

**SEVENTH REGULAR SESSION**

Johnstown, NY

July 10, 2023

Roll Call – Quorum Present

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

TOTAL: Present: 19 Absent: 1 (Supervisor Kinowski)

Chairman Horton called the meeting to order at 1:00 p.m. Following the Pledge of Allegiance, Mr. Horton asked if there was anyone from the public who wished to address the Board.

**PUBLIC SPEAKERS**

***Melissa Rudisill, Gloversville, NY:*** Ms. Rudisill stated that she works for the Department of Social Services (DSS) and was as Child Protective Services (CPS) Caseworker and is now a Student Success Caseworker. She stated that she works at the high school four (4) days per week and one (1) day at DSS. She expressed that she is here today to urge the Board to increase pay rates and benefits for everyone who works for the county to help recruit employees and bring retention rates up. She stated that she has a 14-year old son and a husband at home, but due to the number of cases, she is too tired for home life. She stated that retention is only going to get worse. She stated that there were three (3) more caseworkers that resigned this past week, leaving five (5) CPS workers out of 12 total positions. She stated that the CPS unit receives, on average, five (5) reports per day. She stated, “How can we set an example for clients if we are unable to do the work ourselves?”. She stated that Fulton County employees, particularly DSS employees, needs a comparable pay increase to recruit and retain employees. She stated that if the Board does not act, DSS employees will not be able to offer vital services to its. She stated, “it’s time to act now”.

***Amanda Carol, Senior Caseworker, CPS, DSS:*** Ms. Carol stated that DSS Caseworkers are unable to properly assist County residents due to limited staff. She stated that the County has failed to provide self-sufficiency and safety for its own employees. She also stated that County employees, especially DSS employees are not paid adequately for the work that is asked of them. She noted that in the CPS unit, staffing is down to one-quarter of full staff because there will only be three (3) employees currently in the CPS unit and there should be 12 full-time positions. She stated that its abundantly clear that this is not feasible, and something will happen to children in our community if DSS can’t provide the services. She stated that it’s not just DSS that is facing staff shortages, its departments across the county that can’t retain employees. She also stated that the County is not paying appropriate wages and no longer offers superior benefits. She noted that her husband’s employer offers health insurance that is free for him and their family and is almost the exact same coverage as what she used to pay. She stated that she is urging the Board to help DSS and the clients to uphold obligations in the community.

***Brittany Raykoske-Rasp, Fulton County, DSS Caseworker:*** Ms. Raykoske-Rasp stated that she is the current Student Intervention Partnership Program (SIPP) Caseworker at Gloversville Middle School where she provides preventive services. She stated that she is here to strongly

encourage the Board to fully staff DSS and all County departments to maintain safety and needed assistance for residents within the community. She stated that there should be a total of 12 Caseworkers in the CPS unit to assess for abuse of youth and DSS currently has only three (3) CPS Caseworkers. She stated that having DSS Caseworkers understaffed, it puts children in the county at risk. She stated that compensation and benefits need to increase for work that they are trained to do and also to retain employees who strive to assist the residents in the community. She stated that when Caseworkers resign, other Caseworkers are asked to take over those caseloads, creating “burnout”. She stated that she often struggles after back-to-back-to-back home visits. She stated that at the end of the day, she is left with nothing to give to her own family.

### **PUBLIC HEARINGS/SCHEDULED SPEAKERS**

1:05 P.M. PRESENTATIONS TO OTB SCHOLARSHIP AWARD WINNERS

Mr. Stead stated that Fulton County/Off-Track Betting (OTB) Scholarships are offered each year to High School Seniors in the community. Mr. Stead stated that this year’s essays were very interesting to read and were very well done. Mr. Stead also stated that there was about a dozen submissions this year. He announced that two of the three award winners are here with us today. Mr. Horton commended each student and presented Scholarship awards as follows:

Third Place (\$200.00): Katarina Agerter, Mayfield High School

Second Place (\$300.00): Adrianna Scheckton, Broadalbin-Perth High School.

First Place (\$500.00): Brady Houser, Johnstown High School.

Chairman Horton then asked for the reading of any Communications that were on the Agenda.

### **INVITED SPEAKER**

1:30 P.M. MARK YOST, SUPERINTENDENT OF HIGHWAYS AND FACILITIES WILL ADDRESS QUESTIONS REGARDING PROPOSED RESOLUTION NO. 18

### **PUBLIC HEARINGS/SCHEDULED SPEAKERS**

1:30 P.M. PUBLIC HEARING TO RECEIVE COMMENTS REGARDING PROPOSED LOCAL LAW “C” OF 2023 TO AMEND LOCAL LAW 1 OF 2021 TO EXTEND THE AUTHORIZATION ALLOWING 12 AND 13-YEAR OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF AN ADULT LICENSED HUNTER

## **LATE COMMUNICATIONS**

- L-1 Letter from Mayfield Supervisor Richard Argotsinger dated June 15, 2023  
Subj: Town of Mayfield Dog Control Officer
- L-2 Letter from Rock Creek Energy Group dated May 17, 2023  
Subj: Request to Prevent the Diversion of Reservoir Releases Project Nos. 12252-035, 12252-036, 2318-053 and 2318-054

## **REPORTS OF SPECIAL COMMITTEES**

***Soil and Water Conservation District:*** Mr. Goderie stated that drainage and pipe sales are still going really well. He stated that the Board of Directors recently welcomed Robert Perry, the newest Board member. Mr. Goderie stated that the July meeting is going to include the Annual Chicken BBQ and is planned to be held at the new facility on South Melcher Street, weather dependent. He stated that he will keep the Board of Supervisors informed if the location changes.

## **CHAIRMAN'S REPORT**

Chairman Horton provided the following prepared remarks:

First, I hope that you all enjoyed and celebrated Independence Day and the holiday weekend before. As with some other of our holidays, the genesis of these holidays that turn into celebrations is based upon conflict and then victory. A history lesson that I hope does not get lost over time.

As we rapidly approach the budget season, kicking off with capital projects, I look forward to the challenges and opportunities these important decisions present.

Some of the decisions are items of need and making the judgement of what is appropriate and what may be postponed. Some other projects are about funding our future and a vision of social improvement and economic opportunity. As I stated in last month's Chairman's report, consistency in government plays a vital role in creating a path forward and then sticking to it. The yard stick is always the same, however; taxpayer's dollars.

Speaking of consistency in government, in November, there is a chance that there will be six (6) new members on the county Board of Supervisors. Unfortunately, we will be losing a lot of experience. Four of the leaving supervisors, were Chairmen of the Board. Luckily, our Administrative Officer and Clerk of the Board, Mr. Stead, will be there to help the new freshman class get acclimated to county government.

I continue to keep the State of Emergency in place to protect the citizens of our county. Last week I signed the 11<sup>th</sup> set of orders. How long this will continue, I do not know. Hopefully, there will be some more guidance from the State on how the migrant issue

can be dealt with that does not pose a burden or threat to the citizens. With an issue this large, there usually follows litigation. As you see in our resolutions, the committee is asking you to approve spending dollars to protect our taxpayers and citizens.

In June, the county also worked on union contracts with the PBA and the CSEA.

I, along with the Great Sacandaga Lake Visitors' Center and Museum committee attended an introduction reception and business tour by the Adirondack Studios in Argyle, NY. Adirondack Studios is a premier designer, developer and manufacturer of state-of-the-art displays and visual arts. Among their many clients worldwide is the Disney Corporation. It was extremely informative and helpful as the committee explores and develops ideas for the future of this exciting project.

I also enjoyed attending a ribbon cutting at Mountain Mama's Cantina and Eatery at the corner of Harrison Street and South Main Street in Gloversville.

Again, thank you for all of your support, and let's continue to enjoy the summer.

## **RESOLUTIONS**

Chairman Horton opened the Public Hearing to receive comments regarding "A Local Law to Authorize 12 and 13-Year-Old Licensed Hunters to Hunt Deer with a Firearm or Crossbow During Hunting Season with the Supervision of an Adult Licensed Hunter" at 1:31 p.m. No one came forward.

