

**SIXTH REGULAR SESSION**

Johnstown, NY

June 10, 2019

Roll Call – Quorum Present

Supervisors: Argotsinger, Blackmon, Born, Bradt, Breh, Callery, Fagan, Greene, Groff, Howard, Kinowski, Lauria, Perry, Potter, Rice, Selmser, Waldron

TOTAL: Present: 17 Absent: 3 (Supervisors Handy, Wilson and Young)

Vice-Chairman Greene called the meeting to order at 1:00 p.m. Following the Pledge of Allegiance, Vice-Chairman Greene called for a moment of silence in recognition of the sacrifices borne by the men and women of the U.S. Military during the D-Day Invasion, June 6, 1944.

Vice-Chairman Greene next read an official statement regarding the previous Eminent Domain vote by the Fulton County Board of Supervisors as follows:

On 13 May 2019, the Board of Supervisors voted to authorize the Fulton County IDA to initiate an eminent domain action to obtain certain land owned by Robert Bowe. The land involved on Hales Mills Road Extension could play an important role in promoting future economic development in our county.

Since last month's vote, the owner, Mr. Bowe, passed away. Last Tuesday, the IDA held its required public hearing on the eminent domain action and there was a great deal of public opinion registered against pursuing eminent domain.

In respect to these two events, Board members have expressed reservations about proceeding with eminent domain under these circumstances. Therefore, we have prepared a Resolution to rescind the decision to initiate eminent domain for consideration today. I would like to suggest that the Board suspend the order of today's Agenda and take up that Resolution now at the beginning of our meeting.

After the vote, we can then proceed to the balance of our Agenda.

Supervisor Argotsinger made a motion to suspend of the order of today's Agenda to take taking action on Late Resolution No. 1 at the beginning of the meeting, seconded by Supervisor Callery and unanimously carried.

Supervisor Kinowski then made a motion to reconsider Resolution No. 166 of 2019 (RESOLUTION AUTHORIZING THE FULTON COUNTY INDUSTRIAL DEVELOPMENT AGENCY TO INITIATE AN EMINENT DOMAIN PROCEDURE LAW ACTION TO OBTAIN CERTAIN LAND OWNED BY ROBERT BOWE IN THE HALES MILLS AREA), seconded by Supervisor Breh and unanimously carried.

The Chairman of the Board then read the title of the Resolution. It was seconded by Supervisor Waldron.

Supervisor Groff stated that he was opposed to eminent domain and has been from the start and that he voted no on last month's Resolution No. 166.

**Supervisor Groff then made a Motion to Amend Late Resolution No. 1 as follows: "Resolved, That the IDA is hereby directed to cease and desist proceeding with eminent domain to obtain said property from Robert Bowe, his estate or any future owners of said property"; seconded by Supervisor Howard and carried. (Supervisors Argotsinger, Kinowski and Waldron opposed).**

Supervisor Argotsinger commented that he hoped someone from the agricultural community would step forward to purchase the property in question make it into a farm. He further commented that agriculture land in the area is being sold/leased to solar companies and he is against that.

Supervisor Groff advised that he wants to "close the door" to eminent domain.

Supervisor Rice asked what the County's history was regarding eminent domain. Mr. Stead responded that eminent domain has not been used by the County, at least not in the last 26 years to the best of his knowledge.

Supervisor Waldron said the "door should not be closed" on developing this piece of property because economic development is very important. He stressed that this piece of property has not been used for farming since the 1980's.

Supervisor Kinowski advised that he agrees with Supervisor Waldron and that the door should not be closed on eminent domain forever.

A vote was taken on Late Resolution No. 1, as amended, and it was passed unanimously.

### **PUBLIC SPEAKERS**

Vice-Chairman Greene asked if there was anyone from the public who wished to address the Board.

**Barbara Hemstreet, 3894 State Highway 29, Johnstown, NY:** Ms. Hemstreet advised that she wanted to thank Mr. Groff and everyone who voted against eminent domain. She further advised that the County has farm land sitting that is not in use. She advised that it was "nobody's business" what the landowner used his property for. "It is their land, they can do with it what they want". She is very concerned about IDA's in general and sees eminent domain as a gross misuse of government power. She commented that there are vacancies in industrial parks in the county, so there are lots of places for development there. She also said that citizens should be informed ahead of time regarding such projects, so the county does not have to back track.

***Karen Fagan, 2533 State Highway 29, Johnstown, NY:*** Ms. Fagan thanked the Board for voting against using eminent domain. She referenced a “NYS Smart Growth” document and that it is a sensible explanation. She advised that she viewed Saratoga County websites and they are promoting sustainable living as a component of smart growth. She also suggested that county officials inform citizens better about what is possibly going to be happening in the county. She said that she is working to protect local farms.

***Billie Jo Lear, 247 Co. Highway 155, Gloversville, NY:*** Ms. Lear advised that people in Fulton County do not know what the Board of Supervisors was thinking when they voted to enact an eminent domain proceeding. Apparently, the Board does not know the “core values” of their citizens. Perhaps the Board does not want the citizens in Fulton County to know what it is doing.

***Matt Ebert, 38 N. Division Street, #C, St. Johnsville, NY:*** Mr. Ebert said that he was speaking on behalf of the newly-founded “Fulton County Agricultural Development Agency”. He thanked everyone for voting not to use eminent domain to seek the property of Mr. Bowe and stated that it was a major step. He would also like Fulton County to “think outside of the box” and would like to help through volunteerism and agriculture development. He advised that the Board made a great decision today to keep the agriculture farm movement moving.

#### **UPDATES FROM STANDING COMMITTEES**

(No updates)

#### **REPORTS OF SPECIAL COMMITTEES**

***Adirondack Government:*** Supervisor Selmsler advised that he attended a meeting on June 3 in Saranac Lake, NY. The group was updated regarding ATV use and the impression left by APA officials was they want to ban ATV use on private land as well as on state land. There was a discussion on cell phone and broad band efforts to address needs in the north country. He said there was a discussion on FirstNet and that it looks like 32 towers have been approved for construction throughout the Adirondacks. He advised that boat washing stations may become mandatory, but there is no talk of the state providing any funding for such mandate.

