDER AMERICANS MONTH IN FULTON COUNTY”, and urges every resident to recognize the contributions of our older citizens, help to create an inclusive society, and join efforts to support older Americans’ choices about how they age in their communities.

RESOLUTIONS (TITLES ATTACHED)

No. 143 (Resolution Awarding Bid for the Lease of One (1) Sedan for use in the Probation Department): Supervisor Callery noted that this lease price for one (1) sedan is extremely high. He inquired about going back out to bid for better prices and if not he will be opposing this Resolution. Deputy Administrative Office Elizabeth Lathers stated that the bid was discussed at the Public Safety and Finance Committee meetings; however, only one bid was received. Chairman Horton stated that another issue that was brought up at the Committee meetings was not needing an all-wheel drive vehicle.

No. 149 (Resolution Authorizing the Emergency Management Office to Equip and Operate an EMS Fly Car with Existing Staff to Supplement Local Ambulance Response): Supervisor Lauria stated that the EMS Fly Car is going to be extremely important to EMS in the County. He noted that the EMS Fly Car could save money down the road and the person is already on duty at no extra cost to the County. Supervisor Lauria noted that the EMS Board has also endorsed the EMS Fly Car. He stated that it is overdue and great for the County.

Chairman Horton opened the Public Hearing to receive comments regarding the Draft, Map, Plan and Report for proposed Fulton County sewer District No. 5: NYS Route 30/30A at 1:30 p.m. No one came forward.

Supervisor Young stated that he would abstain from voting on Resolution No. 167 through 170 because he is an employee of FMCC.

No. 173 (Resolution Endorsing an Office Relocation and Financial Support Plan for the Fulton County Soil and Water Conservation District): Supervisor Lauria thanked Chairman Horton for all the work done on this Resolution. Chairman Horton thanked the Committees and County Attorney for their efforts.

No. 176 (Resolution Opposing Governor Hochul's New York Housing Compact Proposal and any State Government Override of Local Zoning Laws): Supervisor Lauria stated that he has sat on the Fulton County Planning Board for many years and the Housing Compact Proposal and State Government Override of Local Zoning Laws is ridiculous.

Supervisor Young stated that he is not opposed to opposing the Governor's New York Housing Compact Proposal and any State Government Override of Local Zoning Laws. He noted that Fulton County has different housing than New York City and it makes sense for the changes down there.

Chairman Horton again asked if there were any members of the public who wished to make comments regarding the Draft, Map, Plan and Report for Proposed Fulton County Sewer District No. 5: NYS Route 30/30A. There being no interested speakers, Chairman Horton closed the Public Hearing at 1:40 p.m.

Chairman Horton called for a five-minute recess at 1:41 p.m.

Chairman Horton reconvened the meeting at 1:45 p.m.

At 1:55 p.m. Chairman Horton opened the Public Hearing to receive comments regarding the County's Community Development needs, and to discuss the possible submission of one of more Community Development Block Grant (CDBG) applications for Petoff Gardens sewer System/Building Improvements at 1:45 p.m. No one came forward.

Chairman Horton again asked if there were any members of the public who wished to make comments regarding the County's Community Development needs, and to discuss the possible submission of one of more Community Development Block Grant (CDBG) applications for Petoff Gardens sewer System/Building Improvements. There being no interested speakers, Chairman Horton closed the Public Hearing at 1:56 p.m.

NEW BUSINESS

Supervisor Callery stated "hats off" to the Fulton County Landfill and commended them for their work cleaning up recyclables from the recent storm and high winds.

Chairman Horton opened the Public Hearing to receive comments regarding proposed Local Law “A” of 2023 to provide Real Property Tax Exemptions for Volunteer Firefighters and Ambulance Workers pursuant to Section 466-A of the Real Property Tax Law at 2:00 p.m.

Alicia Rice, P.O. Box 237 Stratford, NY: Ms. Rice stated that she was a member of the Stratford Fire Company. She thanked the Board of Supervisors for supporting the EMS Fly Car, noting that it is important to the Stratford area. She stated that there have been significant changes since the Ambulance Incentive Plan started and the Department depends a lot on the Fire Coordinator.

Ms. Rice stated that there is time and commitment that goes into serving the Fire Department, but there is also a financial component. She stated that the \$200.00 income tax credit does not “cut it” and the Local Law does not go far enough. Ms. Rice stated that younger individuals are needed in the departments; however, those younger individuals do not own property, so the incentive does nothing for their recruitment. She urged the Board of Supervisors to change the requirement of five (5) years to two (2) years. Stating that the five (5) years is not an incentive. Ms. Rice also urged the Board of Supervisors to support other bills that are not connected to property ownership. She stated that as disappointed as she is with the law she urges the Board of Supervisors to still pass this Local Law even without changing the number of years for eligibility. She noted again that it is important to incentivize younger membership.

Chairman Horton called for a ten-minute recess at 2:03 p.m.

Chairman Horton reconvened the meeting at 2:13 p.m. and again asked if there were any members of the public who wished to make comments regarding proposed Local Law “1” of 2023 to provide Real Property Tax Exemptions for Volunteer Firefighters and Ambulance Workers pursuant to Section 466-A of the Real Property Tax Law. There being no additional speakers, Chairman Horton closed the Public Hearing at 2:13 p.m.

No. 180 (Resolution Adopting Local Law “A” of 2023 to Provide Real Property Tax Exemptions for Volunteer Firefighters and Ambulance Workers Pursuant to Section 466-A of the Real Property Tax Law): Supervisor Fogarty inquired that the County is voting on the five (5) years of service at 10 percent and that cannot be changed at this point. Supervisor Callery suggested to go forward today with the purposed Resolution and revisit at a later date. Supervisor Wilson concurred. Supervisor Callery noted that if the Resolution was to be changed it would have to go through the process again and have another Public Hearing, but he does not want to hold it up. Chairman Horton stated that there would still be time before the 2024 taxes. Supervisor Lauria stated that this is a good recruitment method. Supervisor Young stated that after hearing Ms. Rice speak, he agrees that the five (5) years and 10 percent is not enough. He stated that hopefully a revision could be done down the road.

Supervisor Kinowski asked if the law could be changed to any household member living at the property within the fire district. County Attorney Jason Brott stated that he would need to do research on whether or not that could be done. Supervisor Kinowski stated that Ms. Rice was right in saying that younger individuals do not own property.

Chairman Horton stated that the State is trying to put some of the burden on local government and there are a lot of requirements to obtain exemption. He stated that with a community like Fulton County there are many people who live outside of their fire districts and cannot get the credit. He stated that this should not be a burden on local tax payers like it is, but this is a step in the right direction. He stated that the Board of Supervisors is thankful for the volunteers.

Mr. Brott confirmed that the Board of Supervisors would be voting on said Local Law as presented with eligibility starting at five (5) year with a Real Property Tax exemption at 10 percent.

ADJOURNMENT

Upon a motion by Supervisor Callery seconded by Supervisor Greene and unanimously carried, the Board adjourned at 2:22 p.m.

Certified by:

Jon R. Stead, Administrative Officer/ DATE
Clerk of the Board

Resolution No. 130

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION DECLARING THE BOARD OF SUPERVISORS LEAD AGENCY FOR THE
CREATION OF FULTON COUNTY SEWER DISTRICT NO. 5: NYS ROUTE 30/30A AND
AUTHORIZING THE ISSUANCE OF A NEGATIVE
DECLARATION UNDER SEQRA**

WHEREAS, Resolution 41 of 2020 authorized an agreement with the Environmental Design Partnership (EDP) to perform a Sewer Feasibility Study of the NYS Route 30/30A Corridor as part of Fulton County’s “SMART Waters” initiative; and

WHEREAS, Resolution No. 89 of 2021 endorsed the concept of a sanitary sewer construction project along the NYS Route 30/30A Corridor from Gloversville to Northville; and

WHEREAS, Resolution No. 267 of 2021 authorized an agreement with EDP for engineering services for proposed Fulton County Sewer District No. 5: NYS Route 30/30A Phase I (2021 Capital Plan); and

WHEREAS, Resolution No. 333 of 2022 authorized a “Letter of Intent” to implement a sewer rate structure of proposed Fulton County Sewer District No. 5: NYS Routh 30/30A; and

WHEREAS, Resolution No. 32 of 2023 classified the proposed establishment of Fulton County Sewer District No. 5: NYS Route 30/30A as an Unlisted Action under SEQR and proposed the Fulton County Board of Supervisors serve as the SEQR Lead Agency authorizing the distribution of Part 1 environmental Assessment Form to other Involved Agencies; now, therefore be it

RESOLVED, That the Board of Supervisors hereby assumes Lead Agency status for the purpose of issuing a determination of significance under SEQR and authorizes the filing of a Negative Declaration for this action, since there have been no significant environmental impacts identified during the SEQR review process; and, be it further

RESOLVED, That the Planning Director is hereby authorized and directed to file a Negative Declaration, as required by the SEQRA Regulations; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Attorney, NYSDEC, NYSDOT, NYSDOH, City of Gloversville, City of Johnstown, Village of Mayfield, Gloversville-Johnstown Joint Sewer Board, Town of Johnstown, Administrative Officer/Clerk of the Board and to each and every other institution or agency that will further the purport of this Resolution.

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 131

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING SUBMISSION OF A LETTER OF INTEREST TO THE
NORTHERN BORDERS REGIONAL COMMISSION FOR GRANT ASSISTANCE FOR
CERTAIN PROJECTS

WHEREAS, the Northern Borders Regional Commission (NBRC) has \$11 million available per state for grants to State, County and local governments through its “Catalyst” Grant Program funded by the federal Infrastructure Investment and Jobs Act (IIJA); and,

WHEREAS, grant opportunities will be administered through two eligibility categories: Infrastructure (\$1,000,000.00 to \$3,000,000.00) and Non-Infrastructure (up to \$500,000.00); and

WHEREAS, based upon the NBRC’s published criteria for grant assistance, the Planning Director recommends that a Letter of Interest be submitted to the NBRC for two (2) important County projects as follows:

Infrastructure: Fulton County Sewer District No. 5: NYS Route 30/30A

Non-Infrastructure: Great Sacandaga Lake Museum and Visitor Center

now, therefore be it

RESOLVED, That the Chairman of the Board of Supervisors be, and hereby is, authorized to submit a Letter of Interest to the Northern Borders Regional Commission as a pre-application to seek grant funding for the Fulton County Sewer District No. 5: NYS Route 30/30A project and the Great Sacandaga Lake Museum and Visitor Center project; and, be it further

RESOLVED, That certified copies of this Resolution be forward to the County Treasurer, Northern Borders Regional Commission, Planning Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 132

Supervisors ARGOTSINGER and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING EXTENSION OF A 2021 COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT WITH THE NYS OFFICE OF COMMUNITY RENEWAL TO OPERATE THE FULTON COUNTY SMALL BUSINESS ASSISTANCE PROGRAM (U.S. CARES ACT)