***No. 295 (Resolution Authorizing Purchase of a Building Management System to Manage HVAC Systems in Seven County Buildings (Highways and Facilities Department)):*** Superintendent of Highways and Facilities Mark Yost explained that a Building-wide Energy Conservation Project occurred in 2013. He stated that there were energy upgrades completed in all the County buildings. He stated that a controller is used to set temperatures in each building and sends information back to the Highways and Facilities Department. He stated that early this year, the Fort Johnstown controller malfunctioned and could no longer operate. He stated that the company informed him that it no longer makes that same model. He noted that he was able to use the former Probation building controller to replace the Fort Johnstown building controller. He stated that later a power surge occurred at Complex II due to a lightning strike. He stated that the manufacturer is offering a discount on the new models if bought before July 31, 2023. He stated that he opted to come to the Board to request permission to replace all of them now, so he doesn't have to scramble trying to get a new one when an old version malfunctions. He stated that annual energy expenses back in 2013 totaled approximately \$40,000.00 and now it's approximately \$19,000.00. He stated that the savings from this project are real and this system is important to maintain.

Supervisor Callery asked if Mr. Yost could keep the old controllers as back-up. Mr. Yost stated, "he doesn't think so", but he will not throw them away once the old version is replaced until he can determine if they can be used in the future or not.



Mr. Howard asked what the life expectancy was for the new controllers. Mr. Yost stated, “up to 15 years”. Mr. Yost also stated that for a couple hundred dollars, the controllers can be surge-protected using a USB per advisement from Jacen Williams in the Information Technology Department.

Mr. Callery asked if he has the money to pay for the surge protectors. Mr. Yost stated that he will find the money in his budget.

Chairman Horton again asked if there were any members of the public who wished to make comments regarding “A Local Law to Authorize 12 and 13-Year-Old Licensed Hunters to Hunt Deer with a Firearm or Crossbow During Hunting Season with the Supervision of an Adult Licensed Hunter”. There being no interested speakers, Chairman Horton closed the Public Hearing at 1:49 p.m.

Supervisor Young announced that he must Abstain from proposed Resolutions 302-307 due to his current employment by FMCC as referenced in each Resolution.

***No. 310 (Resolution Authorizing a Contract with Sokoloff Stern LLP to Defend Fulton County in “NYC DSS vs. County of Rockland, et al”):*** County Attorney Brott explained that he has been speaking with this law firm who represents many upstate counties related to this lawsuit. He stated that Brian Sokoloff has the expertise to handle this lawsuit.

A motion was offered by Supervisor Fagan seconded by Supervisor Groff and unanimously carried, to waive the Rules of Order to take action on Late Resolution 1.

***No. 313 (Resolution Urging the Governor to Veto A0428B/S3505B Which Would Move Certain Local Elections to Even-Numbered Years):*** Chairman Horton expressed that he doesn’t know if this action by the State Legislature is legal. County Attorney Brott stated that he isn’t versed enough in this to make a comment at this time. Mr. Stead stated that there are a couple of counties that expressed interest to start a lawsuit against New York State related to this recent mandate.

Mr. Young stated that Governor elections would run at the same time and would likely make for a better turn-out at election time. Nevertheless, Mr. Young stated that it won’t help the other elections that will still be held on odd-numbered years.

Mr. Fagan stated that the goals in the legislation will not be met if this legislation passes. He stated that keeping a focus on local elections is important and running concurrent with state of gubernatorial races is not going to help keep that focus. Mr. Greene expressed that throwing legislation in like this at the “eleventh hour” is not the way to do it.

Mr. Stead stated that he has an update from Treasurer Scribner regarding the County Tax Foreclosure Auction that was held on June 29, 2023. He stated that there was a lot of activity during the online auction. He noted that there were properties from two (2) delinquent tax cycles because of COVID delays by the State. He stated that 101 properties sold and three (3) did not sell. He stated that there was a total of 27 parcels that are subject to court orders or bankruptcy filings and, therefore, did not go to auction. Mr. Stead stated that any surplus sale proceeds in excess of individual delinquencies will go into a trust fund until the moratorium from the Court Proceeding in Minnesota is over. He stated that the total tax delinquency for all properties that were up for auction was approximately \$1 million dollars and the total tax auction proceeds was over \$2.1 million. He said that leaves about \$1.1 million that will need to be placed in a trust fund. He stated that of the 34 “under bids”, 30 of those are vacant parcels.

### **LATE PROCLAMATIONS**

#### **HONORING THE 2022-2023 REGION 3 CHAMPIONS FULTON-MONTGOMERY COMMUNITY COLLEGE MEN’S BASKETBALL TEAM**

WHEREAS, the Fulton Montgomery Community College Men’s Basketball Team won the Region 3 Championship on February 25, 2023, achieving a record of 20 wins and 6 losses; and

WHEREAS, the Raiders competed strongly as the Number 6 seed in the National Tournament; and

WHEREAS, this season, the players performed with a great team effort that inspired fans throughout Fulton and Montgomery Counties and the entire school community; and

WHEREAS, the Team’s achievements ranked with those of some of the College’s best seasons in sports over the years; now, therefore be it

RESOLVED, That the Board of Supervisors hereby recognizes the accomplishments of the 2022-2023 Region 3 Champions Fulton Montgomery Community College Men’s Basketball Team; and, be it further

RESOLVED, That the Board joins with the citizens of Fulton County to congratulate the Team, Head Coach Ej Gallup, Assistant Coaches Scott Parillo, T.J. Czeski, John Sumpter, Kevin Kucel and the Fulton-Montgomery communities for a very fine and memorable season.

**HONORING THE 2022-2023 REGION 3 CHAMPIONS FULTON-MONTGOMERY  
COMMUNITY COLLEGE WOMEN’S BASKETBALL TEAM**

WHEREAS, the Fulton Montgomery Community College Women’s Basketball Team won the Region 3 Championship, achieving an overall record of 22 wins and 2 losses; and

WHEREAS, the Lady Raiders were 2023 Mountain Valley Champions and competed strongly as the Number 2 seed in the National Tournament; and

WHEREAS, this season, the teamwork displayed inspired fans throughout Fulton and Montgomery Counties and the entire school community; and

WHEREAS, the Team’s performance earned accolades from fans, those in sports, and casual observers throughout the area; now, therefore be it

RESOLVED, That the Board of Supervisors hereby recognizes the accomplishments of the 2022-2023 Region 3 Champions Fulton Montgomery Community College Women’s Basketball Team; and, be it further

RESOLVED, That the Board joins with the citizens of Fulton County to congratulate the Team, Head Coach Kevin Jones and the Fulton-Montgomery communities for a very fine and memorable season.

**ADJOURNMENT**

Upon a motion by Supervisor Callery, seconded by Supervisor Greene and unanimously carried, the Board adjourned at 2:16 p.m.

*Certified by:*

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



**Resolution No. 279**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION SETTING DATE OF A PUBLIC HEARING REGARDING ADDING PROPERTIES INTO FULTON COUNTY AGRICULTURAL DISTRICT NO. 1**

WHEREAS, New York State Agriculture and Markets Law, Section 303-b, allows landowners to request inclusion of their property in an existing Agricultural District during an annual 30-day time period each year; and

WHEREAS, Resolution 159 of 2004 established an annual 30-day time period during March for landowners to apply to the Fulton County Agricultural and Farmland Protection Board for inclusion in the Fulton County Agricultural District; and

WHEREAS, certain property owners have requested that certain parcels in the Town of Broadalbin, be included in Agricultural District No. 1; now, therefore be it

RESOLVED, That the Board of Supervisors for the County of Fulton will meet at the Board of Supervisors’ Chambers in the County Office Building, Johnstown, NY on August 14, 2023 at 1:30 p.m. for the purpose of holding a public hearing on requests from the following property owners to include the following properties in Fulton County Agricultural District No. 1:

<u>Property Owner</u>	<u>Address</u>	<u>Parcel No.</u>	<u>Total Acres</u>
Carmen and Heather Montanaro	2842 County Highway 107	168.-3-12	75+/- acres

and, be it further

RESOLVED, That the Clerk of the Board of Supervisors give notice of said public hearing on the request to have additional property included in the Agricultural District No. 1 in Fulton County and that said notice shall be published once in the official newspaper of this County, at least five (5) days prior to the date of said public hearing; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Planning Director, Town of Broadalbin, Fulton County Agricultural and Farmland Protection Board, Budget Director/County Auditor, Administrative Officer/Clerk of the Board and to each and every other person, institution or agency which will further purport of this Resolution.