#### ***Inter-County Legislative Committee of the Adirondacks:***

(No update)

***Soil and Water Conservation District Board:*** Supervisor Blackmon advised that the District Board met on May 21. There was a final audit of the books that has been completed. At Tryon they are continuing to assist with excavator work and with stump removal. Also, they are helping with the electrical entrance project. They have sold the boat washing station for \$23,000.00 to Saratoga. The District participated in “Earth Day” at the Johnstown Park. The tree and shrub programs are going well, as well as the fish program.

## **CHAIRMAN’S REPORT**

(No update)

## **RESOLUTIONS**

Resolutions on the Agenda were then deliberated upon.

*No. 225 (Resolution Opposing Proposed State Legislation Known as the “Drivers License Access and Privacy Act” Concerning Undocumented Individuals (S01747-A, A03675-A):* Mr. Stead advised that this is now also being called the “Green Light Bill”.

*No. 230 (Resolution Extending a Temporary Part-Time Mail Clerk Position in the Information Technology Department):* Supervisor Callery advised that the person in the Graphics and Web Specialist/Mail Clerk position passed away recently.

## **OLD BUSINESS**

Supervisor Callery asked why Don Brown Bus Sales buses are parked at Tryon. Mr. Stead said that he believes that it is a “good neighbor policy” by the IDA and that it is at no cost because it is temporary. Mr. Stead said that he read this in recent minutes for the Industrial Development Agency.

## **NEW BUSINESS**

Supervisor Potter advised that earlier today, the Board passed a Resolution opposing the “Driver’s License Access and Privacy Act” proposed in the State Legislature. He further advised that Senator Tedisco is sponsoring a state bill that would indemnify County Clerks from facing lawsuits or removal by the Governor when they act in good faith and with a reasonable belief that they are upholding their oath of office and the U.S. Constitution by not granting licenses to those here illegally.

Supervisor Potter requested that because there was not time today to submit for a formal Resolution supporting Senator Tedisco’s legislation, a motion be done asking the Chairman of the Board to send a letter to the Senator encouraging him to push forth with this bill.

**Supervisor Potter made a motion that the Chairman of the Board write a letter to Senator Tedisco encouraging him to push forward with Bill S.3868/A.6317 (County Clerk's Protection Act) to indemnify County Clerks from facing lawsuits or removal by the governor when they act in good faith and with a reasonable belief they are upholding their oath of office and the Constitution of the United States by refusing to issue driver's licenses to those here illegally, seconded by Supervisor Born and unanimously carried.**

Upon a motion by Supervisor Waldron, seconded by Supervisor Callery and unanimously carried, the Board adjourned at 1:54 p.m.

*Certified by:*

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

**Resolution No. 207**

Supervisors KINOWSKI AND ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION RESCINDING RESOLUTION 166 OF 2019 THAT AUTHORIZED  
THE FULTON COUNTY IDA TO INITIATE AN EMINENT DOMAIN PROCEDURE  
LAW ACTION TO OBTAIN CERTAIN LAND OWNED BY ROBERT BOWE  
IN THE HALES MILLS AREA

WHEREAS, Resolution 166 of 2019 authorized an Agreement with the Fulton County Industrial Development Agency (IDA) to initiate an Eminent Domain Procedure Law Action to obtain ownership of parcel 163.-1-19.2 (69+ acres) and parcel 163.-1-26.12 (89.5+ acres), owned by Robert Bowe, in the Town of Johnstown; and

WHEREAS, in accordance with Eminent Domain Procedure Law, the IDA held a public hearing on June 4, 2019, to gather public opinion regarding said eminent domain action; now, therefore be it

RESOLVED, That based upon the results of said public hearing regarding the aforementioned eminent domain action, Resolution 166 of 2019 that authorized the Fulton County IDA to initiate an Eminent Domain Procedure Law Action to obtain ownership of property owned by Robert Bowe, be and hereby is rescinded; and, be it further

RESOLVED, That the IDA is hereby directed to cease and desist proceeding with eminent domain to obtain said property from Robert Bowe, his estate or any future owners of said property; and, be it further

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

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)

**Resolution No. 208**

Supervisor BORN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH MELISA FEINOUR TO PROVIDE EMERGENCY ON-CALL SERVICES (COMMUNITY SERVICES)**

WHEREAS, Resolution 502 of 2018 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 a contract between the Fulton County Community Services Board and Melisa Feinour for emergency on-call consultant services; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract between the Fulton County Community Services Board and Melisa Feinour, for emergency on-call services, effective May 1, 2019 through December 31, 2019, at rates in accordance with the current fee schedule in effect; 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, Melisa Feinour, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)

**Resolution No. 209**

Supervisors BORN AND ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING ACCEPTANCE OF NORTH COUNTRY DSRIP PROGRAM FUNDS FOR THE PURCHASE OF CERTAIN OFFICE SUPPLIES AND PROMOTIONAL SUPPLIES (PUBLIC HEALTH)**

WHEREAS, Resolution 277 of 2016 authorized the acceptance of Initial Engagement Grant Funds from North Country DSRIP; and

WHEREAS, the Public Health Director has received notice that the Department will receive an additional \$10,000.00 in North Country DSRIP funds for use in 2019; and

WHEREAS, the Public Health Director has proposed to use said funding to purchase necessary office supplies and promotional supplies as follows:

(2) Vinyl Banners & Setup	\$ 150.00
Sock Puppets, Activity Books	84.05
Promotional Items	4,765.95
Walk With Ease books (Arthritis Foundation)	<u>5,000.00</u>
	\$10,000.00

and

RESOLVED, That the Chairman of the Board be a hereby is authorized to sign a grant agreement between Public Health Department and North Country DSRIP to accept Program Funds in the amount of \$10,000.00; said agreement subject to the approval of the County Attorney; and, be it further

RESOLVED, That the 2019 Adopted Budget be and hereby is amended as follows:

Revenue:

Increase A.4010.4010-2770 – REV – Other Unclassified Revenues \$10,000.00

Appropriation:

Increase A.4010.4010-4530 – EXP – Supplies \$10,000.00

and; be it further

**Resolution No. 209 (Continued)**

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

Seconded by Supervisor SELMSER and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)

**Resolution No. 210**

Supervisors BORN AND ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AWARDING BIDS FOR CHILDREN WITH HANDICAPPING CONDITIONS TRANSPORTATION PROGRAM (2019-2020 SCHOOL YEAR)**

WHEREAS, Resolution 129 of 2019 authorized advertisement for bids for children with handicapping conditions 2019-2020 transportation; now, therefore be it

RESOLVED, That the bids, as hereinafter specified, for the transportation of children with handicapping conditions to various 2019 school programs be and hereby are accepted, as reviewed and recommended by the Public Health Director and Purchasing Agent; they being the lowest responsible bidders in accordance with Specification No. 2019-40-01, dated May 15, 2019:

<u>Program Site/Route</u>	<u>Bid Amount</u> <u>Est. Daily Rte. Cost</u>	<u>Low Bidder</u>
Summer Route 1 Summer Route 2	\$365.00	Brown Transportation (Combined)
Summer Route 3	\$309.00	Brown Transportation
Summer Route 4	\$354.49	Brown Transportation
Summer Route 5	\$298.77	Brown Transportation
Summer Route 6	\$262.00	Brown Transportation
Summer Route 7	\$560.00 (\$280.00 per bus)	Brown Transportation (Two buses needed for Summer)
Summer Route 9	\$354.22	Brown Transportation
Regular School Year Route 1 Regular School Year Route 2	\$376.00	Brown Transportation (Combined)
Regular School Year Route 3	\$332.00	Brown Transportation
Regular School Year Route 4	\$365.28	Brown Transportation
Regular School Year Route 5	\$298.00	Brown Transportation

**Resolution No. 210 (Continued)**

Regular School Year Route 6	\$298.00	Brown Transportation
Regular School Year Route 7	\$308.00	Brown Transportation
Regular School Year Route 8	\$304.00	Brown Transportation
Regular School Year Route 9	\$354.22	Brown Transportation
Regular School Year Route 10	\$358.41	Brown Transportation

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Public Health Director, Brown Transportation, 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 Handy, Wilson and Young)

**Resolution No. 211**

Supervisors BORN AND ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ACCEPTANCE OF NYS OFFICE FOR AGING UNMET NEEDS FUNDS FOR 2019-2020 (OFFICE FOR AGING)

WHEREAS, the OFA Director has been notified that the Office for Aging will receive NYS Office for Aging (NYSOFA) Unmet Needs funds in the amount of \$91,000.00 for use in the 2019 and/or 2020; and

WHEREAS, the OFA Director has proposed to utilize \$40,000.00 of said grant in 2019 and the balance in the 2020 budget; and

WHEREAS, the Office for the Aging Director has proposed to use a portion of said funding for Lifeline Units and in-home care services in 2019 as follows:

(10) Lifeline Units	\$ 1,860.00
In-Home Care Services	<u>21,396.00</u>
	\$23,256.00

and

WHEREAS, the OFA Director will return to the Board of Supervisors with a plan to appropriate the balance of the \$40,000.00 in grant proceeds prior to the end of the year; now, therefore be it

RESOLVED, That the Chairman of the Board be a hereby is authorized to sign a grant agreement between OFA Director and NYS Office for Aging to accept Unmet Needs Funds in the amount of \$91,000.00; said agreement subject to the approval of the County Attorney; and, be it further

RESOLVED, That the 2019 Adopted Budget be and hereby is amended as follows:

Revenue:

Increase A.7610.7610-3772 – REV – OFA – State Aid – Program For Aging \$23,256.00

Appropriation:

Increase A.7610.7610-4170 - EXP- Programs \$23,256.00

and; be it further

**Resolution No. 211 (Continued)**

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Office for Aging Director, NYS Office for Aging, 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 Handy, Wilson and Young)

**Resolution No. 212**

Supervisors BORN AND ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING ACCEPTANCE OF NORTH COUNTRY DSRIP PROGRAM FUNDS FOR SENIOR HOUSING AND TRANSPORTATION PROGRAMS (OFFICE FOR AGING)

WHEREAS, Resolution 277 of 2016 authorized the acceptance of Initial Engagement Grant Funds from North Country DSRIP; and

WHEREAS, the OFA Director has been notified that the Department will receive an additional \$15,013.25 in North Country DSRIP funds for use in 2019; and

WHEREAS, the OFA Director has recommended the use of such additional revenue to offset advertising, programs and office supply costs in support of upcoming “Housing and Transportation Showcase” and “Palliative Care Choices Community Programs” to assist area seniors; now, therefore be it

RESOLVED, That the Chairman of the Board be a hereby is authorized to sign a grant agreement between Office for Aging and North Country DSRIP to accept Engagement Funds in the amount of \$15,013.25; said agreement subject to the approval of the County Attorney; and, be it further

RESOLVED, That the 2019 Adopted Budget be and hereby is amended as follows:

Revenue:

Increase A.7610.7610-2089 - REV- Other Culture and Recreation Income \$15,014.00

Appropriation:

Increase A.7610.7610-4170 - EXP- Programs	\$9,000.00
A.7610.7610-4100 - EXP- Advertising	2,614.00
A.7610.7610-4530 - EXP- Supplies	3,400.00

and; be it further

**Resolution No. 212 (Continued)**

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Office for Aging Director, North Country DSRIP, 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 Handy, Wilson and Young)

**Resolution No. 213**

Supervisor CALLERY offered the following Resolution and moved its adoption:

RESOLUTION RE-APPOINTING THERESA SOUZA TO  
POSITION OF PERSONNEL DIRECTOR

RESOLVED, That Theresa Souza, of Lassellsville, NY be and hereby is appointed as Fulton County Personnel Director for a six (6) year term beginning July 10, 2019 and concluding July 9, 2025; and, be it further