WHEREAS, Resolution 167 of 2021 authorized a Community Development Block Grant Application to the NYS Office of Community Renewal (NYSOCR) in an amount up to \$500,000.00 to operate a Fulton County Small Business Assistance Grant Program and Setting Date of a Public Hearing regarding said application (U.S. CARES Act); and

WHEREAS, by letter dated September 9, 2021 from the NYS Office of Community Renewal, the County was advised that said grant application was approved; and

WHEREAS, Resolution 301 of 2021 authorized a 2021 Community Development Block Grant Agreement with the NYS Office of Community Renewal to Operate the Fulton County Small Business Assistance Program; and

WHEREAS, Resolution 302 of 2021 authorized a contract with the Fulton County Center for Regional Growth to administer the 2021 Fulton County Small Business Assistance Program; and

WHEREAS, Resolution 137 of 2022 authorized an extension to said grant program and an additional \$500,000.00 was obtained to assist small businesses in Fulton County; and

WHEREAS, Resolution 370 of 2022 authorized second extension to said grant program and an additional \$500,00.00 was obtained to assist small businesses in Fulton County; and

WHEREAS, the Fulton County Center for Regional Growth requested consideration for a third extension of the Fulton County CDBG-CV program from the NYS Office of Community Renewal inasmuch as the following two (2) thresholds had been met for prior awards:

- 1) That 100% of current grant funds have been obligated to specific businesses by having approved and submitted 1-6B forms.
- 2) At least 30% of current grant funds have been expended.

now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Economic Development and Environment, and Finance, the Chairman of the Board be and hereby is authorized to execute a grant agreement in the amount of \$250,000.00 between the Fulton County and the NYS Office of Community Renewal to accept the Community Development Block Grant, as a third extension of

Resolution No. 132 (Continued)

the existing 2021 Small Business Assistance Program, including appointing CRG to continue as a sub recipient and administrator as follows:

- Administrative and Program Delivery Services
- Grant compliance services to be provided by third party consultant
- Out-of-Pocket expenses, services, materials, reproduction costs, long distance telephone calls
- Travel Expenses

; said contracts subject to approval of the County Attorney; and, be it further

RESOLVED, That the Planning Director do each and everything necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution to be forwarded to the County Treasurer, Fulton County Center for Regional Growth, Fulton County Industrial Development Agency, Fulton Montgomery Regional Chamber of Commerce, Planning Department, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 133

Supervisors BLACKMON and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING ADDITIONAL “SPORTS IN EDUCATION” GRANT FUNDS
FOR USE IN THE YOUTH BUREAU

WHEREAS, Resolution 490 of 2022 approved Office of Children and Family Services Youth Development Grant Funds for 2023 Youth Sports in Education Programs in an amount of \$6,785.00; and

WHEREAS, the Office for Aging Director has reviewed notice that said grant amount has been increased by \$9,051.00 to \$15,836.00; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement between the Office for Aging/Youth Bureau and NYS Office for Children and Family Services to accept additional Sports in Education, reflecting the increase of \$9,051.00; said agreement subject to the approval of the County Attorney; and, be it further

RESOLVED, That the 2023 Adopted Budget be and hereby is amended, as follows:

Revenue

Increase A.7610.7310-3820-REV-State Aid-Youth Services Projects	\$9,051.00
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Appropriation

Increase A.7610.7310-4170-EXP-Programs	\$9,051.00
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and, be it further

RESOLVED, That the Office for Aging Director is directed to return to the Board with final details regarding the expenditure of said funds for the Youth Sports and Education Programs; and be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Office for Aging, NYS OCFS, Budget Director/County Auditor and Administrative Officer/ Clerk of the Board.

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 134

Supervisor BLACKMON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS FOR CHILDREN WITH HANDICAPPING CONDITIONS 2023-2024 TRANSPORTATION PROGRAM

RESOLVED, That the Purchasing Agent be and hereby is authorized and directed to advertise for sealed bids from contractors for the Children with Handicapping Conditions Transportation Program (and according to further specifications which may be obtained at the office of the Purchasing Agent, Supervisors' Chambers, Room 203, County Building, Johnstown, NY, 12095, during usual business hours); and, be it further

RESOLVED, That such sealed bids must be addressed to Jon R. Stead, Purchasing Agent, Supervisors' Chambers, Room 203, County Building, Johnstown, NY, 12095, and received by said Purchasing Agent no later than 2:00 p.m., Wednesday, May 24, 2023 at which time and place they will be publicly opened and read; and, be it further

RESOLVED, That the Board of Supervisors reserves the right to reject any or all bids; and, be it further

RESOLVED, That certified copies of this Resolution be forward to the County Treasurer, Public Health Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 135

Supervisors BLACKMON and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING 2023-2024 IMMUNIZATION GRANT FUNDS FROM THE
NYS DEPARTMENT OF HEALTH (PUBLIC HEALTH DEPARTMENT)

WHEREAS, the NYS Department of Health has offered grant funds for immunization services in the Public Health Department; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement between the Public Health Department and the NYS Department of Health for Immunization Action Plan grant funds, in an amount not to exceed \$31,050.00, for the period April 1, 2023 through March 31, 2024; said agreement subject to the approval of the County Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Health Director, NYS Department of Health, Budget Director/County Auditor and Administrative Officer/ Clerk of the Board.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 136

Supervisors BLACKMON and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING USE OF CODE BLUE FUNDS FOR CERTAIN HOUSING AND TRANSPORTATION COSTS IN THE SOCIAL SERVICES DEPARTMENT

WHEREAS, the Social Services Department received New York State funding for Code Blue services in an amount of \$98,090.00 for the 2022-2023 state fiscal year; and

WHEREAS, Resolution No. 346 of 2022 authorized an inter-municipal agreement with the City of Gloversville to provide Code Blue overnight homeless services for County residents in an amount not to exceed \$93,050.00; and

WHEREAS, the Social Services Commissioner has requested to use the remaining amount not to exceed \$5,040.00 to offset the costs of housing and transportation provided by the Social Services Department to homeless individuals not eligible for the Department's standard housing programs; now, therefore be it

RESOLVED, That the Social Services Commissioner is authorized to use the remaining amount of Code Blue Funds not to exceed \$5,040.00 to offset the costs of housing and transportation provided by the Social Services Department to homeless individuals not eligible for the Department's standard housing programs; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Social services Commissioner, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 137

Supervisors BLACKMON and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING EXTENSION OF PAYMENTS TO CLIENTS UNDER THE
RENTAL SUPPLEMENT PROGRAM FOR APRIL AND MAY 2023
(SOCIAL SERVICES DEPARTMENT)

WHEREAS, Resolution No. 66 of 2022 accepted New York State Rental Supplement Program Funds to Supplement Rent Expenses for Individuals and Families Facing Homelessness in an amount of \$116,749.00 with allocation ending March 31, 2023; and

WHEREAS, the Social Services Commissioner has requested authorization to continue payments through May of 2023 pending official notification of 2023-2024 allocations in an amount not to exceed \$3,460.00; now, therefore be it

RESOLVED, That the Social Services Commissioner is authorized to continue payments for said program services to clients through May of 2023 in an amount of \$3,460.00, using Rental Supplement Program Funds; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Social Services Commissioner, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 138

Supervisors BLACKMON, CALLERY and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION INCREASING THE HOURS OF A PART-TIME PROFESSIONAL NURSE
POSITION FROM 12 HOURS PER WEEK TO 17.5 HOURS PER WEEK
(SOCIAL SERVICES DEPARTMENT)

WHEREAS, Resolution No. 430 of 2016 authorized creation of a part-time Registered Professional Nurse position in the Social services Department at 12 hours per week effective January 1, 2017; and

WHEREAS, the Commissioner of Social Services has requested to increase said part-time Registered Professional Nurse hours from 12 hours per week to 17.5 hours per week to better serve the needs of clients in Fulton County; and

WHEREAS, a part-time Registered Professional Nurse was hired in February of 2023 with the understanding that the position was a 17.5 hours per week position; now, therefore be it

RESOLVED, That the hours of the part-time Registered Professional Nurse position be increased from 12 hours per week to 17.5 hours per week effective immediately; and, be it further

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfer:

From: A.6010.6109-4170 - EXP- Programs	\$14,353.00	
To: A.6010.6012-1000 - EXP- Payroll		\$12,252.00
A.6010.6012-8000 - EXP- State Retirement		1,164.00
A.6010.6012-8100 - EXP- Social Security		937.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Social Services Commissioner, Personnel Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FOGARTY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 139

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION ABOLISHING A VACANT PLANNER POSITION IN THE
PLANNING DEPARTMENT

WHEREAS, Resolution 224 of 2020 placed a “One Dollar Hold” on a Planner Position in the Planning Department until said time as the Planning Director appointment became permanent; and

WHEREAS, the Committee on Personnel has reviewed said vacancy and recommends its abolition now that it is unencumbered; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Personnel, said Planner position placed on “One Dollar Hold” by Resolution 224 of 2020 be and hereby is abolished, effective immediately; and, be it further

RESOLVED, That the Personnel Director do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Personnel Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 140

Supervisors GROFF, CALLERY AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE CREATION OF AN ADDITIONAL ASSISTANT DISTRICT ATTORNEY POSITION IN THE DISTRICT ATTORNEY’S OFFICE WITH 2023 DISCOVERY REFORM GRANT PROCEEDS

WHEREAS, Resolution 56 of 2023 authorized acceptance of a 2022-2023 Criminal Justice Discovery Reform Grant from the NYS Department of Criminal Justice Services for use in the District Attorney’s Office; and

WHEREAS, the District Attorney has requested to create an additional Assistant District Attorney position in the District Attorney’s Office due to new State Discovery Laws that mandated an extensive process upon District Attorneys, including stringent deadlines for evidence, record gathering and recording, among other things; and

WHEREAS, the Committees on Public Safety, Personnel and Finance and the District Attorney recommends using Criminal Discovery Reform Grant funds to cover the cost of said position; now, therefore be it

RESOLVED, That an Assistant District Attorney position (2023 Start rate: \$83,846.00 per year, Permanent rate: \$98,642.00 per year, Non-Union Job Group P/S-8), be and hereby is created effective immediately; and be it further

RESOLVED, That the District Attorney be, and hereby is, authorized to hire said new Assistant District Attorney at the Permanent Rate if warranted by experience and qualifications; and, be it further

RESOLVED, That the District Attorney will return to the Board of Supervisors at the end of the 2023 fiscal year to review said position and report regarding the availability of continuing grant proceeds; and, be it further

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Revenue:	
Increase A.1000.0599-0599 – REV – Appropriated Fund Balance	\$104,571.00
Appropriation:	
Increase A.1165.1165-1000 – EXP - Payroll	\$72,086.00
Increase A.1165.1165-8000 – EXP – State Retirement	6,849.00
Increase A.1165.1165-8100 – EXP – Social Security	5,515.00
Increase A.1165.1165-8500 – EXP – Hospital Medical	19,114.00
Increase A.1165.1165-8600 – EXP – Dental	1,007.00

Resolution No. 140 (Continued)

and, be it further

RESOLVED, That the District Attorney and Personnel Director do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Personnel Director, District Attorney, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 141