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 280**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION APPOINTING JACK WILSON TO THE FULTON COUNTY CENTER FOR REGIONAL GROWTH BOARD OF DIRECTORS

WHEREAS, by an agreement with the Fulton County Center for Regional Growth (CRG), the Board of Supervisors is authorized to appoint three (3) members to the CRG Board of Directors; now, therefore be it

RESOLVED, That the following persons be and they hereby are appointed, reappointed, and/or confirmed as members of the Board of Directors of the Fulton County Center for Regional Growth, for terms as specified:

January 1, 2021 through December 31, 2023

Grant Preston Confirmed

January 1, 2022 through December 31, 2024

Warren Greene Confirmed

January 1, 2023 through December 31, 2025

Jack Wilson Appointed for balance of term

and, be it further

RESOLVED, That all Board members are required to complete the Fulton County Board of Ethics' Financial Disclosure Statement, and are further directed to sign the Fulton County Oath Book located in the Fulton County Clerk's Office; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Clerk, Fulton County Board of Ethics, Fulton County Center for Regional Growth, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 281**

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

RESOLUTION AUTHORIZING A CONTRACT BETWEEN THE FULTON COUNTY COMMUNITY SERVICES BOARD AND FAMILY COUNSELING CENTER FOR ADMINISTER ADDICTION TREATMENT AND PREVENTION SERVICES USING OASAS OPIOID SETTLEMENT FUNDS (100% PASS-THROUGH FUNDS)

WHEREAS, the NYS Office of Addiction Services and Supports (OASAS) has notified the Community Services Director that Fulton County will be receiving an additional \$314,512.00 in Addictive Services funding for 2023; and

WHEREAS, in accordance with State Aid guidelines, Resolution 247 of 2023 allocated a portion of funding for Medication Assistance Treatment (MAT) in the County Correctional Facility, serving Pregnant or Parenting women with a Chemical Dependency Navigator and providing a Youth Chemical Dependency Specialist for the community; and

WHEREAS, the Community Services Director recommends that a portion of said funds to utilized for start-up costs to promote creation of a new chemical dependency clinic within the county to improve access to such services; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the Community Services Department and the Family Counseling Center of Gloversville, NY as follows:

<u>Agency</u>	<u>Program</u>	<u>Contract Amount</u>
Family Counseling Center	Chemical Dependency Clinic Start-up Costs	\$15,000.00

and, be it further

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

Revenue:

Increase A.4310.4230-3486 - REV- State Aid - Narcotics Addiction Control \$15,000.00

Appropriation:

Increase A.4310.4230-4130 - EXP- Contractual \$15,000.00

**Resolution No. 281 (Continued)**

and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 282**

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

RESOLUTION AUTHORIZING CONTRACTS BETWEEN THE FULTON COUNTY  
COMMUNITY SERVICES BOARD AND CERTAIN INDEPENDENT CONTRACTORS  
TO PROVIDE EMERGENCY ON-CALL SERVICES

WHEREAS, Resolution 487 of 2022 authorized contracts between the Fulton County Community Services Board and Independent Contractors for Emergency On-Call Consultants; and

WHEREAS, the Director of Community Services is requesting additional contracts for emergency on-call consultant services to fill scheduling gaps created by recent resignations; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign contracts between the Fulton County Community Services Board and the following consultants for emergency on-call services, effective June 15, 2023 through December 31, 2023, at rates in accordance with the current fee schedule in effect:

Brandon Oathout

and, be it further

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

RESOLVED, That said contract be subject to further review by the appropriate Committee of this Board of Supervisors in the event of any changes/reductions in State and/or Federal revenues; and, be it further

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

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)



**Resolution No. 283**

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

RESOLUTION AUTHORIZING ACCEPTANCE OF 2023-2024 EMERGENCY  
PREPAREDNESS GRANT (PUBLIC HEALTH DEPARTMENT)

WHEREAS, Resolution 261 of 2022 authorized acceptance of Emergency Preparedness Grant funds from the NYS Department of Health for the period July 1, 2022 through June 30, 2023; 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 New York State Department of Health to accept an Emergency Preparedness Grant, in an amount of \$52,099.00, for the period July 1, 2023 through June 30, 2024; and, be it further

RESOLVED, That the Public Health Director and Budget Director take whatever action necessary to appropriate said funds within the 2024 County Budget; 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, County Attorney, Public Health Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 284**

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

RESOLUTION AUTHORIZING A CONTRACT WITH SHELLY FENNESSEY TO PROVIDE PRESCHOOL ED (3-5) ITINERANT PHYSICAL THERAPY SERVICES (PUBLIC HEALTH DEPARTMENT)

WHEREAS, Resolution 497 of 2022 authorized contracts between the County of Fulton and independent contractors for Preschool Ed (3-5) Itinerant Related Services in 2023; and

WHEREAS, the Public Health Director recommends adding an additional provider for said services as follows:

<u>Agency</u>	<u>Service/Function</u>	<u>2023 Rate(s)</u>	<u>Term</u>
Shelly Fennessey	Physical Therapy	\$55 per half hour/\$65 per hour or more	1/1/2023-12/31/2023

and, be it further

RESOLVED, That the Chairman of the Board of Supervisors be and hereby is empowered to sign contract with Andrea Connery to provide itinerant speech therapy to Preschool children 3-5 years; and, be it further

RESOLVED, That said contracts shall be subject to the approval of the County Attorney and periodic review by the Committee on Human Services of those contracted services; and, be it further

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

Seconded by Supervisor GODERIE and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)



**Resolution No. 285**

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

RESOLUTION ACCEPTING ELC CONTACT TRACING AND INVESTIGATION GRANT  
FUNDING FOR PURCHASE OF CERTAIN ADVERTISING SUPPLIES  
(PUBLIC HEALTH DEPARTMENT)

WHEREAS, Resolution 60 of 2022 Accepted NYS Health Research Incorporated ELC COVID-19 Contact Tracing and Investigation funding in the amount of \$258,681.00 and appropriated \$138,000.00 of said funding for purchase of certain supplies, equipment and salaries to prevent the spread of COVID-19 in the Public Health Department; and

WHEREAS, the Public Health Director recommends accepting the remaining ELS Contract Tracing and Investigation Funding in the amount of \$195,500.00 with the funding period being extended through December 31, 2023; and

WHEREAS, the Public Health Director recommends utilizing \$4,800.00 of said funds to purchase advertising supplies for use with COVID-19, Monkey Pox and other communicable disease response; now, therefore be it

RESOLVED, That the Board of Supervisors hereby accepts said ELC Contact Tracing and Investigation grant funding from the New York State Health Research Inc., in the amount of \$195,500.00 for certain Public Health expenses; and, be it further

RESOLVED, That the Public Health Director be, and hereby is authorized to utilize the funding for said expenses as follows:

- Purchase of 48,000 pharmacy bags for communicable disease and vaccine awareness \$4,800.00

and, be it further

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

Revenue

Increase A.4010.4010-2770 - REV- Other Unclassified Revenues \$4,800.00

Appropriation

Increase A.4010.4010-4100 - EXP- Advertising \$4,800.00

**Resolution No. 285 (Continued)**

and, be it further

RESOLVED, That the Public Health Director will return to the Board of Supervisors with a plan to expend said grant proceeds prior to the end of the year; and, be it further

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

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 286**

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

RESOLUTION AUTHORIZING DOMESTIC VIOLENCE SHELTER PAYMENTS IN ACCORDANCE WITH STATE MANDATES (SOCIAL SERVICES DEPARTMENT)

WHEREAS, the Department of Social Services is mandated to provide domestic violence shelter services to county residents at shelter facilities whether inside or outside the county boundaries; and

WHEREAS, the Commissioner of Social Services requests authorization to pay Domestic Violence Shelter payments in accordance with State mandates at shelter facilities in other counties; now, therefore be it

RESOLVED, That upon the recommendation of the Committees on Human Services and Finance, the Board of Supervisors be and hereby authorizes the Commissioner of Social Services to pay Domestic Violence Shelter payments for Fulton County residents regardless of location in accordance with State mandates up to a total of \$20,000.00 per fiscal year; and be it further

RESOLVED, That the Commissioner of Social Services be and hereby is directed to use Title XX and/or Flexible Fund for Family Services (FFFS) funds prior to using County funds; and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 492 (18) Nays: 19 (1) (Supervisor Callery)  
Absent: 18 (1) (Supervisor Kinowski)

**Resolution No. 287**

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

RESOLUTION AUTHORIZING FOSTER CARE MAINTENANCE AND ADOPTION  
SUBSIDY PAYMENTS IN ACCORDANCE WITH STATE MANDATES  
(SOCIAL SERVICES DEPARTMENT)

WHEREAS, Resolution 351 of 1991 established Foster Care Allowance Rates to be paid by Fulton County; and

WHEREAS, Resolution 269 of 2008 authorized a Resolution Increasing Foster Care Home Allowances; and