RESOLVED, That the County Treasurer is hereby authorized to pay such Director a salary reflected in the annual Non-Union Salary Structure in equal bi-weekly installments; 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 POTTER and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)

**Resolution No. 214**

Supervisor CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION ADOPTING STANDARD WORKDAY AND RETIREMENT REPORTING**

WHEREAS, in 2010 the NYS Retirement System changed the reporting requirements for elected and appointed officials who are members of the Retirement System; and

WHEREAS, the Board of Supervisors must adopt a standard workday and retirement reporting credit for said elected and appointed officials after the first 180 days of taking office or whenever a newly elected or appointed office is established; now, therefore be it

RESOLVED, That the Board of Supervisors hereby establishes standard workdays for the following appointed officials and will report the days worked to the New York State and Local Employees' Retirement System, based on the record of activities maintained and submitted by the officials to the Fulton County Personnel Director, as follows:

STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS OF FULTON COUNTY							
BE IT RESOLVED, that the Fulton County Board of Supervisors/Location Code 10017 hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on time keeping system records or their records of activities:							
Title	Standard Work Day (Hrs/day) Min 6 hrs Max 8 hrs	Name	Tier 1 (Check only if member is in Tier 1)	Current Term Begin & End Dates (mm/dd/yy - mm/dd/yy)	Participates in Employer's Time Keeping System (Y/N) (Y/N - If Y, do not complete the last 2 columns)	Days/Month (based on Record of Activities)	Not Submitted (Check box only if official did not submit their ROA)
<b>Elected Officials</b>							
County Clerk	7	Linda Kollar		1/1/18 - 12/31/21	N	30.23	
County Treasurer	7	Edgar Blodgett		1/1/18 - 12/31/21	N	26.49	
District Attorney	7	Chad Brown		1/1/17 - 12/31/20	N	23.43	
Supervisor, Town of Mayfield	6	Richard Argotsinger		1/1/16 - 12/31/19	N	6.53	
Supervisor, City of Gloversville Ward 1	6	Marie Born		1/1/18 - 12/31/19	N	2.82	
Supervisor, Town of Ephratah	6	Todd Bradt		1/1/16 - 12/31/19	N	2.61	
Supervisor, Town of Perth	6	Gregory Fagan		1/1/16 - 12/31/19	N	8.11	
Supervisor, Town of Bleeker	6	David Howard		1/1/18 - 12/31/19	N	3.56	
Supervisor, City of Johnstown Ward 4	6	William Waldron		1/1/18 - 12/31/19	N	5.81	
Supervisor, City of Johnstown Ward 3	6	John Callery		1/1/18 - 12/31/19	N	2.62	
Supervisor, City of Gloversville Ward 4	6	Charles Potter		1/1/18 - 12/31/19	N	4.37	
Supervisor	6	Gregory Young		1/1/18 - 12/31/19	N	7.53	
Coroner	6	Margaret Luck		1/1/16 - 12/31/19	Y		
<b>Appointed Officials</b>							
County Attorney	6	Jason Erott		1/1/18 - 12/31/19	N	13.2	
County Historian	6	Samantha Hall-Saladino		1/1/18 - 12/31/19	N	7.53	
Election Commissioner	6	John Zawadzki		1/1/19 - 12/31/20	N	11.73	

**Resolution No. 214 (Continued)**

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, Personnel Director, Respective Appointed County Officials, NYS Comptroller, 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 BREH and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)

**Resolution No. 215**

Supervisors CALLERY AND ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION CHANGING TITLE OF ASSISTANT DIRECTOR OF INFORMATION SERVICES TO “ASSISTANT DIRECTOR OF INFORMATION TECHNOLOGY”

WHEREAS, Resolution 163 of 2019 adopted Local Law No. 2 of 2019 “A Local Law amending Local law 3 of 1986, as amended by Local Law 2 of 1996 to revise the name of the Department of Information Services to Department of Information Technology” and revised the title of Director of Information Services/Printing to Director of Information Technology; and

WHEREAS, effective immediately, the title of Assistant Director of Information Services is changed to “Assistant Director of Information Technology”; now, therefore be it

RESOLVED, That upon the recommendation of the Personnel Director and Committee on Personnel, the title of Assistant Director of Information Services be (Job Group P/S-7 in the Non-Union Salary Schedule), and hereby is, changed to “Assistant Director of Information Technology”, effective immediately; and, be it further

RESOLVED, That the Personnel Director and Information Technology 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, Information Technology Director, 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 Handy, Wilson and Young)

**Resolution No. 216**

Supervisors BREH AND ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION ACCEPTING DONATION FROM BENJAMIN MOORE AND COMPANY FOR EQUIPMENT AND SUPPLIES TO BENEFIT THE SHERIFF’S DEPARTMENT**

WHEREAS, Benjamin Moore and Company has donated \$1,000.00 to the Sheriff’s Department for equipment; and

WHEREAS, the Sheriff and the Committees on Public Safety and Finance recommend acceptance of said donation; now, therefore be it

RESOLVED, That the Sheriff be and hereby is authorized to accept said donation of \$1,000.00 from Benjamin Moore and Company for equipment and supplies as follows:

Pelican Case	\$375.00
Apple iPad	\$350.00
IPad Mount	\$ 95.00
(2) USB Data Cables	\$ 20.00
(2) Flashlights	<u>\$160.00</u>
Total	\$1,000.00

RESOLVED, That the 2019 adopted budget be and hereby is amended as follows:

Revenue:

Increase A.3110.3110-2705 – REV – Gifts and Donations \$1,000.00

Appropriation:

Increase A.3110.3110-2000-EXP-Equipment Fixed Asset \$350.00  
Increase A.3110.3110-4530- EXP- Supplies \$650.00

and, be it further

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

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)

**Resolution No. 217**

Supervisors BREH AND ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING APPLICATION FOR A 2020 PUBLIC SAFETY ANSWERING POINTS (PSAP) OPERATIONS GRANT FROM NYS OHSES**