Supervisors GROFF AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CONTRACTS WITH RICHARD T. AULISI, ESQ. AND
STEVEN SHARP, ESQ. FOR SPECIAL PROSECUTOR SERVICES
(DISTRICT ATTORNEY)

WHEREAS, County Judge Smrtic issued a court order requiring that a special prosecutor be hired on behalf of the District Attorney’s Office due to conflict of interest within the said District Attorney’s Office in the case “People v. Nicole Elmore”; and

WHEREAS, to comply with said court order, the District Attorney is requesting a contract with Richard T. Aulisi, Esq. and Steven Sharp, Esq. for Special Prosecutor Services to prosecute said case; now, therefore be it

RESOLVED, That the Chairman of the Board of Supervisors be and hereby is authorized to sign contracts between the District Attorney's Office and the following for services related to “People v. Nicole Elmore” case:

Richard T. Aulisi, ESQ	Special Prosecutor Services	\$125.00 per hour
Steven Sharp, ESQ	Special Prosecutor Services	\$125.00 per hour

and, be it further

RESOLVED, That the District Attorney is directed to update the Board of Supervisors periodically regarding the status of said case; and, be it further

RESOLVED, That said contracts are subject to the approval of the County Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, District Attorney, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor POTTER and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 142

Supervisors GROFF AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ACCEPTING 2022-2023 NYS DCJS GRANT FOR PRE-TRIAL RELEASE SERVICES (PROBATION DEPARTMENT)

WHEREAS, the Probation Department is eligible for a New York State Department of Criminal Justice Services (DCJS) grant in an amount of \$108,496.00 to offset costs associated with the provision of certified pre-trial services for 2022-2023; and

WHEREAS, the Probation Director has proposed to utilize said funds for the purchase of a Copier in an amount not to exceed \$6,000.00 and for implantation of an electronic monitoring program for persons awaiting trial within the County’s Pre-Trial Release program; now, therefore be it

RESOLVED, That the Board of Supervisors hereby accepts said 2022-2023 NYS DCJS Grant in the amount of \$108,496.00 to offset costs associated with the provision of certified pre-trial services; and, be it further

RESOLVED, That the Probation Director be and hereby is authorized to purchase a copier for the Probation Department to support Pre-trial services in an amount not to exceed \$6,000.00 in accordance with the Fulton County Purchasing and Auditing Guidelines;

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Increase A.1000.0599-0599 – REV – Appropriated Fund Balance	\$6,000.00
Appropriation:	
Increase A.3140.3140-2000 – EXP – Equipment-Fixed Asset	\$6,000.00

and, be it further

RESOLVED, That the Probation Director is directed to return to the Board of supervisors with more information regarding the proposal for an electronic monitoring system program; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Probation, Citizens in Community Service, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 143

Supervisors GROFF AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AWARDING BID FOR THE LEASE OF ONE (1) SEDAN FOR USE IN THE PROBATION DEPARTMENT

WHEREAS, Resolution 59 of 2023 authorized advertisement for bids for one (1) Sedan for use in the Probation Department and one (1) bid was received; now, therefore be it

RESOLVED, That the net bids, as identified below, for a 36-month lease of one (1) Camry AWD Sedan for use in the Probation Department be and hereby are awarded; they being the lowest responsible bidders in accordance with Specification No. 2023-32-01, dated March 22, 2023:

Steet Toyota	One (1) Sedan	\$16,467.84
Johnstown, New York		(\$457.44 per month)

and, be it further

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign an agreement with said bidders for the lease of said vehicles, effective on or about May 1, 2023 and continuing for 36 months; said agreements subject to the approval of the County Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Probation, All Bidders, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 410 (16) Nays: 19 (1) (Supervisor Callery)
Absent: 100 (3) (Supervisors Born, Goderie and Van Genderen)

Resolution No. 144

Supervisor GROFF offered the following Resolution and moved its adoption:

**RESOLUTION AWARDING BIDS FOR FOODSTUFF AND OTHER SUPPLIES FOR USE
IN THE FULTON COUNTY CORRECTIONAL FACILITY**

RESOLVED, That bids, as submitted and placed on file in the Office of the Purchasing Agent, for the purchase of foodstuffs and other supplies for use by the Fulton County Correctional Facility, effective May 1, 2023 through August 31, 2023, be and hereby are awarded to vendors as follows:

<u>Vendor</u> <u>Estimate</u>	<u>Items</u>	<u>Total Bid</u>
Ginsberg's Foods Hudson, NY	Refrigerated Foods/Dry Goods	\$38,065.97
Ginsberg's Foods Hudson, NY	Frozen Goods	\$28,327.24
Bimbo Bakeries Albany, NY	Bread and Rolls	\$ 4,072.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Correctional Facility, Sheriff, All Bidders, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 145

Supervisors GROFF and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION RE-APPROPRIATING 2020 AND 2021 NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES GRANT FUNDING FOR THE PURCHASE OF CERTAIN EQUIPMENT FOR USE IN THE EMERGENCY MANAGEMENT OFFICE

WHEREAS, Resolution 245 of 2020 accepted NYS Homeland Security Program Grant Funds and NYS Law Enforcement Terrorism Prevention Program funds in the amount of \$81,143.00 and authorized certain purchases for use in the Emergency Management Office and Sheriff's Department; and

WHEREAS, Resolution 84 of 2022 accepted 2021 NYS Division of Homeland Security and Emergency Services Grant Funding under the State Homeland Security Program (SHSP) and Law Enforcement Terrorism Prevention Program (SLETPP) in the amount of \$72,553.00; and

WHEREAS, Resolution 419 of 2022 reallocated certain 2021 NYS Homeland Security Emergency Services Grant Funds in the Emergency Management Office for the purchase of LIFEPAK 15 V4 Monitor/Defib-Manual & AED 12 lead ECG with accessories and a five (5) year Maintenance plan in the amount of \$45,414.00; and

WHEREAS, due to delivery delays, said LIFEPAK 15 V4 Monitor/Defib-Manual & AED 12 lead ECG with accessories was not received by year-end 2022; and

WHEREAS, the Civil Defense Director/Fire Coordinator has now made the Board aware of a NYS DHSES Grant requirement for a cyber-security project to implement Multifactor Authentication procedures; and

WHEREAS, the Civil Defense Director/Fire Coordinator requests said 2020 and 2021 NYS Division of Homeland Security and Emergency Services Grant funds in the amount of \$48,527.09 be re-appropriated for the purchase of equipment as follows:

(1)	LIFEPAK 15 V4 Monitor/Defib Manual & AED 12 lead ECG with accessories and 5 year maintenance plan	\$43,085.09
(1)	Cyber Security Equipment and/or Software including Multifactor Authentication Fobs	<u>5,442.00</u>
	Total	\$48,527.09

and, be it further

Resolution No. 145 (Continued)

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Revenue

Increase A.3640.3645-3306 - REV- State Aid- Homeland Security \$48,527.00

Appropriation

Increase A.3640.3645-2010 - EXP- Equipment - Fixed Asset \$48,527.00

RESOLVED, That Civil Defense Director/Fire Coordinator and County Treasurer do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense Director/Fire Coordinator, Sheriff, Budget Director/County Auditor, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency who will further the purport of this Resolution.

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 146

Supervisors GROFF and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT PAYMENT TO EMERGENCY SERVICES MARKETING, CORP FOR THE “I AM RESPONDING” MASS NOTIFICATION AND RECORDS MANAGEMENT SYSTEM (EMERGENCY MANAGEMENT OFFICE)

WHEREAS, Resolution 60 of 2023 authorized Application and Acceptance of 2022 NYS Division of Homeland Security and Emergency Services Grant funding under the State Homeland Security Program (SHSP) and State Law Enforcement Terrorism Prevention Program (SLETPP); and

WHEREAS, Resolution 60 of 2023 included the final installment payment of a 36 Month Subscription/Maintenance Costs for IamResponding in an amount not to exceed \$14,200.00; now, therefore be it

RESOLVED, That upon the recommendation of the Civil Defense Director/Fire Coordinator, and Committees on Public Works and Finance, the Board of Supervisors hereby authorizes payment of the invoice from Emergency Services Marketing Corp., of Dewitt, NY, for the final installment of a 36 Month Subscription/Maintenance Agreement for the “I am Responding” App for use in the Emergency Management Office at a cost not to exceed \$14,200.00; and, be it further

RESOLVED, That said agreement is subject to the approval of the County Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense Director/Fire Coordinator, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 147

Supervisors GROFF and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT PAYMENT TO OCV, LLC FOR ANNUAL
2022-2024 EMERGENCY MANAGEMENT PUBLIC INFORMATION APP
MAINTENANCE (EMERGENCY MANAGEMENT OFFICE)

WHEREAS, Resolution 60 of 2023 Authorized Application and Acceptance of 2022 NYS Division of Homeland Security and Emergency Services Grant funding under the State Homeland Security Program (SHSP) and State Law Enforcement Terrorism Prevention Program (SLETTP) in the amount of \$72,533.00; and

WHEREAS, said Resolution 60 of 2023 identified the purchase of a “24 Month Subscription/Maintenance Costs” for the Department’s Emergency Management public information App at a cost of \$9,900.00; now, therefore be it

RESOLVED, That upon the recommendation of the Civil Defense Director/Fire Coordinator, and Committees on Public Safety and Finance, the Chairman of the Board be and hereby is authorized to pay an Invoice or letter of engagement, subject to the approval of the County Attorney, for said EMO/Fulton County NY EMA App, for 24 Month Subscription/Maintenance Costs at a cost not to exceed \$9,900.00; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense Director/Fire Coordinator, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 148

Supervisors GROFF and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING PAYMENT OF INTERNATIONAL ASSOCIATION OF
FIRE INVESTIGATORS MEMBERSHIP FEES FOR FIRE INVESTIGATION TEAM
MEMBERS (EMERGENCY MANAGEMENT OFFICE)

WHEREAS, the International Association of Fire Investigators provides necessary training opportunities and resource materials to active Investigation Team Members; and

WHEREAS, Fulton County currently has six (6) volunteer Investigation Team Members and the Civil Defense Director/Fire Coordinator requests Fulton County cover the cost of membership for said volunteer Investigation Team Members; now, therefore be it

RESOLVED, That the Civil Defense Director/Fire Coordinator be authorized to pay said International Association of Fire Investigators Membership for six (6) volunteer Investigation Team Members (Bruce Heberer, Scott Myer, Timothy Berenger, Beth Whitman-Putnam, Steven Santa Maria, Debra Finkle) at a cost of \$35.00 for each membership renewal or \$40.00 for a new membership; and, be it further

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfers:

From: A.3640.3410-4210 - EXP- Training and Conferences
To: A.3640.3410-4120 - EXP- Memberships
Sum: \$215.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense Director/ Fire Coordinator, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 149

Supervisors GROFF and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE EMERGENCY MANAGEMENT OFFICE TO EQUIP AND OPERATE AN EMS FLY CAR WITH EXISTING STAFF TO SUPPLEMENT LOCAL AMBULANCE RESPONSE