WHEREAS, Resolution 54 of 2015 authorized a Resolution Increasing Foster Care Home Allowances; and

WHEREAS, foster care, adoption subsidies and clothing allowance rates are an important factor in enabling social services districts to place children in the least restrictive setting appropriate to the needs of the child and to attract a sufficient number of qualified foster and adoptive parents; and

WHEREAS, the Commissioner of Social Services requests that any and all retroactive, current and future Foster Care Maintenance and Adoption Subsidy payments be paid in accordance with the NYS Maximum State Aid Rates (MSAR); now, therefore be it

RESOLVED, That effective April 1, 2023 the Foster Care Allowance Rates for foster care children in Fulton County be and hereby are established in accordance with NYS Maximum State Aid Rates (MSAR) and the Commissioner of Social Services be and hereby is authorized to pay any and all retroactive, current and future Foster Care Maintenance and Adoption Subsidy payments; and, be it further

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

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 288**

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

RESOLUTION AUTHORIZING EXTENSION OF A “STUDENT SUCCESS”  
CASEWORKER POSITION IN THE SOCIAL SERVICES DEPARTMENT

WHEREAS, Resolution 278 of 2020 created a “Student Success” Caseworker position in the Social Services Department to focus on preventive services for families with young children experiencing educational neglect or chronic absenteeism; and

WHEREAS, Resolution 133 of 2021 authorized extension of a “Student Success” Caseworker Position in the Social Services Department through August 31, 2023; and

WHEREAS, the Committees on Human Services, Personnel and Finance recommend continuing said “Student Success” Caseworker position; and

WHEREAS, continuation or renewal of said position and/or program be contingent upon continued funding from state and federal funds at no additional cost to the County of Fulton; now, therefore be it

RESOLVED, That said “Student Success” Caseworker position (Union Job Group A-17) be and hereby is extended in the Department of Social Services, effective September 1, 2023 through August 31, 2025; and, be it further

RESOLVED, That the Commissioner of Social Services 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, Social Services Commissioner, Personnel Director, CSEA Local 818, Gloversville Enlarged School District, Budget Director/County Auditor, and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 289**

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

RESOLUTION CREATING A TEMPORARY PER DIEM SENIOR CASEWORKER  
POSITION IN THE SOCIAL SERVICES DEPARTMENT

WHEREAS, the Commissioner of Social Services is requesting that a temporary per diem Senior Caseworker position be created in the Social Services Department to review overdue Child Protective Services (CPS) Reports; and

RESOLVED, That one (1) per diem Senior Caseworker position (\$23.08 per hour, no benefits) be, and hereby is created, in the Social Services Department, not to exceed 25 hours per month, effective July 10, 2023 through December 31, 2023; and, be it further

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

From: A.6010.6012-1000 - EXP- Payroll  
To: A.6010.6012-1110 - EXP- Supplemental  
Sum: \$3,500.00

and, be it further

RESOLVED, That the Personnel Director and Commissioner of Social Services 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, Commissioner of Social Services, Personnel Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BOWMAN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)



**Resolution No. 290**

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

RESOLUTION AUTHORIZING APPLICATION TO THE NYS DEPARTMENT OF HEALTH TO OBTAIN A PERMANENT MUNICIPAL CERTIFICATE OF NEED TO ESTABLISH, CONTRACT FOR AND/OR OPERATE AN AMBULANCE SERVICE UNDER CONTRACTS WITHIN THE COUNTY'S BOUNDARIES

WHEREAS, under the provisions of Article 30 of NYS Health Law 3008(7)(a), counties are permitted to establish and operate an ambulance service; and

WHEREAS, the County of Fulton, New York, has determined that it is in the best interest of the health, safety and welfare of the County and the County's residents to establish, contract for and/or operate an ambulance service or contract for the operation of the ambulance service pursuant to General Municipal Law §122-b; and

WHEREAS, the Board of Supervisors has determined that all property, property owners and interested persons within the County will be benefited by the establishment and operation of an ambulance service; and

WHEREAS, Resolution 314 of 2021 authorized application to the NYS Department of Health to Obtain a Municipal Certificate of Needs to establish, contract for, and/or operate an ambulance service under contract(s) within the County's boundaries; and

WHEREAS, based upon the successes of the County's Ambulance Service Incentive Plan System, the Director of Emergency Management recommends obtaining a -permanent Municipal Certificate of Need to continue ambulance (s) services under contract(s) within the County's boundaries; and

RESOLVED, That the Chairman of the Board, shall be empowered to take all steps necessary to obtain ambulance operating authority, including forwarding this Resolution to the New York State Department of Health, Bureau of Emergency Medical Services and the following:

1. Contract with Pinsky Law Firm for Application Legal Services  
\$15,000.00
2. Adirondack Appalachian Regional EMS Council Application Fees  
\$5,000.00

and, be it further



**Resolution No. 290 (Continued)**

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

From: A.1000.1990-4907-EXP-Contingent Fund Expense  
To: A.3640.4540-4090-EXP-Professional Services  
Sum: \$20,000.00

RESOLVED, That this service shall take effect immediately upon approval by the Regional Medical Services Council (REMSCO) and/or state; and, be it further

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

Seconded by Supervisor GODERIE and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 291**

Supervisor GROFF offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING AN INTERMUNICIPAL AGREEMENT BETWEEN THE  
SHERIFF'S DEPARTMENT AND THE VILLAGE OF NORTHVILLE POLICE  
DEPARTMENT FOR MUTUAL AID

WHEREAS, the Sheriff requests execution of an Intermunicipal Agreement between the Sheriff's Department and the Village of Northville Police Department which, among other things, will formalize the relationship between the local governments and their police departments and enhance and define the scope of the inter-agency cooperation; sharing personnel and equipment without reimbursements or incurring liability for the conduct of the other agency; now, therefore be it

RESOLVED, That the Chairman of the Board hereby is authorized to sign an Intermunicipal Agreement between the Sheriff's Office and the Village of Northville Police Department for mutual aid effective July 11, 2023 through December 31, 2028; said agreement subject to the approval of the County Attorney; and, be it further

RESOLVED, That the Sheriff 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, Sheriff, Village of Northville Police Department, 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 GREENE and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)



**Resolution No. 292**

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

RESOLUTION REVISING THE COST OF THE 2023 VEHICLE UPFIT CAPITAL PROJECT  
TO INCLUDE AXON SIGNAL UNITS FOR PATROL VEHICLES IN THE SHERIFF'S  
DEPARTMENT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan includes funding for the up-fit of patrol vehicles and equipment for use in the Sheriff's Department; and

WHEREAS, the Sheriff recommends the purchase of Axon Signal Units with Warranties to support camera monitor in for use in the Sheriff's Department at a cost of \$2,700.00; now, therefore be it

RESOLVED, That based upon recommendations of the Sheriff, and Committees on Public Safety and Finance, the 2023 Capital Project "Vehicle-Dodge Charger with Upfit-Road Patrol" be and hereby is amended to include the purchase of Axon Signal Units and Warranties a total cost not to exceed 2,700.00; and, be it further

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

From: A.3110.3110-4530-EXP-Supplies  
To: A.3110.3110-2010-EXP-Capital Expense  
Sum: \$350.00

RESOLVED, That the County Treasurer and Sheriff 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, Sheriff, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 293**

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

RESOLUTION AWARDING BID TO M. MAZZA PAVING, LLC FOR PAVING OF  
THE FJ & G RAIL TRAIL PROJECT (2023 CAPITAL PLAN)

WHEREAS, Resolution 207 of 2023 amended the 2023 Capital Plan to include the FJ & G Rail Trail Paving Project in the amount of \$100,000.00; and

WHEREAS, Resolution 208 of 2023 authorized Advertisement for Bids for FJ & G Rail Trail Paving Project and four (4) bids were received; and

WHEREAS, inasmuch as the lowest responsible bid exceeded the estimated project appropriation by \$59,989.49, the Committee on Finance recommends appropriating additional monies from the Capital Improvement Reserve to complete the Project; now, therefore be it

RESOLVED, That upon the recommendation of the Planning Director and Committees on Public Works and Finance, the bid as submitted by M. Mazza Paving, LLC., Gloversville, New York, for paving of the FJ & G Rail Trail, be and hereby is awarded as follows:

M. Mazza Paving, LLC.	\$ 159,989.49
(Gloversville, New York)	

they being the only bidder in accordance with project specifications; and, be it further

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

From: A-0883.0800-Capital Improvements Reserve  
To: A-0909-Unreserved Fund Balance  
Sum: \$60,000.00

From: A.1000.9950-9000.1200-EXP-Capital Improvements Expense  
To: H.8020.8020-2100.0976-EXP-FJ & G Rail Trail Improvements  
Sum: \$60,000.00

and, be it further

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

Seconded by Supervisor YOUNG and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 294**

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

RESOLUTION AUTHORIZING A CONTRACT WITH RITCHIE BROS. AUCTION FOR  
SALE OF A USED TANA LANDFILL COMPACTOR IN THE  
SOLID WASTE DEPARTMENT

WHEREAS, the Director of Solid Waste has recommended a contract with Ritchie Bros. Auctioneers to sell said surplus Tana Landfill Compactor on behalf of the County; and

WHEREAS, a 2017 TANA E-520 Landfill Compactor was removed from service at the Solid Waste Department and was not offered for trade-in during past purchase awards for new compactors; and

WHEREAS, the Committees on Public Works and Finance have reviewed two (2) opportunities for sale of said Tana Landfill Compactor:

- 1) Auction to solicit an open market sale price.
- 2) Transfer title to TANA Dealer, Humdinger, who has offered a purchase price of \$90,000.00 if no public sale is consummated above \$90,000.00.