WHEREAS, the Sheriff has been notified of the availability of a 2020 Public Safety Answering Points Operations Grant from the NYS Department of Homeland Security to make investments in new functionality and/or technology to improve emergency dispatch systems; and

WHEREAS, the Sheriff desires to submit an application to the New York State Department of Homeland Security and Emergency Services for a 2020 PSAP Operations Grant to fund personnel services and benefits for the Communications Division; and

WHEREAS, the range of past grant allocations have been; 2017: \$213,000, 2018: \$167,791.00 and 2019: \$220,197.00 for said purposes; and

RESOLVED, That upon the recommendation of the Committee on Finance, the Board of Supervisors hereby authorizes application for said 2020 Public Safety Answering Points (PSAP) Operations Grant to the New York State Department of Homeland Security and Emergency Services; and, be it further

RESOLVED, That if said grant application is approved, the Sheriff shall return to the Board of Supervisors with a detailed plan for use of the grant funds and proceeding shall be subject to the Board of Supervisors approval by Resolution; and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)

**Resolution No. 218**

Supervisors BREH AND ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AUTHORIZING APPLICATION OF SLETPP HOMELAND  
SECURITY PROGRAM GRANT FOR 2019-2020  
(SHERIFF’S DEPARTMENT)

WHEREAS, Fulton County has been notified that it is eligible to receive \$21,244.00 in grant funds from Law Enforcement Terrorist Prevention (LETPP) component the 2019-2020 NYS Homeland Security Program; and

WHEREAS, the Sheriff has proposed to utilize said LETPP grant funds to purchase Portable Radios and Ballistic Helmets for the Department; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a grant agreement with the NYS Division of Homeland Security and Emergency Services for 2019-2020 LETPP grant funds in a total amount of \$21,244.00 for the purchase of equipment for use in the Sheriff’s Department in approximate amounts as follows:

(10) Portable Radios	\$13,644.00
(27) Ballistic Helmets	\$ 7,600.00

and, be it further

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

From: A.3110.3645-2000-EXP-Equipment-Fixed Asset  
To: A.3110.3645-4010-EXP-Equipment-Non-Asset  
Sum: \$7,600.00

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

**Resolution No. 218 (Continued)**

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Sheriff, Civil Defense/Fire Coordinator, 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 LAURIA and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)

**Resolution No. 219**

Supervisors BREH, CALLERY AND ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION CREATING EMERGENCY MEDICAL SERVICES COORDINATOR POSITION IN THE EMERGENCY MANAGEMENT OFFICE**

WHEREAS, the position of EMS Coordinator in Fulton County has been an unpaid volunteer position since its inception; and

WHEREAS, in 2019 Fulton County has seen two major providers of ambulance service go out of business without warning and the closures caused Fulton County Officials to implement a temporary plan to ensure continuity of emergency medical service operations for the safety and wellbeing of our residents; and

WHEREAS, the Emergency Medical Service landscape throughout the state continues to change on a monthly basis and it has become apparent that additional resources are needed to provide the proper oversight, conduct adequate research, and develop a plan that will ensure long term stability and sustainability for Fulton County’s EMS system; and

WHEREAS, creation of the EMS Coordinator position will provide County government with a person dedicated primarily to ensuring that adequate ambulance services are available to county residents; and

WHEREAS, the EMS Coordinator will implement and administer a plan to improve EMS services and will act as the Emergency Management Office liaison to EMS Agencies operating in Fulton County; and

WHEREAS, the Committees on Public Works and Finance have reviewed the current department structure and recommend creating an Emergency Medical Services Coordinator position in the Emergency Management Office; effective July 1, 2019; now, therefore be it

RESOLVED, That an Emergency Medical Services Coordinator position (Non-Union Job Group A/T-4, 2019 Start Rate: \$33,150.00 per year, Permanent one-year Rate: \$39,000.00 per year), be and hereby is created effective July 1, 2019; and, be it further

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

From: A.1000.1990-4907-EXP-Contingent Fund Expense	\$17,889.00	
To: A.3640.3640-1000- EXP - Payroll		\$16,771.00
A.3640.3640-8100- EXP - Social Security		\$1,118.00

and, be it further

**Resolution No. 219 (Continued)**

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

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Personnel Director, Civil Defense/Fire Coordinator, CSEA Local 818, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor PERRY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)

**Resolution No. 220**

Supervisors FAGAN AND ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION ADOPTING THE COUNTY OF FULTON TITLE VI PLAN**

WHEREAS, Title VI of the Civil Rights Act of 1964 requires recipients of Federal financial assistance to ensure that no person shall be excluded from participation in, denied the benefit of or be subject to unlawful discrimination in, the operation, implementation, access and use of the recipients' programs, activities or facilities based on race, color, national origin, sex, age, disability, or low income or limited-English proficiency; and

WHEREAS, federal and state regulations require municipal governments to adopt a Title VI compliance plan to consolidate all policies and procedures related to Title VI protections into one formal plan; and

WHEREAS, the Director of Personnel, working with involved department heads has prepared a proposed "County of Fulton Title VI Plan" as the official policy of the County related to Title VI requirements; now, therefore be it

RESOLVED, That the "County of Fulton Title VI Plan", as presented to the Committees on Public Works and Finance and placed on file in the Board of Supervisors Office and the County Attorney's Office, be, and hereby is adopted; and, be it further

RESOLVED, That the County Attorney be, and hereby is designated Title VI Coordinator for the County of Fulton; and, be it further

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

Seconded by Supervisor WALDRON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)

**Resolution No. 221**

Supervisors FAGAN AND ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION AMENDING THE 2019 ADOPTED BUDGET TO REFLECT ACTUAL  
CHIPS AND PAVE NY REVENUE

WHEREAS, the Superintendent of Highways and Facilities estimated receipt of \$1,019,400.00 in Consolidated Local Street and Highway Improvement Program (CHIPS) revenue in 2019 and PAVE NY revenue in the amount of \$232,600.00 and budgeted accordingly; and

WHEREAS, the NYS Department of Transportation notified the Superintendent of Highways and Facilities that Fulton County will be receiving \$1,016,126.11 in CHIPS funding for 2019-2020 and PAVE NY funding of \$231,940.90; now, therefore be it