WHEREAS, to protect the safety, health and welfare of residents of Fulton County, the Board of Supervisors has taken various actions to facilitate a comprehensive Ambulance Service Incentive Plan to stabilize and improve ambulance service response for all residents throughout the County; and

WHEREAS, Resolution 314 of 2021 authorized an application to the NYS Department of Health to obtain a Municipal Certificate of Need to Establish, Contract for and/or Operate an Ambulance Service under contract(s) within the County's boundaries; and

WHEREAS, said county-level Certificate of Need was approved by the NYS Department of Health, effective December 30, 2021; and

WHEREAS, Resolution 87 of 2022 authorized contracts with three (3) ambulance service providers to establish the Fulton County Ambulance Service Incentive Plan; and

WHEREAS, now, after approximately one year of experience with said Plan, the Civil Defense Director/Fire Coordinator has recommended that the EMS Coordinator be provided with a fully equipped EMS Fly Car to supplement the existing ambulance service system with Advanced Life Support (ALS) expertise when needed; and

WHEREAS, the proposed County-operated EMS Fly Car shall be considered a pilot program effective immediately through December 31, 2023 at which time the Civil Defense Director/Fire Coordinator shall review program results with the Board of Supervisors; now, therefore be it

RESOLVED, That the Civil Defense Director/Fire Coordinator be, and hereby is, authorized to equip and operate an EMS Fly Car with an existing qualified Fulton County Emergency Management Office employee to the supplement ambulance service system during medical emergency response events within the boundaries of Fulton County; and, be it further

Resolution No. 149 (Continued)

RESOLVED, That the County Treasurer is hereby directed to make the following transfer:

From: A.1000.1990-4907-EXP-Contingent Fund Expense	\$8,200.00	
To: A.3640.4540-4010-EXP-Equipment-Non-Asset		\$4,100.00
A.3640.4540-4530-EXP-Supplies		\$4,100.00

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Civil Defense Director/ Fire Coordinator, EMS Advisory Council, Sheriff, County Clerk, GAVAC, SAVAC, Johnstown Fire Department, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor POTTER and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 150

Supervisor WILSON offered the following Resolution and moved its adoption:

RESOLUTION AWARDING BIDS FOR VARIOUS HIGHWAY CONSTRUCTION MATERIALS FOR USE IN THE DEPARTMENT OF HIGHWAYS AND FACILITIES (2023)

WHEREAS, Resolution 79 of 2023 authorized advertisement for bids for various highway construction materials for use in the Department of Highways and Facilities, for the period May 1, 2023 through April 30, 2024, and said bids were opened on March 8, 15 and 16, 2023, respectively; now, therefore be it

RESOLVED, That bids for various Construction Materials and Lubricants for use by the Fulton County Highway Department, as placed on file in the Purchasing Office and identified by specification number below, be and hereby are accepted and awarded, and that the County, towns and villages in Fulton County may purchase the materials needed (when appropriate) from the plant whose bid price, plus hauling cost, indicates that the supplies will be delivered to the job site at the lowest price:

- D 3310.1** **Acrylic Water Borne Pavement Markings**
Seneca Pavement Marking, Horseheads, N.Y.
- D 5110.1** **Bridge Repair**
R & B Construction, LLC, Amsterdam, NY
- D 5110.2** **Pneumatically Projected Concrete**
R & B Construction, LLC, Amsterdam, NY

- D 5110.3** **Ready Mix Concrete**
Fulmont Ready Mix, Amsterdam, NY
Millers Ready-Mix Concrete and Block, Mayfield, NY
- D 5110.4** **Plant Mixed Patching Material**
Cushing Stone Co., Inc., Amsterdam, NY; Palette Stone Corp., Wilton, NY
- D 5110.5** **Corrugated Metal & Polyethylene Pipe**
Advanced Drainage Systems, Inc., Hilliard, Ohio: Town & County Bridge & Rail, Inc., Albany, NY;
- D 5110.6** **Guide Railing**
Town & County Bridge & Rail, Inc., Albany, NY
- D 5110.7** **Vegetation Control**
DeAngelo Contractin Services, LLC, Hazleton PA
- D 5112.1** **Coarse Aggregates – Crushed Stone/Crushed Gravel**
Carver Sand & Gravel LLC, Coeymans, NY; Carnesville Block Co., Inc. Amsterdam, NY; Cushing Stone Co., Inc., Amsterdam, NY; Adirondack Natural Resources, LLC, Duanesburg, NY; Heidelberg Materials Northeast NY LLC, Nedrow NY; Palette Stone Corp.,

Resolution No. 150 (Continued)

- Wilton, NY; Jointa Lime Co., Wilton, NY; Rifenburg Construction, Inc., Troy, NY; Troy Sand and Gravel co., Inc., Watervliet, NY; Callanan Industries, Inc., Albany, NY
- D 5112.2 Asphalt Concrete**
Callanan Industries, Inc., Albany, NY; Cushing Stone Co, Inc., Amsterdam, NY; Empire Paving, Duaneburg, NY; Heidelberg, Nedrow, NY; Palette Stone, Wilton, NY; Jointa Lime, Wilton, NY
- D 5112.3 Hot Mix Paving CR 110 - \$79.00 per ton, 9.5 F3 Top Course**
Empire Paving, Duaneburg, NY
- D 5112.3 Hot Mix Paving CR 107 (end of 2021 paving to NYS Rte 30) - \$79.00 per ton, 9.5 F3 Top Course**
Empire Paving, Duaneburg, NY
- D 5112.3 Hot Mix Paving CR 107 (NYS 30 to CR 126) - \$79.00 per ton**
9.5 F3 Top Course Empire Paving, Duaneburg, NY
- D 5112.3 Hot Mix Paving CR 123 - \$87.00 per ton 9.5 F3 Top Course**
Heidelberg Materials Northeast-NY LLC, Jamesville, NY
- D 5112.3 Hot Mix Paving CR 104 - \$81.50 per ton 9.5 F3 Top Course**
Heidelberg Materials Northeast-NY LLC, Jamesville, NY
- D 5112.4 Cold In-Place Recycling Type I**
Gorman Bros, Inc., Albany, NY; Peckham Road Corp, Hudson Falls, NY
- D 5112.5 Cold Planing**
Evolution Const. Services, Mechanicville, NY; Peckham Road Corp, Hudson Falls, NY; Callanan Industries Inc., Albany, NY; Jointa Lime Company, Wilton, NY
- D 5112.6 In Place Road Base Stabilization**
Gorman Bros, Inc., Albany, NY; Peckham Road Corp., Hudson Falls, NY
- D 5112.7 Cold In-Place Recycling – Hammermill Method**
No BIDS
- D 5112.8 Hot In-Place Asphalt Recycling**
Highway Rehabilitation Corp, Brewster, NY
- D 5142.1 Abrasives Snow & Ice Control**
Carver Sand & Gravel, LLC, Coeymans, NY; Adirondack Natural Resources, Duaneburg, NY; Furman Aggregates, Gloversville, NY; Rifenburg, Troy, NY; Heidelberg Materials Northeast –NY, LLC, Nedrow, NY; Troy Sand & Gravel Co., Inc., Watervliet, NY
- DM 5130.1 Lubricants**
RH Crown Co., Inc., Johnstown, NY;

Resolution No. 150 (Continued)

and be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, All Bidders, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FOGARTY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 151

Supervisors WILSON AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AMENDING THE 2023 CAPITAL PLAN TO INCREASE PAVING MILEAGE ON COUNTY ROUTE 107 (HIGHWAYS AND FACILITIES DEPARTMENT)

WHEREAS, the 2023 Capital Plan identifies pavement related projects on certain County roads; and

WHEREAS, Resolution 79 of 2023 authorized advertisement for bids for various highway construction materials for use in the Department of Highways and Facilities, for the period May 1, 2023 through April 30, 2024, and said bids were opened on March 8, 15 and 16, 2023; and

WHEREAS, bids received for Hot Mix Asphalt paving projects on County Road 110 and County Road 104 were lower than what was budgeted; and

WHEREAS, the Superintendent of Highways and Facilities requests transferring the excess funds from said projects to complete an additional 1.85 miles of paving for County Road 107 to the Saratoga County line; now, therefore be it

RESOLVED, That the 2023 Capital Plan be and hereby is amended accordingly; and, be it further

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfers:

From: D.5010.5112-4132-0110- EXP Road Construction-110	\$38,000.00	
D.5010.5112-4132.0104- EXP Road Construciton-104	\$44,000.00	
To: D.5010.5112-4132.0107 -EXP-Road Construction-107		\$82,000.00

and, be it further

RESOLVED, That the County Treasurer and Superintendent of Highways and Facilities do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 152

Supervisor WILSON offered the following Resolution and moved its adoption:

RESOLUTION AWARDING BID FOR THE SECURITY WINDOW REPLACEMENT
PROJECT IN THE FULTON COUNTY CORRECTIONAL FACILITY (2023 CAPITAL
PLAN)

WHEREAS, the 2023 Capital Plan identified a Security Window Replacement at the Fulton County Correctional Facility in an amount of \$70,000.00; and

WHEREAS, Resolution 80 of 2023 authorized advertisement for bids for said project and two (2) bids were received; now, therefore be it

RESOLVED, That upon the recommendation of the Superintendent of Highways and Facilities and Committee on Public Works, the net bid in the amount of \$54,520.00, as submitted by Sahl's Glass & Glazing, Inc., Whiteboro, NY for the Window Replacement Project at the Fulton County Correctional Facility be, and hereby is awarded, they being the lowest responsible bidder in accordance with project specifications; and, be it further

RESOLVED, That said purchase be charged against account A.1620.1624-2010 – EXP – Capital Expense; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways & Facilities, All Bidders, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 153

Supervisor WILSON offered the following Resolution and moved its adoption:

RESOLUTION AWARDING BID FOR A WHEELED EXCAVATOR AND ATTACHMENTS FOR USE IN THE HIGHWAYS AND FACILITIES DEPARTMENT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan identifies a new Wheeled Excavator for use in the Highways and Facilities Department; and

WHEREAS, Resolution 81 of 2023 authorized advertisement for bids for said Wheeled Excavator and four (4) bids were received; and

WHEREAS, the Superintendent of Highways and Facilities and Purchasing Agent recommend awarding the bid to A. Montano Company Inc.; now, therefore be it

RESOLVED, That the net bid, in an amount of \$264,220.00, as submitted by A. Montano Company Inc. of Saugerties, New York, for the purchase of a 2022 Hyundai HW140 Wheeled Excavator (including Forestry Head, Hydraulic Breaker and Hydraulic Compactor), for use in the Highways and Facilities Department be and hereby is awarded; they being the lowest responsible bidder in accordance with Specification No. 2023-82-04, dated 15 March 2023; and, be it further

RESOLVED, That the cost of said Excavator be charged against account DM.5130.5130-2010-EXP-Capital Expense; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, All Bidders, Budget Director/County Auditor and Administrative Officer/ Purchasing Agent.