RESOLVED, That the Solid Waste Director be and hereby is authorized to contract with Ritchie Bros. Auction, of Westchester, Illinois, to sell one (1) used 2017 Tana E-520 Landfill Compactor; and, be it further

RESOLVED, That said contract shall be contingent upon the approval of the County Attorney; and, be it further

RESOLVED, That if said Compactor does not sell at auction, the Chairman of the Board is hereby authorized to transfer the Compactor title to Tana Dealer, Humdinger, for a sale price of \$90,000.00; and, be it further

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

Seconded by Supervisor FOGARTY and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 295**

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

RESOLUTION AUTHORIZING PURCHASE OF A BUILDING MANAGEMENT SYSTEM  
TO MANAGE HVAC SYSTEMS IN SEVEN COUNTY BUILDINGS  
(HIGHWAYS AND FACILITIES DEPARTMENT)

WHEREAS, the current building HVAC management components installed in Service Complex II in 2013 have broken, rendering the building management system inoperable; and

WHEREAS, the Superintendent of Highways and Facilities received a quote from Centrica (formerly SmartWatt) to upgrade existing software and integrate seven (7) new controllers for the server at a cost not to exceed \$36,300.00 if purchase of said upgrades is completed by July 31, 2023; and

WHEREAS, the Superintendent of Highways and Facilities recommends said purchase to replace seven (7) controllers, including integration into a new server, and upgrading existing software; now, therefore be it

RESOLVED, That the Superintendent of Highways and Facilities be and hereby is authorized to purchase a Centrica HVAC Building Management System, including software, controllers and integration at a cost not to exceed \$36,300.00; and, be it further

RESOLVED, That in order to facilitate the timely purchase of said equipment, the County Treasurer be and hereby is directed to make the following transfer:

From: A.1000.1990-4907-EXP-Contingent Fund Expense  
To: A.1620.1621-2010-EXP-Capital Expense  
Sum: 36,300.00

and, be it further

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

Seconded by Supervisor POTTER and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 296**

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

RESOLUTION AWARDING BID FOR THE PURCHASE OF A NEW  
F-450 REGULAR CAB WITH DUMP BODY AND PLOW FOR USE IN THE  
HIGHWAYS AND FACILITIES DEPARTMENT

WHEREAS, the 2023 Capital Plan identifies the purchase of a F-450, or equal, 4X4 Dump Truck with Plow for use in the Highways and Facilities Department at a cost of \$65,000.00; and

WHEREAS, Resolution 209 of 2023 authorized Advertisement for Bids for the purchase of said Dump Truck with Plow for use in the Highways and Facilities Department and one (1) bid was received; and

WHEREAS, a sufficient balance of unspent funds remains in the Department's 2023 Capital account to cover the shortfall due to other projects coming in under budget; now, therefore be it

RESOLVED, That upon the recommendation of the Superintendent of Highways and Facilities, and Committees on Public Works and Finance, the bid as submitted by Brown's Ford, Johnstown, New York in the amount of \$83,500.00, for the purchase of a 2023 F-450, 4X4 Regular Cab with Dump Body and Plow, be and hereby is awarded; they being the only bidder in accordance with project specifications; and, be it further

RESOLVED, That the Superintendent of Highways and Facilities be and hereby is authorized to purchase a 2023 or newer Ford F-450 4X4 Regular Cab with Dump Body and Plow from Brown's Ford, Johnstown, NY, at a bid price not exceed \$83,500.00; 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 BREH and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)



**Resolution No. 297**

Supervisor WILSON offered the following Resolution and moved its adoption:

RESOLUTION DESIGNATING COUNTY ROADS FOR SNOW AND ICE CONTROL  
DURING WINTER OF 2023-2024

WHEREAS, Section 129 of the Highway Law provides that the Board of Supervisors of any county may annually appropriate and expend such sums as it deems proper and necessary for removal of snow, the control of ice and the erection and removal of snow fencing on county roads of the county; and

WHEREAS, Section 129 of the Highway Law further provides that said Board of Supervisors shall designate the county roads from which snow is to be removed, under the direction of the County Superintendent of Highways; now, therefore be it

RESOLVED, That the county roads, as described and attached hereto, be and they hereby are designated as County Roads from which snow shall be removed by the Fulton County Superintendent of Highways, upon which he shall cause to be created and removed the necessary snow fence or other structures to prevent the drifting of snow upon these roads and necessary sanding and ice control; and the entire cost of the work shall be a charge against Fulton County; and, be it further

RESOLVED, That the plowing of these roads is contingent upon the cooperation of the property owners abutting these roads, who must allow the free use of their land by the Fulton County Superintendent of Highways; should any property owner(s) refuse to allow the free use of their lands for the purpose of erection and removal of snow fencing, such action shall be just cause for the Fulton County Superintendent of Highways to refuse to remove snow from the county road upon which this permission is denied; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Highway Superintendent and Administrative Officer/Clerk of the Board.

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

COUNTY ROADS OF FULTON COUNTY DESIGNATED  
FOR  
SNOW AND ICE CONTROL DURING WINTER OF  
2022/2023

<u>Rd. No.</u>		<u>Length</u>
		1.
101	St. Rte. 29A westerly to Co. Rd. 131	76
102	Phelps St.-G'ville City Line northeasterly to St. Rte. 30A	
	(2.12 Tn. Johnstown; 1.32 Tn. Mayfield)	3. 44
103	St. Rte. 67 southeasterly to Montgomery Co. Line	0. 56
104	St. Rte. 29A southerly to Co. Rd. 119	2. 35
105	St. Rte. 920J westerly to Gloversville City Line	0. 27
106	St. Rte. 29 southeasterly to St. Rte. 30	
	(2.83 Tn. Mayfield; 1.42 Tn. Perth)	4. 25
107	Johnstown City Line easterly to Co. Rd. 132	
	(3.23 Tn. Johnstown; 6.46 Tn. Perth; 4.87 Tn. Broadalbin)	14. 56
108	St. Rte. 331 westerly to Herkimer Co. Line	3. 77
109	Co. Rd. 110 southerly to Saratoga Co. Line	
	(0.24Tn. Northampton; 1.43 Tn. Broadalbin)	1. 67
110	Broadalbin Village Line northerly to Saratoga Co. Line	
	(6.59 Tn. Broadalbin; 0.95 Tn. Northampton)	7. 54
111	St. Rte. 29A northerly to Kasson Drive	1. 37
112	St. Rte. 29A easterly to St. Rte. 309	
	(2.15 Tn. Caroga; 6.62 Tn. Bleecker)	8. 77
113	Northville Village limits to Saratoga Co. Line	1. 46
114	St. Rte. 29 southerly to Montgomery Co. Line	2. 81
116	St. Rte. southerly to Sammonsville	4. 37
116A	Montgomery Co. Line northerly to Co. Rd. 116 intersection	0. 56
117	Road into Tryon Technology Park	1. 29
119	St. Rte. 29 northwesterly to Herkimer Co. Line	
	(5.00 Tn. Ephratah; 6.56 Tn. Stratford)	11. 56
120	Co. Rd. 108 to Dolgeville Village limits	2. 55
121	Gloversville City Line to Co. Rd. 122	0. 51
122	Johnstown City Line northeasterly to Co. Rd. 102	5. 42
123	St. Rte. 30 northeasterly to Co. Rd. 152	