RESOLVED, That the 2019 Adopted Budget be and hereby is amended, as follows:

Revenue Account

Decrease Revenue: D.5010.5112-3501 –REV-State Aid-Consolidated Highway Aid     \$3,274.00  
Decrease Revenue: D.5010.5112-3589-REV-State Aid-Other Transportation             \$659.00

Appropriation Account

Decrease D.5010.5112-4132.0122 –EXP-Road Construction-122     \$3,933.00

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 PERRY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)

**Resolution No. 222**

Supervisor FAGAN offered the following Resolution and moved its adoption:

RESOLUTION APPROVING “FULTON MONTGOMERY REGIONAL CHAMBER OF  
COMMERCE SOUTHERN ADIRONDACK ANTIQUES AND COLLECTIBLES EVENT”  
AT THE FULTON COUNTY AIRPORT (2019)

WHEREAS, a Facilities Use Application has been received from the Fulton Montgomery Regional Chamber of Commerce requesting permission to sponsor a “Southern Adirondack Antiques and Collectibles Event” for 2019 at the Fulton County Airport; and

WHEREAS, Fulton Montgomery Regional Chamber of Commerce will arrange for cleanup, as well as provide for sufficient insurance protection coverage as required by County policy; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Public Works, Fulton County Antique Auto Club be and hereby is authorized to utilize the Fulton County Airport for “Southern Adirondack Antiques and Collectibles Event” from August 30, 2019 through September 1, 2019, contingent upon issuance of the appropriate County permit by the County Attorney; and, be it further

RESOLVED, That the County Attorney 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, County Attorney, Planning Director, Superintendent of Highways and Facilities, Fulton Montgomery Regional Chamber of Commerce, 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 BLACKMON and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)

**Resolution No. 223**

Supervisors FAGAN AND ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH AJ SIGN COMPANY FOR  
INSTALLATION OF A NEW ENTRANCE SIGN AT THE FULTON COUNTY AIRPORT**

WHEREAS, Resolution 38 of 2017 authorized a grant agreement with New York State Department of Transportation (NYSDOT) in the amount of \$30,000.00 with a 10 percent local share (\$3,000.00) for construction of a sign at the Fulton County Airport; and

WHEREAS, a Request for Proposals for installation of a sign at the Fulton County Airport was distributed on March 8, 2019 and two (2) proposals were received; and

WHEREAS, because said two (2) proposals exceeded the available grant budget, the Planning Director and Superintendent of Highways and Facilities recommend purchasing and installing the solar power portion of the project in-house; and

WHEREAS, the Committees on Public Works and Finance recommend a revised proposal from AJ Sign Company for sign construction and installation without solar power installation as the lowest cost best proposal in this instance; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to sign a contract with AJ Sign Company of Burnt Hills, NY for construction and installation of a sign at the Fulton County Airport, in an amount not to exceed \$18,230.00; and, be it further

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

RESOLVED, That the 2019 Adopted Budget be and hereby is amended as follows:

Revenue Account:

Increase A.1620.5610-3589-REV-State Aid-Other Transportation	\$27,000.00
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Appropriation Account:

Increase A.1620.5610-4180-EXP-Renovations	\$27,000.00
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and, be it further

**Resolution No. 223 (Continued)**

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

From: A.1000.1990-4907-EXP-Contingent Fund Expense  
To: A.1620.5610-4180-EXP-Renovations  
Sum: \$3,000.00

and, be it further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary documents in connection with the project; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, County Attorney, AJ Sign Company, NYS Department of Transportation, Federal Aviation Administration, Fixed Based Operator, Planning Director, Superintendent of Highways and Facilities, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)

**Resolution No. 224**

Supervisor FAGAN offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH MXI ENVIRONMENTAL SERVICES  
FOR A HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAM IN 2019  
(SOLID WASTE DEPARTMENT)**

WHEREAS, Resolution 146 of 2019 authorized a Request for Proposals for Household Hazardous Waste Collection Program at the Fulton County Department of Solid Waste and one (1) proposal was received; and

WHEREAS, the Director of Solid Waste and Committee on Public Works recommend that a contract be awarded to MXI Environmental Services, LLC. for the 2019 Household Hazardous Waste Disposal Program; now, therefore be it

RESOLVED, That the net bid in the amount of \$37,533.20, as submitted by MXI Environmental Services, LLC, Abingdon, Virginia, for the 2019 Household Hazardous Waste Disposal Program, be and hereby is awarded; they offering the best proposal in accordance with the Request for Proposals, dated May 15, 2019; and, be it further

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

Seconded by Supervisor LAURIA and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)

**Resolution No. 225**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION OPPOSING PROPOSED STATE LEGISLATION KNOWN  
AS THE “DRIVER'S LICENSE ACCESS AND PRIVACY ACT”  
CONCERNING UNDOCUMENTED INDIVIDUALS  
(S01747-A, A03675-A)

WHEREAS, holding a driver’s license in New York State is a privilege, not a right; and

WHEREAS, if the Drivers License Access and Privacy Act is passed, it would permit undocumented persons who are present in the United States illegally under federal law to obtain a driver’s license; and

WHEREAS, New York State presently suspends or revokes driver’s licenses for various illegal acts, including non-payment of child support, delinquent taxes and refusal to submit to a breath test, yet passage of this Act would reward illegal entry into the United States with a driver’s license; and

WHEREAS, adoption of the Act would creat unacceptable security risks; and

WHEREAS, undocumented immigrants would have the opportunity to answer “yes” to whether they are a U.S. citizen, and if they falsely answer, “yes” they would automatically be able to illegally register to vote, despite both actions being in violation of state and/or federal law; now, therefore be it

RESOLVED, That Fulton County Board of Supervisors hereby opposes the adoption of the Driver’s License Access and Privacy Act (S01747-A, A03675-A) as it concerns issuance of licenses to undocumented individuals; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Governor Andrew Cuomo, Senator James Tedisco, Assemblyman Robert Smullen, Senator Kirsten Gillibrand, Senator Charles Schumer, Congresswoman Elise Stefanik, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Board of Elections Commissioners, New York State Association of Counties, Administrative Officer/Clerk of the Board.