Seconded by Supervisor FOGARTY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 154

Supervisors WILSON and CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING HIRE OF TEMPORARY SUMMER LABORER POSITIONS
IN THE DEPARTMENT OF HIGHWAYS AND FACILITIES**

WHEREAS, the Superintendent of Highways & Facilities has requested the creation of twelve (12) temporary Per Diem Laborer positions to assist with mowing, litter pick-up, flagging and grounds care; now, therefore be it

RESOLVED, That twelve temporary, Per Diem Laborer positions (Union-Job Group M-6, \$16.72 per hour) (eight (8) Highway, four (4) Facilities) be and hereby are created in the Highways & Facilities Department, effective May 1, 2023 through October 31, 2023; and, be it further

RESOLVED, That the Superintendent of Highways & Facilities and Personnel Director do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways & Facilities, Personnel Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 155

Supervisors WILSON and HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING AGREEMENTS BETWEEN THE DEPARTMENT OF HIGHWAYS AND FACILITIES AND CERTAIN TOWN HIGHWAY DEPARTMENTS FOR MOWING OF COUNTY RIGHTS-OF WAY (2023)

WHEREAS, the County of Fulton owns and is responsible for the maintenance of County Roads and attending rights-of-away which require mowing; and

WHEREAS, the Superintendent has proposed to offer a contract to all Towns to accomplish roadside mowing of county highways within each jurisdiction; and

WHEREAS, the Committees on Public Works and Finance recommend offering contracts to each Town at a rate of \$425.00 per mile during 2023; now, therefore be it

RESOLVED, That the Superintendent of Highways and Facilities be and hereby is, authorized to offer such contracts as follows:

<u>Town</u>	<u>Mileage</u>	<u>Cost</u>
Ephratah	7.52	\$3,196.00
Caroga Lake	7.28	\$3,094.00
Johnstown	31.99	\$13,595.75
Northampton	<u>10.82</u>	<u>\$4,598.50</u>
TOTALS	57.61	\$24,484.25

and, be it further

RESOLVED, That the Chairman of the Board be and hereby is authorized and directed to sign contracts with agreeable towns to provide mowing services to the County of Fulton on the rights-of-way for the above designated County roads as needed during 2023; and, be it further

RESOLVED, That said agreement is subject to the approval of the County Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, All Contracted Towns, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 156

Supervisor WILSON offered the following Resolution and moved its adoption:

RESOLUTION AWARDING BID FOR A BULLDOZER FOR USE IN THE SOLID WASTE
DEPARTMENT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan includes one (1) Bulldozer for use in the Solid Waste Department; and

WHEREAS, Resolution 74 of 2023 authorized advertisement for bids for said Bulldozer and three (3) bids were received; and

WHEREAS, the Director of Solid Waste, Purchasing Agent and the Committees on Public Works recommend that the Base Bid be awarded to United Construction, Clifton Park, NY for one (1) Bulldozer, at a net cost not to exceed \$415,500.00; now, therefore be it

RESOLVED, That the net Base Bid, in the amount of \$415,500.00, as submitted by United Construction of Clifton Park, NY for one (1) 2023 John Deere 850L Crawler Dozer Bulldozer, be and hereby is awarded; they being the lowest responsible bidder in accordance with project specifications; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Director of Solid Waste, All Bidders, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FOGARTY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 157

Supervisor WILSON offered the following Resolution and moved its adoption:

RESOLUTION AWARDING BID FOR ONE EJECTION TRAILER FOR USE IN THE SOLID WASTE DEPARTMENT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan includes one (1) Recyclables Ejection Trailer use in the Solid Waste Department; and

WHEREAS, Resolution 77 of 2023 authorized advertisement for bids for said Ejection Trailer and one (1) bid was received; and

WHEREAS, the Director of Solid Waste, Purchasing Agent and the Committee on Public Works recommend that the Base Bid be awarded to Spector Trailer, for one (1) Recyclables Ejection Trailer, at a cost not to exceed \$114,465.00; now, therefore be it

RESOLVED, That the net Base Bid, in the amount of \$114,465.00, as submitted by Spector Trailer of St. Clair, PA for one (1) Recyclables Ejection Trailer, be and hereby is awarded; they being the lowest responsible bidder in accordance with project specifications; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Director of Solid Waste, Bidders, Budget Director/ County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 158

Supervisor WILSON offered the following Resolution and moved its adoption:

RESOLUTION AWARDING BID FOR LITTER FENCING FOR USE IN THE SOLID
WASTE DEPARTMENT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan includes Litter Fencing for use in the Solid Waste Department; and

WHEREAS, Resolution 76 of 2023 authorized advertisement for bids for said Litter Fencing and two (2) bids were received; and

WHEREAS, the Director of Solid Waste, Purchasing Agent and the Committee on Public Works recommend that the Base Bid be awarded to Metta Technologies, Jackson, MI for Litter Fencing, at a net cost not to exceed \$50,700.00; now, therefore be it

RESOLVED, That the net Base Bid in the amount of \$50,700.00, as submitted by Metta Technologies of Jackson, MI for Litter Fencing, be and hereby is awarded; they being the lowest responsible bidder in accordance with project specifications; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Director of Solid Waste, All Bidders, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 159

Supervisor WILSON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE SOLID WASTE
DEPARTMENT AND ENVIRONMENTAL ATTRIBUTE ADVISORS TO FACILITATE
SALE OF CARBON CREDITS FOR 2022

WHEREAS, the Solid Waste Department has documented landfill gas production since 2007 and sold carbon credits since 2011 through the Chicago Climate Exchange; and

WHEREAS, the Solid Waste Director estimates that landfill carbon credit potential for 2022 are yet to be determined; and

WHEREAS, the Solid Waste Director and Committees on Public Works and Finance recommend contracting with Environmental Attribute Advisors to seek carbon credits for Fulton County at a price to be determined; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and Environmental Attribute Advisors, of New York City, NY, to seek carbon credits for the landfill methane gas flare operation and future gas project activities as follows:

- Environmental Attribute Advisors to receive a commission of 10 percent of any determined amount of carbon credits produced in the year 2022.

said contract subject to the approval of the County Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Solid Waste Director, Environmental Attribute Advisors, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 160

Supervisor WILSON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CONTRACT WITH RUBY CANYON ENGINEERING FOR CARBON CREDIT VERIFICATION (SOLID WASTE DEPARTMENT)

WHEREAS, Proposed Resolution 32 of 2023 authorized a contract with Environmental Attribute Advisors to market Fulton County Landfill gas-to-energy plant carbon credits; and

WHEREAS, Environmental Attribute Advisors has recommended validation company Ruby Canyon Engineering, Grand Junction, CO, to perform verifier services for County carbon credits sold during 2022 and 2023; now, therefore be it

RESOLVED, That upon the recommendation of the Solid Waste Director and Committee on Public Works, the Chairman of the Board be and hereby is authorized to sign a contract between the Solid Waste Department and Ruby Canyon Engineering, Grand Junction, CO, for carbon credit validation and verification as follows:

2022 Credits	\$11,000.00
2023 Credits	<u>7,700.00</u>
Total two-year contract:	\$18,700.00

; and, be it further

RESOLVED, That said contract is contingent upon approval by the County’s Special Legal Counsel for environmental issues, and, be it further

RESOLVED, That the Solid Waste Director do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Solid Waste Director, Ruby Canyon Engineering, Environmental Attributes, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 161

Supervisors WILSON and CALLERY offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING THE HIRE OF TEMPORARY SUMMER LABORER
POSITIONS IN THE SOLID WASTE DEPARTMENT

WHEREAS, the Solid Waste Director has requested the creation of four (4) temporary Per Diem Summer Laborer positions to assist with repair work, litter pick-up, cleaning and grounds care; now, therefore be it

RESOLVED, That four (4) temporary, Per Diem Summer Laborer positions (Union-Job Group M-6, \$16.72 per hour) be and hereby are created in the Solid Waste Department, effective May 1, 2023 through October 31, 2023; and, be it further

RESOLVED, That the Solid Waste Director and Personnel Director do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Solid Waste Director, Personnel Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 162

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ADDITIONAL AXON BODY CAMERA
EQUIPMENT/SOFTWARE LICENSES FOR THE SHERIFF'S
BODY CAMERA PILOT PROJECT

WHEREAS, Resolution 356 of 2022 authorized acceptance of the Bureau of Justice 2022 Assistance Small, Rural and Tribal Body-Worn Camera Program Grant in the amount of \$9,431.00; and

WHEREAS, Resolution 556 of 2022 authorized a 5-year contract with Axon Enterprises, Inc. for Body Camera System including hardware, software and services for use in the Sheriff's Department; and

WHEREAS, Resolution 67 of 2023 re-appropriated certain funds from 2022 into the 2023 Budget for Training Services for Axon Cameras; and

WHEREAS, the Sheriff recommends the purchase of thirteen (13) additional licensing bundles for the Body Camera Pilot Project as said licensing is required for each individual for completion of the project; now, therefore be it

RESOLVED, That upon the recommendation of the Sheriff and Committee on Finance, the Chairman of the Board be, and hereby authorizes the Sheriff to purchase thirteen (13) additional Axon Body Camera Equipment/Software licenses for the Body Camera Pilot Project in an amount not to exceed \$1,410.00; and, be it further

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfer:

From: A.3110.3110-4210 - EXP- Training and Conferences
To: A.3110.3110-4130 - EXP- Contractual
Sum: \$1,410.00

and, be it further

RESOLVED, That certified copies of the Resolution be forwarded to the County Treasurer, Sheriff, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 163

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A 2023 MAINTENANCE CONTRACT WITH TYLER TECHNOLOGIES (INFORMATION TECHNOLOGY DEPARTMENT)

WHEREAS, Resolution 300 of 2019 awarded a contract in the amount of \$748,140.00 to Tyler Technologies for purchase of Public Safety/CAD/RMS and Mobile Data System Software and Installation; and

WHEREAS, Resolution 62 of 2021 authorized a contract amendment with Tyler Technologies for Site Licensing as a Component of the Sheriff CAD/RMS System Contract in the amount of \$34,490.00; and

WHEREAS, the Information Technology Director has requested a maintenance contract with Tyler Technologies for the Mobile portion of the CAD/RMS system; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a maintenance contract renewal form between the Information Technology Department and Tyler Technologies of Troy, Michigan for maintenance of said software at a cost of \$12,213.60, for the period April 1, 2023 through March 31, 2024; and, be it further

RESOLVED, That said contract is subject to the approval of the County Attorney; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Information Technology Director, Tyler Technologies, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 164

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION APPROVING USER AGREEMENTS BETWEEN THE BOARD OF ELECTIONS AND LOCAL SCHOOL DISTRICTS TO USE COUNTY VOTING MACHINES (2023)

WHEREAS, as of January 1, 2016, area school districts must use electronic voting machines to conduct school elections to meet new State mandates for school board elections; and

WHEREAS, Resolution 155 of 2015 authorized a Pilot program with the Greater Johnstown School District for Image Cast Electronic Voting to determine best practices for any other schools that desire to contract with the County for said service; and

WHEREAS, the Board of Supervisors previously approved User Agreements between the Board of Elections and Local School Districts to Use County Voting Machines during 2016, 2017, 2018, 2019, 2020, 2021 and 2022; and