		6.
	(4.28 Tn. Mayfield, 1.91 Tn. Northampton)	19
		7.
125	Co. Rd. 112 to Hamilton Co. Line	38
126	Co. Rd. 155 to Montgomery Co. Line	
	(3.19 Tn. Broadalbin; 2.41 Tn. Perth)	5.
		59
130	St. Rte. 30 to St. Rte. 30	0.
		52
131	St. Rte. 29 northerly to Co. Rd. 101	2.
		06
		1.
131A	Johnstown City Line westerly to Co. Rd. 131 intersection	58
		3.
132	Co. Rd. 107 southerly to Montgomery Co. Line	02
		3.
137	St. Rte. 29A to Cape Horn Rd.	76
		4.
138	Co. Rd. 110 southerly to St. Rte. 29	61
		2.
140	St. Rte. 10 to Montgomery Co. Line	52
		2.
142	Co. Rd. 107 southerly to Montgomery Co. Line	61
		0.
142A	St. Rte. 67 northeasterly to Co. Rd. 142 intersection	97
		1.
143	Northville Village Limits to Hamilton Co. Line	56
		1.
145	Co. Rd. 112 northerly to Barlow Rd.	31
146	Co. Rd. 102 northeasterly to St. Rte. 30	
	(1.67 Tn. Mayfield; 1.75 Tn. J'town)	3.
		42
		0.
148	Johnstown City Line southerly to Montgomery Co. Line	64
		1.
149	Co. Rd. 113 northerly to Northville Village limits	16
		1.
150	Co. Rd. 108 easterly to St. Rte. 331	15
		2.
151	St. Rte. 29 south to Co. Rd. 108	18
		3.
152	St. Rte. 30 northerly to St. Rte. 920H	02
		0.
153	Airport Rd.-St. Rte. 67 northerly	32
154	G'ville City Line easterly to St. Rte. 30A & St. Rte. 349	
		1.
	northeasterly to St. Rte. 30A (0.65 Tn. J'town; 0.81 Tn. M'field)	49
155	St. Rte. 29 easterly to St. Rte. 30 easterly to St. Rte. 29	
	(0.02 Tn. Broadalbin; 1.29 Tn. Mayfield)	1.
		31
156	St. Rte. 67 northerly to St. Rte. 29	1.
		28
157	St. Rte. 349 northerly to Co. Rd. 154	0.
		87
158	St. Rte. 29 southerly to Co. Rd. 107	
	(0.32 Tn. Mayfield; 1.38 Tn. Perth)	1.
		70
		<hr/>
		143.
	TOTAL	06

**Resolution No. 298**

Supervisor WILSON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING 2023-2024 AGREEMENTS FOR SNOW AND ICE CONTROL ON CERTAIN DESIGNATED ROADS

RESOLVED, That the Chairman of the Board of Supervisors and the County Highway Superintendent are hereby empowered and directed to enter a written agreement with the following towns in Fulton County for snow and ice control on certain designated County roads during the season of 2023-2024, at a cost of \$5,500.00 per mile:

<u>Town</u>	<u>Mileage</u>	<u>Cost</u>
Bleecker	2.11	\$11,605.00 (includes plowing Tower Rd.)
Caroga	5.13	\$28,215.00
Ephratah	7.52	\$41,360.00
Johnstown	6.68	\$36,740.00
Northampton	9.63	\$52,965.00
Perth	3.02	\$16,610.00
Stratford	<u>8.91</u>	<u>\$49,005.00</u>
TOTALS	43.00	\$236,500.00

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 LAURIA and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 299**

Supervisor WILSON offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH THE TOWN OF BLEECKER FOR  
2023-2024 WINTER MAINTENANCE OF THE COMMUNICATIONS TOWER ROAD**

WHEREAS, the County Highway Department is responsible for plowing and sanding the road leading to the Fulton County Communications Tower to provide access during winter months; said road being approximately 0.80 miles long; and

WHEREAS, the Town of Blecker already plows the road connecting to the County's portion of said road; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with the Town of Blecker to maintain the road leading to the Communications Tower during the winter months, at a cost not to exceed \$4,400.00 (pro-rated from \$5,500.00 per mile); 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, Superintendent of Highways and Facilities, Town of Blecker, Budget Director/County Auditor and Administrative Officer/ Clerk of the Board.

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 300**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION ADOPTING LOCAL LAW “3” OF 2023 TO AUTHORIZE 12 AND 13-YEAR  
OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW  
DURING HUNTING SEASON WITH THE SUPERVISION OF AN  
ADULT LICENSED HUNTER

WHEREAS, proposed Local Law “3” of 2023 entitled, “A LOCAL LAW TO AUTHORIZE 12 AND 13-YEAR-OLD LICENSED HUNTERS TO HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON WITH THE SUPERVISION OF AN ADULT LICENSED HUNTER” has laid upon the desks of the Board of Supervisors for the required period; and

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

RESOLVED, That Local Law 3, 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, NYS Conservation Fund Advisory Board, 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 POTTER and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**COUNTY OF FULTON, NEW YORK  
LOCAL LAW “3” OF 2023**

**LOCAL LAW “3” OF 2023 TO AMEND LOCAL LAW 1 OF 2021 TO EXTEND THE  
AUTHORIZATION ALLOWING 12 AND 13-YEAR OLD LICENSED HUNTERS TO  
HUNT DEER WITH A FIREARM OR CROSSBOW DURING HUNTING SEASON  
WITH THE SUPERVISION OF AN ADULT LICENSED HUNTER**

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

**Section 1. Legislative Intent**

The intent of this Local Law is to authorize Fulton County to permit 12 and 13-year old individuals to participate in new and safe hunting opportunities in accordance with Environmental Conservation Law § 11-0935 throughout any future period permissible under State law. The enacted 2023-2024 New York State Budget, included legislation allowing the opportunity for young hunters, ages 12 and 13, to hunt deer with firearms and crossbow through 2023 if a county authorizes such action within their municipality. This local law extends authority for 12 and 13-year old licensed hunters to hunt deer with a firearm or crossbow during hunting season with the supervision of an adult licensed hunter.

**Section 2. Authorization**

Pursuant to Environmental Conservation Law, ECL 11-0935, Fulton County elects to allow young hunters, ages twelve (12) and thirteen (13), to hunt deer with a firearm, to include rifles, shotguns, and muzzle-loaded firearms or crossbow throughout any future period permissible under the laws of the State of New York.

**Section 3. State Requirements to Adhere Once Authorized**

Twelve (12) and thirteen (13) year old licensed hunters shall allowed to hunt deer with the following requirements to be followed:

- Twelve (12) and thirteen (13) year old licensed hunters shall be under the supervision of a licensed adult hunter, age 21 years or older, with a rifle, shotgun, or muzzle loading firearm in areas where and during the hunting season in which such firearms may be used; and
- Twelve (12) and thirteen (13) year old licensed hunters shall be allowed to hunt deer under the supervision of a licensed adult hunter, age 21 years or older, with a crossbow during the times when other hunters may use crossbows; and
- Supervision of a licensed adult hunter, age twenty-one (21) years or older, with at least three (3) years of experience who exercise dominion and control over the youth hunter at all times is required; and
- All licensed twelve (12) and thirteen (13) year old hunters as well as their adult supervisors shall be required to wear fluorescent orange or pink clothing while engaged

in hunting to an extent and covering designated pursuant to the law, rules and regulations promulgated by the State of New York; and

- All licensed twelve (12) and thirteen (13) year old hunters shall remain at ground level while hunting deer with a crossbow, rifle, shotgun, or muzzleloader; and
- Notwithstanding any State or Federal Law to the contrary, this local law shall not authorize the hunting of bear by twelve (12) and thirteen (13) year olds with a firearm or crossbow.

#### **Section 4. Local Law Filing Requirements**

A copy of this local law shall be sent to the New York State Department of Conservation as well as the NYS Department of State.

#### **Section 5. Severability**

If any clause, sentence, paragraph, subdivision, section or part of this law, or 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 judgement shall not affect, impair, effect 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 6. Effective Date**

This local law shall take effect immediately upon filing and publication in accordance with Section 27 of the Municipal Home Rule Law.