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 430 (16) Nays: 6 (1) (Supervisor Rice)  
Absent: 115 (3) (Supervisors Handy, Wilson and Young)

**Resolution No. 226**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION REVISING THE PAY SCHEDULE FOR ELECTION INSPECTORS TO ADDRESS EARLY VOTING MANDATES (BOARD OF ELECTIONS)**

WHEREAS, Resolution 334 of 2003 established a chargeback system for election services and supplies, including a pay schedule for Election Inspectors; and

WHEREAS, Resolutions 400 of 2006, 68 of 2011 and 345 of 2016 revised said pay schedule; resulting in the current Pay Rate Schedule as follows:

General Election	\$200.00
Inspector School	25.00
Primary Election	125.00
Election Day Chairperson	25.00

and;

WHEREAS, effective with the 2019 General Election, New York State legislators mandated new early voting periods for nine (9) days prior to any primary, general or special election and mandated hours of 6:00 a.m. to 9:00 p.m. for such elections; now, therefore be it

RESOLVED, That effective July 1, 2019, the Pay Rate Schedule for Elections Inspectors be, and hereby is, as follows:

	<u>New Rate Schedule</u>
General Election Day (6:00 a.m. – 9:00 p.m.)	\$ 200.00
Primary Election Day (6:00 a.m. – 9:00 p.m.)	200.00
Early Voting Day (8 hours)	100.00
Early Voting Day (5 hours)	75.00
Inspector School	25.00
Election Day Chairperson	25.00

and, be it further

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

**Resolution No. 226 (Continued)**

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Elections Commissioners, All Municipal Clerks, 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 Handy, Wilson and Young)

**Resolution No. 227**

Supervisors ARGOTSINGER AND CALLERY offered the following Resolution and moved its adoption:

**RESOLUTION WAIVING THE WORK WEEK LIMITS POLICY FOR PER DIEM VOTING MACHINE CUSTODIANS IN THE BOARD OF ELECTIONS OFFICE**

WHEREAS, Resolution 359 of 2013 Established Workweek Limits for Per Diem Employees (Affordable Care Act Mandate); and

WHEREAS, Resolution 355 of 2014 Exempted Voting Machine Custodian Title from the Work Week Limits Policy for Per Diem Employees During Election Periods; and

WHEREAS, Resolution 358 of 2018 Waived the Work Week Limits Policy for Per Diem Voting Machine custodians in the Board of Elections Office During 2018; and

WHEREAS, New York State legislators have now mandated new early voting periods for nine (9) days prior to any primary, general or special election in New York State; and

WHEREAS, the Committee on Finance has reviewed a Board of Elections Commissioners' request to waive the Work Week Limits Policy for Per Diem Voting Machine Custodians for the week of Election Day and for the two (2) weeks preceding any scheduled primary, general or special Election Day; now, therefore be it

RESOLVED, That the Board of Supervisors hereby waives the Work Week Limits Policy enacted by Resolution 359 of 2013 for Per Diem Voting Machine Custodians in the Board of Elections Office for the week of Election Day and for the two (2) weeks preceding any scheduled primary, general or special Election Day effective with the 2019 general election and forward; and, be it further

RESOLVED, That the Director of Personnel and the Board of Election Commissioners 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, County Code, Personnel Director, 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: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)

**Resolution No. 228**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF NYS BOARD OF ELECTIONS AID TO LOCALITIES GRANT (100% STATE AID)**

WHEREAS, in recent months, the Legislature has enacted several laws altering the procedures for conducting elections in New York State, including early voting mandates effective with the 2019 November General Election; and

WHEREAS, the Board of Elections Commissioners have requested permission to apply for and accept a 2019 "Chapter 53 Aid to Localities" Grant funds, in the amount of \$31,643.00; and

WHEREAS, said Chapter 53 Aid to Localities Grant was created by the State of New York to assist the implementation of early voting by reimbursing local governments for eligible costs related to equipment, staffing and poll site expenses in each county's early voting plan; and

WHEREAS, the Board of Elections Commissioners will return to the Board of Supervisors with a plan to appropriate the \$31,643.00 in grant proceeds; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to submit an application for, and authorize acceptance of a NYS Board of Elections "Chapter 53 Aid to Localities" Grant, in an amount of \$31,643.00, to be used for reimbursement of costs related to the implementation of Early Voting; and, be it further

RESOLVED, That said application and this resolution be contingent upon there being no local match for said grant application; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Board of Election Commissioners, NYS Board of Elections, 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 Handy, Wilson and Young)

**Resolution No. 229**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING APPLICATION AND ACCEPTANCE OF  
NYS BOARD OF ELECTIONS CAPITAL GRANT (100% STATE AID)**

WHEREAS, in recent months, the Legislature has enacted several laws altering the procedures for conducting elections in New York State, including early voting mandates effective with the 2019 November General Election; and

WHEREAS, the Board of Elections Commissioners have requested permission to apply for and accept 2019 "Chapter 54 Capital Projects" Grant funds, in the amount of \$42,168.00; and

WHEREAS, said Chapter 54 Capital Grant was created by the State of New York to assist the implementation of electronic poll books, ballot printing devices, associated software and other new technology to support early voting by reimbursing local governments for eligible costs; and

WHEREAS, the Board of Elections Commissioners will return to the Board of Supervisors with a plan to appropriate the \$42,168.00 in grant proceeds; now, therefore be it

RESOLVED, That the Chairman of the Board be and hereby is authorized to submit an application for, and authorize acceptance of a NYS Board of Elections "Chapter 54 Capital Projects" Grant, in an amount of \$42,168.00, to be used for equipment and related costs associated with early voting; and, be it further

RESOLVED, That said application and this resolution be contingent upon there being no local match for said grant application; and, be it further

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

Seconded by Supervisor BORN and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)