WHEREAS, the Board of Elections Commissioners and Committee on Finance recommend authorizing User Agreements between the Board of Elections and local school districts to use County-owned electronic voting machines; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign User Agreements between the Board of Elections and local school districts for use of the County voting machines for 2023 school board elections; said agreement subject to approval by the County Attorney; and, be it further

RESOLVED, That said school districts will reimburse the Board of Elections for costs associated with preparation and use of said machines at school district polling sites; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Board of Elections Commissioners, All Local School Districts, H-F-M BOCES Superintendent, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 165

Supervisor HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION AWARDING BID TO PHOENIX GRAPHICS FOR ELECTION SUPPLIES
AND PRINTED MATERIALS FOR USE IN THE BOARD OF ELECTIONS (2023)**

WHEREAS, Resolution 92 of 2023 authorized advertisement for bids for the purchase of election supplies and printed materials for use in the Board of Elections and one (1) bid was received; now, therefore be it

RESOLVED, That the net bid, in an amount of \$36,270.24, as submitted by Phoenix Graphics of Rochester, NY, for the estimated purchase of election supplies and printed materials for use in the Board of Elections be and hereby is awarded for the period April 1, 2023 through March 31, 2024, as reviewed and recommended by the Board of Elections and Purchasing Agent; they being the lowest responsible bidder in accordance with Specification No. 2023-22-01; and, be it further

RESOLVED, That said cost be a charge against applicable Board of Elections accounts; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Board of Elections, All Bidders, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 166

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AMENDING THE AMOUNT OF THE “SURVEILLANCE AND INTELLIGENCE UPGRADE” PROJECT IN THE DISTRICT ATTORNEY’S OFFICE (2023 CAPITAL PLAN)

WHEREAS, Resolution 111 of 2023 established the Surveillance and Intelligence Upgrade Project as part of the 2023 Capital Plan in a total amount of \$90,000.00; and

WHEREAS, the original capital project request did not include an Extended Warranty for years 2, 3 and 4 for two (2) Stationary License Plate Readers (LPR); and

WHEREAS, the District Attorney requests that additional funds be appropriated for Extended Warranties on the two (2) Stationary LPR being implemented as part of the 2023 Project for consistency with warranty periods on previously purchased LPR equipment; now, therefore be it

RESOLVED, That based upon recommendations of the District Attorney, and Committee on Finance, the 2023 Capital Plan be and hereby is amended to include the purchase of three (3) year Extended Warranty for two (2) Stationary LPR installations for the 2023 “Surveillance and Intelligence Upgrade” project at a total cost not to exceed \$10,530.00, for a new total project cost not to exceed \$100,530.00; and, be it further

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfers:

From: A-0883.0700 – Capital Equipment Reserve
To: A-0909 – Unreserved Fund Balance
Sum: \$10,530.00

From: A.1000.9950-9000.1100 – EXP – Capital Equipment Expense
To: H.1165.3097-2100.0975 – EXP – Surveillance & Intelligence Upgrade Project
Sum: \$10,530.00

and, be it further

RESOLVED, That the 2023 Adopted Budget be and hereby is amended as follows:

Revenue	
Increase A.1000.0511-0511 – REV – Appropriated Reserves	\$10,530.00
Appropriation	
Increase A.1000.9950-9000.1100 – EXP – Capital Equipment Expense	\$10,530.00

and, be it further

Resolution No. 166 (Continued)

RESOLVED, That the District Attorney and County Treasurer do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, District Attorney, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 167

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT WITH
GALLO CONSTRUCTION CORPORATION FOR FMCC SCIENCE LABS AND
CLASSROOMS PHASE III PROJECT (2022 CAPITAL PLAN)

WHEREAS, the 2022 Capital Plan includes a FMCC Science Labs and Classrooms Phase III Project; and

WHEREAS, Resolution 202 of 2022 awarded bids for Prime Contracts for the FMCC Science Labs and Classrooms Phase III Project including a contract with Gallo Construction Corp. of Watervliet, NY for General Construction in the amount of \$589,955.00 including a project Contingency Allowance of \$36,000.00; and

WHEREAS, field change orders executed for said Gallo contract totaled \$21,730.60, leaving a contract Contingency Allowance balance of \$14,269.40; and

WHEREAS, the Planning Director and FMCC Officials recommend releasing said balance in the contract Contingency Allowance for the FMCC Science Labs and Classrooms Phase III Project; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign Change Order No. 1 to the contract with Gallo Construction Corp. of Watervliet, NY to release said Contingency Allowance balance, for the FMCC Science Labs and Classrooms Phase III Project as follows:

Original Contract Amount:	\$589,955.00
Change Order No. 1 (credit)	<u>- 14,269.40</u>
Final Contract Amount:	\$575,685.60

and, be it further

RESOLVED, That said contract is subject to the approval of the County Attorney; and, be it further

RESOLVED, That this resolution is contingent upon the passage of a similar resolution by the Montgomery County Legislature, and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, FMCC, Montgomery County Legislature, Gallo Construction Corp., Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 404 (16) Nays: 0 Abstentions: 25 (1) (Supervisor Young)
Absent: 100 (3) (Supervisors Born, Goderie and Van Genderen)

Resolution No. 168

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE PLUMBING
CONTRACT WITH RMB MECHANICAL INC. FOR FMCC SCIENCE LABS AND
CLASSROOMS PHASE III PROJECT (2022 CAPITAL PLAN)

WHEREAS, the 2022 Capital Plan includes a FMCC Science Labs and Classrooms Phase III Project; and

WHEREAS, Resolution 202 of 2022 awarded bids for Prime Contracts for the FMCC Science Labs and Classrooms Phase III Project, including a contract with RMB Mechanical Inc. of Schenectady, NY for a Plumbing Contract in the amount of \$58,460.00, including a Contingency Allowance of \$6,000.00; and

WHEREAS, the contract Contingency Allowance has a balance of \$6,000.00; and

WHEREAS, the Planning Director and FMCC recommend utilizing said contract balance and uncommitted project balance to complete additional Casework and Sink Modifications to complete plumbing contract work in the amount of \$13,451.55; now, therefore be it

RESOLVED, That the Chairman of the Board b.e and hereby is authorized to sign Change Order No. 1 to the contract with RMB Mechanical Inc. of Schenectady, NY to complete Additional Casework and Sink Modifications, as part of the FMCC Science Labs and Classrooms Phase III Project as follows:

Original Contract Amount:	\$58,460.00
Change Order No. 1 (Casework, Sing Modifications)	<u>+ 7,451.55</u>
Final Contract Amount:	\$65,911.55

and, be it further

RESOLVED, That said cost be a charge against H.8020.2497-2100.0965 - EXP-FMCC Science Labs and Classrooms; and, be it further

RESOLVED, That this resolution is contingent upon the passage of a similar resolution by the Montgomery County Legislature, and, be it further

Resolution No. 168 (Continued)

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, FMCC, Montgomery County Legislature, RMB Mechanical Inc., Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 404 (16) Nays: 0 Abstentions: 25 (1) (Supervisor Young)
Absent: 100 (3) (Supervisors Born, Goderie and Van Genderen)

Resolution No. 169

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE HVAC CONTRACT
WITH RMB MECHANICAL INC. FOR FMCC SCIENCE LABS AND CLASSROOMS
PHASE III PROJECT (2022 CAPITAL PLAN)

WHEREAS, the 2022 Capital Plan includes a FMCC Science Labs and Classrooms Phase III Project; and

WHEREAS, Resolution 202 of 2022 awarded bids for Prime Contracts for the FMCC Science Labs and Classrooms Phase III Project, including a contract with RMB Mechanical Inc. of Schenectady, NY for a HVAC Contract in the amount of \$48,300.00, including a Contingency Allowance of \$6,000.00; and

WHEREAS, the contract Contingency Allowance has a balance of \$2,272.40; and

WHEREAS, the Planning Director and FMCC officials recommend utilizing said contract balance and uncommitted project balance to complete Additional Duct Work and Insulation Work to complete the HVAC contract work in the amount of \$9,347.00; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign Change Order No. 1 to the contract with RMB Mechanical Inc. of Schenectady, NY to complete the additional duct and insulation work, as part of the FMCC Science Labs and Classrooms Phase III Project as follows:

Original Contract Amount:	\$48,300.00
Change Order No. 1 (Add Duct/Insulation Work)	<u>+ 7,074.60</u>
Revised Contract Amount:	\$55,374.60

and, be it further

RESOLVED, That said cost be a charge against H.8020.2497-2100.0965 - EXP-FMCC Science Labs and Classrooms; and, be it further

RESOLVED, That this resolution is contingent upon the passage of a similar resolution by the Montgomery County Legislature, and, be it further

Resolution No. 169 (Continued)

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, FMCC, Montgomery County Legislature, RMB Mechanical Inc., Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 404 (16) Nays: 0 Abstentions: 25 (1) (Supervisor Young)
Absent: 100 (3) (Supervisors Born, Goderie and Van Genderen)

Resolution No. 170

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE ELECTRICAL CONTRACT WITH STILSING ELECTRIC, INC. FOR FMCC CAMPUS LABS AND CLASSROOMS PHASE III PROJECT (2022 CAPITAL PLAN)

WHEREAS, the 2022 Capital Plan includes a FMCC Science Labs and Classrooms Phase III Project; and

WHEREAS, Resolution 202 of 2022 awarded bids for Prime Contracts for the FMCC Science Labs and Classrooms Phase III Project, including a contract with Stilsing Electric Inc. of Rensselaer, NY for an Electrical Contract in the amount of \$111,100.00, including a Contingency Allowance of \$6,000.00; and

WHEREAS, said contract Contingency Allowance has a balance of \$6,000.00; and

WHEREAS, the Planning Director and FMCC Officials recommend utilizing said contract balance and uncommitted project balance to complete Additional Electrical Work related to relocating Science Lab Outlets in the amount of \$10,360.00; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign Change Order No. 1 to the contract with Stilsing Electric Inc. of Rensselaer, NY to complete Additional Electrical Work related to Relocating Science Lab Outlets, as part of the FMCC Science Labs and Classrooms Phase III Project as follows:

Original Contract Amount:	\$111,100.00
Change Order No. 1 (Relocate Science Lab Outlets)	+ 4,360.00
Revised Contract Amount:	\$115,460.00

and, be it further

RESOLVED, That said cost be a charge against H.8020.2497-2100.0965 - EXP-FMCC Science Labs and Classrooms; and, be it further

RESOLVED, That this resolution is contingent upon the passage of a similar resolution by the Montgomery County Legislature, and, be it further

Resolution No. 170 (Continued)

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, FMCC, Montgomery County Legislature, RMB Mechanical Inc., Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 404 (16) Nays: 0 Abstentions: 25 (1) (Supervisor Young)
Absent: 100 (3) (Supervisors Born, Goderie and Van Genderen)

Resolution No. 171

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT EXTENSION WITH CERTAIN TITLE INSURANCE COMPANIES FOR TITLE SEARCH SERVICES (COUNTY TREASURER)