**Resolution No. 301**

Supervisor WILSON offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A RECIPROCAL AGREEMENT BETWEEN THE  
DEPARTMENT OF HIGHWAYS AND FACILITIES AND THE CITY OF JOHNSTOWN  
FOR SNOW AND ICE CONTROL ON COUNTY ROAD 148 AND MAPLE AVENUE

WHEREAS, the County of Fulton owns and is responsible for the snow and ice control of County Road 148 from the Johnstown City line (Glebe Street) to the Montgomery County line; and

WHEREAS, the City of Johnstown owns and is responsible for the snow and ice control of Maple Avenue from North Perry Street to the Johnstown City line; and

WHEREAS, the Superintendent of Highways and Facilities and the Johnstown City Engineer have discussed sharing services for plowing during future winter seasons; and

WHEREAS, the City of Johnstown has agreed to provide snow and ice control on County Road 148 from the Johnstown City line (Glebe Street) to the Montgomery County line in exchange for the County providing snow and ice control of Maple Avenue from North Perry Street to the Johnstown City line; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized and directed to sign an Agreement with the City of Johnstown to provide snow and ice control during future winter seasons (2023-2024) for County Road 148 from the Johnstown City line (Glebe Street) to the Montgomery County line and for Maple Avenue from North Perry Street to the Johnstown City line as summarized herein; 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, County Attorney, Superintendent of Highways and Facilities, City of Johnstown, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BRADT and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 302**

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION SETTING DATE OF PUBLIC HEARING REGARDING  
2023-2024 FMCC BUDGET

RESOLVED, That the Board of Supervisors for the County of Fulton will meet at the Board of Supervisors' Chambers in the County Building, Johnstown, New York, on Monday, August 14, 2023, 1:45 p.m. for the purpose of holding a public hearing on the Tentative Budget for Fulton-Montgomery Community College as related to the financial share and obligation of Fulton County for the fiscal year beginning September 1, 2023, pursuant to Chapter 631 of the Laws of 1965; and, be it further

RESOLVED, That the Administrative Officer/Clerk of the Board of Supervisors be and hereby is directed to give notice of said public hearing on such tentative budget pursuant to and in accordance with Section 359 of the County Law, and that said notice shall be published once in the official newspaper of this County at least five days prior to date of said public hearing; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Montgomery County Board of Legislators, Fulton-Montgomery Community College, Budget Director/ County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GREENE and adopted by the following vote:

TOTAL: Ayes: 486 (18) Nays: 0 Abstentions: 25 (1) (Supervisor Young)  
Absent: 18 (1) (Supervisor Kinowski)

**Resolution No. 303**

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ESTABLISHING ACCOUNTS FOR THE FMCC STAIR TREAD REPLACEMENT PROJECT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan identified a “Stair Tread Replacement” Project at the Fulton-Montgomery Community College (FMCC) in the amount of \$35,000.00, with a County share of \$8,750.00; now, therefore be it

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

From: A.1000.9950-9000.1000 – EXP – Other - Unrestricted  
To: H.8020.2497-2100.0979 – EXP – FMCC Stair Tread Replacement (NEW)  
Sum: \$8,750.00

and, be it further

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

Revenue	
Increase H.8020.2497-2397.0979– REV – Montgomery County - FMCC Stair Tread Replacement (NEW)	\$ 8,750.00
Increase H.8020.2497-3286.0979 – REV – State Aid - FMCC Stair Tread Replacement (NEW)	\$17,500.00
Appropriation	
Increase H.8020.2497-2100.0979 – EXP – FMCC Stair Tread Replacement (NEW)	\$26,250.00

and be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 486 (18) Nays: 0 Abstentions: 25 (1) (Supervisor Young)  
Absent: 18 (1) (Supervisor Kinowski)



**Resolution No. 304**

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ESTABLISHING ACCOUNTS FOR THE FMCC CAMPUS PAVING  
PROJECT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan identified a “Bid Design and Specs – Campus Paving” Project at the Fulton-Montgomery Community College (FMCC) in the amount of \$70,000.00, with a County share of \$17,500.00; now, therefore be it

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

From: A.1000.9950-9000.1000 – EXP – Other - Unrestricted  
To: H.8020.2497-2100.0980 – EXP – FMCC Campus Paving Project (NEW)  
Sum: \$17,500.00

and, be it further

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

Revenue	
Increase H.8020.2497-2397.0980 – REV – Montgomery County - FMCC Campus Paving Project (NEW)	\$17,500.00
Increase H.8020.2497-3286.0980 – REV – State Aid - FMCC Campus Paving Project (NEW)	\$35,000.00
Appropriation	
Increase H.8020.2497-2100.0980 – EXP – FMCC Campus Paving Project (NEW)	\$52,500.00

and be it further

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

Seconded by Supervisor BLACKMON and adopted by the following vote:

TOTAL: Ayes: 486 (18) Nays: 0 Abstentions: 25 (1) (Supervisor Young)  
Absent: 18 (1) (Supervisor Kinowski)



**Resolution No. 305**

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH C.T. MALE ASSOCIATES FOR  
ENGINEERING SERVICES FOR THE FMCC CAMPUS PAVING PROJECT  
(2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan identified a “Bid Design and Specs – Campus Paving” Project at the Fulton-Montgomery Community College (FMCC); and

WHEREAS, C.T. Male Associates has submitted a proposal to provide Engineering Services for the FMCC Campus Paving Project and has been recommended by College officials to complete said work; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with C.T. Male Associates of Latham, NY, for Engineering Services for the FMCC Campus Paving Project, at a cost not to exceed \$69,600.00; and, be it further

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

RESOLVED, That said cost be a charge against H.8020.2497-2100.0980 – EXP - FMCC Campus Paving Project; 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, C.T. Male Associates, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GODERIE and adopted by the following vote:

TOTAL: Ayes: 486 (18) Nays: 0 Abstentions: 25 (1) (Supervisor Young)  
Absent: 18 (1) (Supervisor Kinowski)





**Resolution No. 306**

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ESTABLISHING ACCOUNTS FOR THE FMCC EXTERIOR LED LIGHTING REPLACEMENT PROJECT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan identified a “Exterior LED Lighting Replacement” Project at the Fulton-Montgomery Community College (FMCC) in the amount of \$71,242.00, with a County share of \$17,811.00; and

WHEREAS, costs for said Exterior LED Lighting Project have now been revised downward to \$50,136.00; now, therefore be it

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

From: A.1000.9950-9000.1000 – EXP – Other - Unrestricted  
To: H.8020.2497-2100.0981 – EXP – FMCC Exterior LED Lighting Replacement (NEW)  
Sum: \$12,534.00

and, be it further

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

Revenue	
Increase H.8020.2497-2397.0981– REV – Montgomery County -	\$12,534.00
FMCC Exterior LED Lighting Replacement (NEW)	
Increase H.8020.2497-3286.0981 –REV – State Aid -	\$25,068.00
FMCC Exterior LED Lighting Replacement (NEW)	
Appropriation	
Increase H.8020.2497-2100.0981 – EXP – FMCC Exterior LED	\$37,602.00
Lighting Replacement (NEW)	

and be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 486 (18) Nays: 0 Abstentions: 25 (1) (Supervisor Young)  
Absent: 18 (1) (Supervisor Kinowski)



**Resolution No. 307**

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION ESTABLISHING ACCOUNTS FOR THE FMCC NCC FIRE ALARM  
MONITOR REPLACEMENT PROJECT (2023 CAPITAL PLAN)

WHEREAS, the 2023 Capital Plan identified a “Replace Original NCC Fire Alarm Monitor” Project at Fulton-Montgomery Community College (FMCC) in the amount of \$50,000.00, with a County share of \$12,500.00;

WHEREAS, costs for said NCC Fire Alarm Monitor Project have now risen to \$87,168.39; and

WHEREAS, unspent balances exist in the FMCC Student Computer Replacement Project and FMCC Exterior LED Lighting Project within the 2023 Capital Plan to fund the shortfall; now, therefore be it

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

From: H.8020.2497-2100.0978 - EXP - FMCC Student Computer Replacement  
To: A.1000.9950-9000.1000 – EXP – Other - Unrestricted  
Sum: \$4,016.00

From: A.1000.9950-9000.1000 – EXP – Other – Unrestricted  
To: H.8020.2497-2100.0982 - EXP - FMCC NCC Fire Alarm Monitor Replacement (NEW)  
Sum: \$21,793.00

and, be it further

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

Revenue	
Decrease H.8020.2497-2397.0978 - REV - Montgomery County – FMCC Student Computer Replacement	\$ 4,016.00
Increase H.8020.2497-2397.0982 - REV - Montgomery County- FMCC NCC Fire Alarm Monitor Replacement (NEW)	\$21,793.00
Decrease H.8020.2497-3286.0978 - REV - State Aid - FMCC Student Computer Replacement	\$ 8,032.00
Increase H.8020.2497-3286.0982 - REV - State Aid – FMCC NCC Fire Alarm Monitor Replacement (NEW)	\$43,586.00
Appropriation	
Decrease H.8020.2497-2100.0978 - EXP - FMCC Student Computer Replacement	\$12,048.00
Increase H.8020.2497-2100.0982 - EXP - FMCC NCC Fire	\$65,379.00