WHEREAS, Resolution 56 of 2021 authorized a contract extension with certain Title Insurance Companies for Title Search Services effective through May 31, 2022; and

WHEREAS, in accordance with Gubernatorial Executive Orders issued during the COVID-19 public health emergency, processing of tax delinquency foreclosures was stayed and related title search work was not completed; and

WHEREAS, the County Treasurer recommends extending contracts with Chain of Deeds, LLC, Genesis Abstract Inc. and KCS Land Research Corp. to complete all Title Search work required for annual property tax enforcement retroactively from June 1, 2022 through May 31, 2023 inasmuch as these firms commenced the original title search work; now, therefore be it

RESOLVED, That upon the recommendation of the County Treasurer and Committee on Finance, the Chairman of the Board be and hereby is authorized to sign contracts with the following title search companies:

Chain of Deeds LLC (240 River Street, Apt. C, Warrensburg, NY)
Genesis Abstract Inc. (128 West Main Street, Mohawk, NY)
KCS Land Research Corp. (9 Mohawk Place, Amsterdam, NY)

retroactive from June 1, 2022 through May 31, 2023, at the following rates:

\$90.00 per parcel for base search
15.00 per parcel for bankruptcy search
20.00 per parcel for search update

and, be it further

RESOLVED, That said contract awards be and hereby are contingent upon each abstract company submitting a Certificate of Insurance for professional liability insurance naming the County as an additional insured for the entire period of the contract work; and, be it further

Resolution No. 171 (Continued)

RESOLVED, that certified copies of this Resolution be forwarded to the County Treasurer, County Clerk, Chain of Deeds, LLC, Genesis Abstract Inc., KCS Land Research Corp., County Attorney, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor KINOWSKI and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 172

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION RESCINDING RESOLUTION 98 OF 2023 THAT AUTHORIZED THE
BUDGET DIRECTOR TO SELL BACK 40 HOURS OF VACATION LEAVE

WHEREAS, Resolution 98 of 2023 authorized the Budget Director to sell back 40 hours of Vacation accruals if and when total accruals exceeded the maximum allowable limit in accordance with the Non-Union Policy Manual; and

WHEREAS, after said Resolution was approved, the Personnel Director determined that said accruals were below the maximum allowable limit; now, therefore be it

RESOLVED, That Resolution 98 of 2023, be, and hereby is, rescinded; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Personnel Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 173

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ENDORSING AN OFFICE RELOCATION AND FINANCIAL SUPPORT PLAN FOR THE FULTON COUNTY SOIL AND WATER CONSERVATION DISTRICT

WHEREAS, the Fulton County Soil and Water Conservation District currently leases a facility, which expires at the end of 2024; and

WHEREAS, the Committees on Economic Development and Environment and Finance recommend the concept of an Office Relocation and Financial Support Plan to relocate the Fulton County Soil and Water Conservation District offices to a new improved facility at 174-188 South Melcher Street, Ext., Johnstown, NY; said location being County-owned property previously taken via tax foreclosure; now, therefore be it

RESOLVED, That the Board of Supervisors hereby endorses an Office Relocation and Financial Support Plan for the Fulton County Soil and Water Conservation District with approximate terms as follows:

1. SWCD would demolish existing structures and complete initial site preparation work estimated at \$185,000.00 of its own expense.
2. SWCD would manage and construct buildings at the site, subject to approvals of design and phasing by the Board of Supervisors.
3. County to provide construction financing in the amount of \$530,000.00 within future 2024 Budget appropriations.
4. SWCD would enter a Lease-to-Own Sales Contract: 25-year term (300 months) commencing 2025, as a “pay back” plan.
5. SWCD to pay a periodic escalator on any repayment/lease plan resulting in a total payment of \$650,000.00 accounting for the County’s potential lost interest accruals in the following schedule:

<u>Year</u>	<u>Lease Installment per year</u>	<u>Per Period</u>
2023	\$1.00 (Land Lease)	
2024	\$1.00 (Land Lease)	
2025-2029	\$20,000.00	\$100,000.00
2030-2034	\$22,000.00	110,000.00
2035-2039	\$25,000.00	125,000.00
2040-2044	\$29,000.00	145,000.00
2045-2049	\$34,000.00	<u>170,000.00</u>
	Total Lease-to-Own Amount:	\$650,000.00

and, be it further

Resolution No. 173 (Continued)

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Soil and Water Conservation District, Budget Director/ County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 174

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION REQUESTING SPECIAL HOME RULE LEGISLATION AUTHORIZING
EXTENSION OF ADDITIONAL RATE OF SALES AND COMPENSATING USE TAXES
AND AUTHORIZING THE CITIES OF GLOVERSVILLE AND JOHNSTOWN TO
PREEMPT SUCH ADDITIONAL RATE

WHEREAS, Resolution 259 of 2009 increased taxes on sales and uses of tangible personal property and certain services, on occupancy of hotel rooms and on amusement charges, pursuant to Article 29 of the Tax Law of the State of New York by an additional 1 percent, in accordance with special State Home Rule legislation by the NYS Legislature; and

WHEREAS, Resolution 115 of 2020 extended taxes on sales and uses of tangible personal property and certain services, on occupancy of hotel rooms and on amusement charges pursuant to Article 29 of the Tax Law of the State of New York through November 30, 2023; and

WHEREAS, extension of the additional 1 percent County sales tax can provide a mechanism to reduce the County's reliance on the property tax to fund government operations; and

WHEREAS, the Finance Committee recommends requesting continuation of special Home Rule legislation to grant the County of Fulton the local option to impose an additional rate of sales and compensating use taxes and the Cities of Gloversville or Johnstown to preempt such additional rate; and

WHEREAS, appropriate Home Rule legislation will be introduced in the form of Senate Bills and Assembly Bills to grant the County of Fulton the local option to impose an “additional rate of sales and compensating use taxes” equal to 1 percent beyond November 30, 2023; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors by this Resolution, requests State legislative approval of Home Rule Legislation to grant the County of Fulton the local option to impose an “additional rate of sales and compensating use taxes in an amount equal to 1 percent additional to the 3 percent already enacted and the Cities of Gloversville or Johnstown to preempt such additional rate; and, be it further

RESOLVED, That the Chairman of the Board, as appropriate, be and hereby is authorized to sign a “Home Rule Request” and related documentation related to the local option to impose an additional rate of sales and compensating use taxes; and, be it further

Resolution No. 174 (Continued)

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Governor Hochul, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Mark Walczyk, Assemblyman Robert Smullen, Assemblyman Matt Simpson, Assemblywoman Mary Beth Walsh, Budget Director/ County Auditor and Administrative Officer/ Clerk of the Board, and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 175

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION REQUESTING SPECIAL HOME RULE LEGISLATION TO EXTEND THE
“ADDITIONAL MORTGAGE TAX” IN FULTON COUNTY

WHEREAS, Resolution 199 of 2017 re-established an “Additional Mortgage Tax”, in an amount of 25 cents per \$100.00 of debt, in accordance with special State Home Rule legislation approved by NYS Legislature, and said special legislation will expire on November 30, 2020; and

WHEREAS, Resolution 116 of 2020 requested Special Home Rule Legislation to extend the “Additional Mortgage Tax” in Fulton County through November 30, 2023; and

WHEREAS, appropriate Home Rule legislation to extend said “Additional Mortgage Tax” will be introduced in the form of a Senate Bill and an Assembly Bill to grant the County of Fulton the local option to impose an “additional mortgage recording tax” beyond November 30, 2023; now, therefore be it

RESOLVED, That the Fulton County Board of Supervisors by this Resolution, requests State legislative approval of Home Rule Legislation to grant the County of Fulton an extension of the local option to impose an “additional mortgage recording tax” on each deed recorded with the County of Fulton, effective December 1, 2023 through November 30, 2026; and, be it further

RESOLVED, That the Chairman of the Board, as appropriate, be and hereby is authorized to sign a “Home Rule Request” and related documentation related to the local option to impose an “additional mortgage recording tax”; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, Governor Hochul, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Mark Walczyk, Assemblyman Robert Smullen, Assemblyman Matt Simpson, Assemblywoman Mary Beth Walsh, Budget Director/ County Auditor and Administrative Officer/ Clerk of the Board, and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 176

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION OPPOSING GOVERNOR HOCHUL’S NEW YORK HOUSING COMPACT PROPOSAL AND ANY STATE GOVERNMENT OVERRIDE OF LOCAL ZONING LAWS

WHEREAS, Governor Hochul’s Fiscal Year 2023-24 Executive Budget included the “New York Housing Compact” which is an initiative to build 800,000 homes statewide over the next decade with new provisions that will allow New York State to ignore local zoning authority in order to achieve so-called target housing growth; and

WHEREAS, this housing initiative would amend General Municipal Law and would override local municipalities’ land use regulation by gutting the home rule authority; and

WHEREAS, it would further require a local municipality to meet or exceed a Residential Dwelling Growth Target by enacting two of five “preferred actions” by local law in order to be considered in “Safe Harbor” status; and

WHEREAS, all five “preferred actions” require extreme and substantial amendments to local zoning, including but not limited to, no restrictions or minimum lot size, height limits, setbacks, parking, and no environmental review, planning board review and aesthetic review; and

WHEREAS, appeals would be brought to a new State Housing Review Board usurping the Home Rule authority of local land use boards thereby eliminating local control and input from those who better understand their own community; and

WHEREAS, Fulton County residents have had a voice and participated in land use decisions for decades, including but not limited to updating of municipal Comprehensive Plans, participating in public hearings, and volunteering on local municipal boards and committees; now, therefore be it

RESOLVED, That the Board of Supervisors adamantly opposes the Governor’s Housing Compact and urges the State Legislature to preserve and protect Municipal Home Rule and Local zoning powers by rejecting this ill-advised legislation; and, be it further

Resolution No. 176 (Continued)

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Governor Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Mark Walczyk, Assemblyman Robert Smullen, Assemblyman Matthew Simpson, Assemblywoman Mary Beth Walsh, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor FAGAN and adopted by the following vote:

TOTAL: Ayes: 404 (16) Nays: 25 (1) (Supervisor Young)
Absent: 100 (3) (Supervisors Born, Goderie and Van Genderen)

Resolution No. 177

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING DISPOSAL OF CERTAIN SURPLUS EQUIPMENT

WHEREAS, the Purchasing Agent recommends disposal of broken equipment in certain departments; now, therefore be it

RESOLVED, That the Purchasing Agent be and hereby is authorized to dispose of the following County surplus equipment, in accordance with the Fulton County Purchasing and Audit Guidelines:

Public Health:

1 – 5-Drawer File Cabinet (1442)

1 – 4-Drawer File Cabinet (3874)

1 – Exam Table (3943)

1 – Side Table (0072)

and, be it further

RESOLVED, That the Superintendent of Highways and Facilities, Solid Waste Director and Purchasing Agent be and hereby are directed to arrange for the disposal of the listed surplus as scrap and/or refuse, to be coordinated with the Solid Waste Department's current bulky metals contract, as necessary; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Superintendent of Highways and Facilities, Solid Waste Director, Public Health Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 178