Alarm Monitor Replacement (NEW)

**Resolution No. 307 (Continued)**

and be it further

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

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 486 (18) Nays: 0 Abstentions: 25 (1) (Supervisor Young)  
Absent: 18 (1) (Supervisor Kinowski)



**Resolution No. 308**

Supervisor HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING EXTENSION OF A HAVA “SHOEBOX” GRANT AGREEMENT WITH THE NYS BOARD OF ELECTIONS (BOARD OF ELECTIONS)**

WHEREAS, Resolution 192 of 2012 authorized a contract between the Board of Elections and NYS Board of Elections for use of HAVA funds (“Shoebox” Program); and

WHEREAS, Resolution 164 of 2022 authorized an extension of a HAVA “Shoebox” Grant Agreement with the NYS Board of Elections from April 1, 2022 through March 31, 2023; and

WHEREAS, a balance of \$23,636.25 remains unspent from the 2004-2014 HAVA “Shoebox” grant allocated to Fulton County; and

WHEREAS, the State Board of Elections has extended the contract expiration period from April 1, 2023 through March 31, 2024; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract extension with the State Board of Elections for expenditure of HAVA “Shoebox” Grant funds through March 31, 2024; all other terms and aspects of said contract shall remain in full force and effect; and be, it further

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

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 309**

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION TRANSFERRING DEED TO THE TOWN OF PERTH FOR PROPERTY  
LOCATED ON DELLA VALLE DR. EXT. (SBL #178.-4-16.11)

WHEREAS, by letter from the Town of Perth Supervisor, dated June 16, 2023, the Town has requested that Fulton County donate property to the Town of Perth; and

WHEREAS, said parcel entails one-half of the last section of a road that was constructed to town specifications but was not conveyed to the Town by the developer; and

WHEREAS, it is the intent of the Town to utilize said parcel for creation and maintenance of a public highway; now, therefore be it

RESOLVED, That the County Treasurer be and hereby is authorized and directed to transfer title of Della Valle Dr. Ext., (SBL 178.-4-16.11) in the Town of Perth to the Town of Perth in accordance with the following terms and conditions:

- Town of Perth will pay all conveyance fees.
- The County hereby waives delinquent property taxes in the amount of \$5,306.04.

and, be it further

RESOLVED, That the County Treasurer be directed to record the appropriate deed after the execution thereof and after the purchaser pays the proper amount due; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Real Property Tax Services Agency, Town of Perth, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WILSON and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 310**

Supervisor HOWARD offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING A CONTRACT WITH SOKOLOFF STERN LLP TO DEFEND FULTON COUNTY IN “NYC DSS VS. COUNTY OF ROCKLAND, ET AL.”

WHEREAS, the County of Fulton received a verified Petition and Complaint captioned: *In the Matter of the Application of the City of New York and Molly Wasow Park, in her official capacity as Commissioner of the “New York City Department of Social Services v. County of Rockland, et al.”* naming the County of Fulton as a defendant; and

WHEREAS, the County also received an Order to Show Cause, including request for a preliminary injunction restraining and enjoining Respondents-Defendants from taking any action to implement and/or enforce the emergency executive orders at issue in the Petition/Complaint and also seeks consolidation with other pending litigation regarding the executive orders; and

WHEREAS, the New York Municipal Insurance Reciprocal (NYMIR) reviewed this matter and advised that it will not provide the County or Chairman of the Board with a defense or indemnity in this matter inasmuch as said claim demands injunctive relief rather than compensatory damages covered by insurance; and

WHEREAS, at least 15 other similar defendant county governments have banded together to hire Sokoloff Stern LL for a joint defense with shared legal defense costs; and

WHEREAS, the Administrative Officer and County Attorney recommends execution of a Letter of Engagement with Sokoloff Stern LLP to defend Fulton County in “*New York City Department of Social Services v. County of Rockland, et al.*”; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the County of Fulton and Sokoloff Stern LLP to defend the County in the “*New York City Department of Social Services v. County of Rockland, et al.*” at a pro-rated share of the following rates:

Partners:	\$260.00 per hour
Associates:	240.00 per hour
Paralegal:	110.00 per hour

and, be it further

RESOLVED, That this contract is contingent upon approval of the County Attorney; and, be it further



**Resolution No. 310 (Continued)**

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

Seconded by Supervisor CALLERY and adopted by the following vote:

TOTAL: Ayes: 486 (18) Nays: 25 (1) (Supervisor Young)  
Absent: 18 (1) (Supervisor Kinowski)



**Resolution No. 311**

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:

- 4 – Metal Desks (3856, 3867, 3835, 3032)
- 1 – Computer Desk (4536)
- 1 – Wooden Desk (5411)

Probation:

- 3 – Five Drawer File Cabinets (0647, 0645, 0734)

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, Probation Director, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 312**

Supervisor HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING CERTAIN TRANSFERS AND BUDGET AMENDMENTS**

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

Personnel

From: A.1000.1990-4907 – EXP - Contingent Fund Expense  
To: A.1000.9089-8520 - EXP - Other Employee Benefits (207C)  
Sum: \$6,000.00

Sheriff

From: A.3110.3110-2000 – EXP – Equipment - Fixed Asset	\$2,700.00	
A.3110.3110-4010 – EXP – Equipment - Non-Asset	3,060.00	
To: A.3110.3113-4130 – EXP – Contractual		\$5,760.00

Social Services

From: A.6010.6010-4934 – EXP – Client Travel & Training  
To: A.6010.6010-4090 – EXP – Professional Services  
Sum: \$10,000.00

Solid Waste

From: CL.1000.1990-4907 - EXP- Contingent Fund Expense  
To: CL.8160.8162-4540 - EXP- Vehicle Maintenance  
Sum: \$50,000.00

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

Sheriff

Revenue

Increase A.3110.3110-2680 - REV- Insurance Recoveries \$4,657.00

Appropriation

Increase A.3110.3110-2010 - EXP- Capital Expense \$4,657.00

and, be it further

**Resolution No. 312 (Continued)**

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

Seconded by Supervisor BREH and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)

**Resolution No. 313**

Supervisor HOWARD offered the following Resolution and moved its adoption:

**RESOLUTION URGING THE GOVERNOR TO VETO A.04282B/S3505B WHICH WOULD  
MOVE CERTAIN LOCAL ELECTIONS TO EVEN-NUMBERED YEARS**

WHEREAS, Assemblywoman Amy Paulin and Senator James Skoufis reintroduced legislation that would move local elections to even-numbered years during the 2023 legislative session; and

WHEREAS, versions of this legislation were introduced in previous years and failed to reach the floor for a vote due to lack of support; and

WHEREAS, after the 2022 session concluded, the bill sponsor indicated that hearings would be held on the proposal through the Election Committee process; however, there were no hearings held; and

WHEREAS, the Fulton County Board of Supervisors has several concerns with this bill; and

WHEREAS, this legislation usurps the Home Rule powers reserved by local governments and protected by the Constitution of the State of New York, raising questions of legality and constitutional authority; and

WHEREAS, local municipalities have had the ability to change their elections to even-numbered years for decades, and chose not to do so; and

WHEREAS, establishing the schedule of local elections is the right of the local government, and has been for more than 100 years; and

WHEREAS, the proposed legislation circumvented the legislative process during this session, limiting public input and understanding the impacts; and

WHEREAS, there are concerns that the current election and ballot counting technology would not be able to adequately meet the demands of the significantly increased ballot size; and

WHEREAS, there are significant legal and constitutional questions regarding the legality of this measure that have not been adequately addressed; now, therefore be it

**RESOLVED**, That the Fulton County Board of Supervisors hereby strongly urges the Governor to oppose this legislation and utilize her veto authority to reject this proposal; and, be it further

**Resolution No. 313 (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, Senate Minority Leader Robert Ort, Assembly Minority Leader William Barclay, Assemblywoman Amy Paulin, Senator James Skoufis, Senator Mark Walczyk, Assemblyman Robert Smullen, Assemblywoman Mary Beth Walsh, Assemblyman Matthew Simpson, the New York State Association of Counties, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor GROFF and adopted by the following vote:

TOTAL: Ayes: 19 Nays: 0 Absent: 1 (Supervisor Kinowski)