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING CERTAIN TRANSFERS

RESOLVED, That the County Treasurer be and hereby is directed to make the following transfers:

Sheriff's Office

From: A.3110.3110-4210 – EXP – Training and Conferences	\$2,550.00	
A.3110.3150-4210 – EXP – Training and Conferences	750.00	
To: A.3110.3150-4130 – EXP – Contractual		\$3,300.00

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 179

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AND ORDER ESTABLISHING FULTON COUNTY SEWER DISTRICT
NO. 5: NYS ROUTE 30/30A

WHEREAS, the Fulton County Board of Supervisors has determined that it is in the interest of the residents of Fulton County to establish public sewer service along the NYS Route 30/30A Corridor from Gloversville to Northville; and

WHEREAS, the City of Gloversville and Gloversville-Johnstown Joint Wastewater Treatment Facility have sufficient capacity and ability to supply sewer service to the County in accordance with the SMART Waters Inter-municipal Agreement; and

WHEREAS, NYS County Law Article 5-A authorizes Fulton County to establish county sewer districts, which districts are further authorized to purchase sewage treatment capacity for resale within the district; and

WHEREAS, pursuant to public notice, dated March 7, 2023, the Fulton County Board of Supervisors held a public hearing on April 10, 2023, regarding the Map, Plan and Report for the establishment of Fulton County Sewer District No. 5: NYS Route 30/30A; and

WHEREAS, an Environmental Assessment Form was prepared by the Fulton County Board of Supervisors, a coordinated review has been completed and by Resolution dated April 10, 2023, authorized the issuance of a Negative Declaration pursuant to the State Environmental Quality Review Act ("SEQRA"); now therefore be it

RESOLVED, That the Board of Supervisors, hereby, accepts the Fulton County Sewer District No. 5: NYS Route 30/30A Map, Plan and Report, prepared by Environmental Design Partnership, which identified the proposed improvements, the boundaries and description of the proposed district, the proposed method of financing and the estimated costs of the improvements and all other matters required by law to be stated; now, therefore be it

RESOLVED, That:

- (a) the proposed sewer facilities are satisfactory and sufficient;
- (b) all of the property and property owners within County Sewer District No. 5: NYS Route 30/30A are benefited thereby;

Resolution No. 179 (Continued)

- (c) all of the property and property owners benefited are included within the limits of proposed County Sewer District No. 5: NYS Route 30/30A;
- (d) it is in the public interest to establish County Sewer District No. 5: NYS Route 30/30A; and
- (e) the establishments of zones of assessment is not recommended;

and, be it further

RESOLVED, That Fulton County Sewer District No. 5: NYS Route 30/30A as described and defined in the updated Fulton County Sewer District No. 5: NYS Route 30/30A Map, Plan and Report, dated February 2023 prepared by Environmental Design Partnership, be and hereby is established; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, NYSDOH, County Clerk, Planning Director, City of Gloversville, City of Johnstown, Town of Johnstown, Town of Mayfield, Village of Mayfield Village of Northville, Town of Northampton, Gloversville-Johnstown Joint Waste Water Treatment Facility, Environmental Design Partnership, Budget Director/County Auditor, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency who will further the purport of this Resolution.

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Born, Goderie and Van Genderen)

Resolution No. 180

Supervisors GROFF AND HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ADOPTING LOCAL LAW "1" OF 2023 TO PROVIDE REAL PROPERTY TAX EXEMPTIONS FOR VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO SECTION 466-A OF THE REAL PROPERTY TAX LAW

WHEREAS, proposed Local Law "1" of 2023 entitled, "A Local Law to Provide Real Property Tax Exemptions for Volunteer Firefighters and Ambulance Workers Pursuant to Section 466-A of the Real Property Tax Law" has laid upon the desks of the Board of Supervisors for the required period; and

WHEREAS, a public hearing was held on April 10, 2023, after due posting thereof and everyone who wanted to speak was heard; now, therefore be it

RESOLVED, That Local Law "1", as attached hereto and made a part hereof, be and hereby is approved; and, be it further

RESOLVED, That the Clerk of the Board is directed to number said local law for appropriate recording and filing purposes; and, be it further

RESOLVED, That the Chairman of the Board of Supervisors and County Attorney be authorized and empowered to do each and every other thing necessary to further the purport of this Resolution; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, NYS Secretary of State, Fulton County Code, Budget Director/County Auditor, Administrative Officer/Clerk of the Board, and to each and every other person, institution or agency which will further the purport of this Resolution.

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 424 (16) Nays: 5 (1) (Supervisor Fogarty)
Absent: 100 (3) (Supervisors Born, Goderie and Van Genderen)

**COUNTY OF FULTON, NEW YORK
LOCAL LAW NO. "1" OF 2023**

**A LOCAL LAW TO PROVIDE REAL PROPERTY TAX EXEMPTIONS FOR
VOLUNTEER FIREFIGHTERS AND AMBULANCE WORKERS PURSUANT TO
SECTION 466-A OF THE REAL PROPERTY TAX LAW**

BE IT ENACTED, by the Fulton County Board of Supervisors of the County of Fulton as follows:

SECTION 1. LEGISLATIVE INTENT.

Volunteer fire and ambulance members provide our communities with valuable emergency and lifesaving services. Members spend countless hours and their own personal finances for the betterment of their services and their community.

In addition, by volunteering these persons keep local property taxes at a heavily reduced rate compared to areas with paid members. The Board of Supervisors finds it appropriate to recognize these volunteers for the countless hours they spend on behalf of the community as well as to provide a benefit and incentive for future volunteer service. This exemption only applies to the County portion of a property tax bill.

SECTION 2. AUTHORITY.

- (a) Pursuant to New York State Real Property Tax Section 466-a, the County of Fulton shall offer a real property tax exemption for real property owned by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service or such enrolled member and spouse residing in said county.

SECTION 3. ELIGIBILITY.

- (a) Such exemption shall only be granted to an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service residing in the county if:
- 1) the applicant resides in the city, town, or village which is served by such incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service;
 - 2) the property is the primary residence of the applicant;
 - 3) the property is used exclusively for residential purposes; provided however, that in the event any portion of such property is not used exclusively for the applicant's residence but is used for other purposes, such portion shall be subject to taxation and the remaining portion only shall be entitled to the exemption provided by this section; and
 - 4) the applicant has been certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or voluntary ambulance

service as an enrolled member of such incorporated volunteer fire company, fire department, or voluntary ambulance service; and

- 5) the applicant has served at least five (5) years with the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service.
- (b) Any enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service who accrues more than twenty (20) years of active service and is so certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service, shall be granted the ten percent exemption as authorized by this section for the remainder of his or her life as long as his or her primary residence is located within the county.
- (c) Un-remarried spouses of volunteer firefighters or volunteer ambulance workers killed in the line of duty may continue an exemption or reinstate a pre-existing exemption claimed under these statutes by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service, to such deceased enrolled member's un-remarried spouse if such member is killed in the line of duty; provided, however, that:
- 1) such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service as an un-remarried spouse of an enrolled member of such incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service who was killed in the line of duty; and
 - 2) such deceased volunteer had been an enrolled member for at least five (5) years; and
 - 3) such deceased volunteer had been receiving the exemption prior to his or her death.
- (d) Un-remarried spouses of deceased volunteer firefighters or volunteer ambulance workers may continue an exemption or reinstate a pre-existing exemption to an un-remarried spouse of a deceased enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service; provided, however, that:
- 1) such un-remarried spouse is certified by the authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service as an un-remarried spouse of a deceased enrolled member of such incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service; and
 - 2) such deceased volunteer had been an enrolled member for at least twenty (20) years; and
 - 3) such deceased volunteer and un-remarried spouse had been receiving the exemption for such property prior to the death of such volunteer.

SECTION 4. EXEMPTION.

- (a) Real property owned by an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service or such enrolled member and spouse residing in said county and meet the eligibility requirements in Section 3 of

this Article shall be exempt from taxation of ten percent of the assessed value of such property for county purposes.

- (b) If the volunteer has claimed a credit on their New York State income taxes pursuant to Tax Law §606(e-1), no exemption may be granted.

SECTION 5. APPLICATION FOR EXEMPTION.

- (a) Application for exemption shall be made by the owner, or all of the owners, of the property on a form prescribed by the state board of real property tax services. The owners shall file the completed form in the assessor's office on or before the first appropriate taxable status date. Such property must be the primary residence of the volunteer or un-remarried spouse.
- (b) The authority having jurisdiction for the incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service shall annually certify a list of enrolled members who are in compliance with the enrollment period minimum to the assessor's office, on or before February 1st of each year. This certification must include:
 - (1) Name of the incorporated volunteer fire company, fire department, incorporated voluntary ambulance service; and
 - (2) Signature of person authorized by the incorporated volunteer fire company, fire department, incorporated voluntary ambulance service to certify the list; and
 - (3) Name of person authorized by the incorporated volunteer fire company, fire department, incorporated voluntary ambulance service to certify the list; and
 - (4) List of volunteers with at least five (5) years of service in that person authorized by the incorporated volunteer fire company, fire department, incorporated voluntary ambulance service to certify the list; and
 - (5) List of volunteers with at least twenty (20) years of service in that person authorized by the incorporated volunteer fire company, fire department, incorporated voluntary ambulance service to certify the list; and
 - (6) List of volunteers that have died in the line of duty with at least five (5) years of service in that person authorized by the incorporated volunteer fire company, fire department, incorporated voluntary ambulance service to certify the list; and
 - (7) List of deceased volunteers with at least twenty (20) years of service in that person authorized by the incorporated volunteer fire company, fire department, incorporated voluntary ambulance service to certify the list; and
- (c) Any applicant or person filing company, department or service certification documentation that is convicted of willfully making any false statement in the application or certification documentation for such exemption shall be subject to the penalties prescribed in the Penal Law.

SECTION 6. SEQRA DETERMINATION.

It is hereby determined, pursuant to the provisions of the State Environmental Quality Review Act, 8 NYECL Section 0101 et seq., and its implementing regulations, Part 617 of 6 NYCRR, that the adoption of this local law is a "Type II" Action within the meaning of Section 617.5(c) (26) and (33) of 6 NYCRR, and, accordingly, is of a class of actions which do not have a significant impact on the environment and no further review is required." [6 NYCRR Section

617.5(c) (26) and (33) apply to: “(26) routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment” and “(33) adoption of regulations, policies, procedures and local legislative decisions in connection with any action on this list”]

SECTION 7. SEVERABILITY.

If any clause, sentence, paragraph, subdivision, section or part of this law of the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law, or in its application to the person, individual corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgement shall be rendered.

SECTION 8. REVERSE PREEMPTION.

This article shall be null and void on the day that statewide legislation goes into effect incorporating either the same or substantially similar provisions as are contained in this law or in the event that a pertinent state or federal administrative agency issues and promulgates regulations preempting such action by the County of Fulton.

SECTION 9. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the Secretary of State, and shall apply to assessment rolls prepared on the basis of taxable status dates occurring on or after such date.