**Resolution No. 230**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION EXTENDING A TEMPORARY PART-TIME MAIL CLERK POSITION IN  
THE INFORMATION TECHNOLOGY DEPARTMENT**

WHEREAS, due to an extended medical leave in the Information Technology Department, Resolution 359 of 2018 authorized Creation of a Temporary Part-Time Mail Clerk position to handle Mail Clerk duties on a temporary basis; and

WHEREAS, Resolution 479 of 2018 extended said Temporary Part-Time Mail Clerk Position in the Information Technology Department; and

WHEREAS, the position of Graphics and Web Specialist/Mail Clerk has now become vacant; and

WHEREAS, the Information Technology Director has requested to extend the Part-Time Mail Clerk position until such time as the position of Graphics and Web Specialist/Mail Clerk can be filled; now, therefore be it

RESOLVED, That upon the recommendation of the Information Technology Director and the Committee on Finance, the Personnel Director is hereby authorized to extend the temporary Part-Time Mail Clerk position (\$17.31 per hour, no benefits), on an as-needed basis not to exceed 15 hours per week, effective immediately through August 31, 2019; and, be it further

RESOLVED, That said position of Temporary Part-Time Mail Clerk shall automatically expire upon the hire of a Graphics and Web Specialist/Mail Clerk; and, be it further

RESOLVED, That the Personnel Director and Information Technology 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, Information Technology Director, Personnel Director, 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 Handy, Wilson and Young)

**Resolution No. 231**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING A CONTRACT WITH FIRSTLIGHT CORPORATION FOR INTERNET SERVICE CAPACITY (INFORMATION TECHNOLOGY DEPARTMENT)**

WHEREAS, Resolution 195 of 2019 authorized a contract with FirstLight for certain data and voice services for various County government locations, effective January 1, 2020 through December 31, 2022; and

WHEREAS, the Information Technology Director recommends adding one (1) additional data circuit to provide secondary internet service at the County Office Building, 223 W. Main Street, Johnstown, NY, to said contract; now, therefore be it

RESOLVED, That upon the recommendation of the Committee on Finance, the Chairman of the Board be and hereby is authorized to sign a contract between the Information Technology Department and FirstLight Corporation of Albany, NY, for a secondary internet service at the County Office Building, 223 W. Main Street, Johnstown, NY, effective January 1, 2020 through December 31, 2022, as follows:

<u>Equipment</u>	<u>Location</u>	<u>Monthly Cost</u>
Data Circuit	223 W. Main Street	\$500.00

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

RESOLVED, that the Information Technology 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, Information Technology Director, FirstLight Corporation, Budget Director/County Auditor and Administrative Officer/Clerk of the Board.

Seconded by Supervisor HOWARD and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)

**Resolution No. 232**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AMENDING THE  
FULTON COUNTY PURCHASING AND AUDIT GUIDELINES**

WHEREAS, Resolution 406 of 1993 established and adopted the Fulton County Purchasing and Audit Guidelines, in accordance with NYS General Municipal Law, Sections 103 and 104B; and

WHEREAS, periodic review and revision of said Guidelines are necessary for the efficient operation and oversight of County purchasing and fiscal practices; and

WHEREAS, under federal and state regulations (Title VI of the Civil Rights Act of 1964), all governments must designate a Minority Business Officer to monitor and coordinate rules to ensure non-discrimination and equal opportunity in contracting; and

WHEREAS, the County Purchasing Agent has functioned in said role for several years; and

WHEREAS, the Budget Director/County Auditor and Finance Committee are recommending the Purchasing and Audit Guidelines be amended to include a statement that authorizes the Budget Director/County Auditor to have some discretion regarding payment of claims when minor process errors by County departments are encountered; now, therefore be it

RESOLVED, That upon the recommendation of the Purchasing Agent, the following language as required by the NYS Department of Transportation, Office of Civil Rights be added to the Fulton County Purchasing and Audit Guidelines as follows:

Section 1.03 Purchasing Agent's Powers and Duties:

Add new paragraph as follows:

6. Serve as County government's Minority Business Officer. In that role, oversee the contracting program related to Disadvantaged Business Enterprises (DBE), Minority and Women Business Enterprises (MWBE) and all aspects of ensuring equal opportunity. This will include devising advertising, bid specifications, contract awards and other purchasing protocols that promote inclusion and equal access in furtherance of the County's Title VI Civil Rights Program.

and, be it further

**Resolution No. 232 (Continued)**

RESOLVED, That the following language be added to the Fulton County Purchasing and Audit Guidelines as follows:

Section 12.01 Audit Overview:

Add new paragraph as follows:

6. Determine if any discrepancy between the purchasing and audit process is, in the Auditor's discretion, a minor process error, wherein the payment can still be approved. Such discrepancies may be in the form of a failure to obtain purchasing authorization and/or exceeding the approved amount on a Purchase Order.

When, in the opinion of the Auditor, such discrepancies are repetitive or represent an unacceptable violation of the Guidelines, the matter will be reported to the Committee on Finance and the Department Head will meet with the Committee to address it.

and, be it further

RESOLVED, That said amendments shall become effective immediately; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, All Department Heads, General Code Publishers, 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 Handy, Wilson and Young)

**Resolution No. 233**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION REVISING THE THRESHOLD FOR APPROVAL OF TRANSFERS BY THE  
BUDGET DIRECTOR/COUNTY AUDITOR**

WHEREAS, from time to time, routine budget transfers are requested by departments that have minimal effect upon the County financial plan; and

WHEREAS, Resolution 76 of 1999 Delegated the Authority to Approve Transfer Requests under \$100.00 to the Budget Director/County Auditor, thereby relieving the Board of Supervisors of this routine task, as well as expediting department financial transactions; and

WHEREAS, the Budget Director has reviewed said threshold for approval of transfers and has recommended that the threshold be increased to account for 20 years of inflation; now, therefore be it

RESOLVED, That effective immediately, the authority to approve budget transfers of \$500.00 or less within each of the summarized objects of expenditure (.1, .2, .4, etc.) be delegated to the Budget Director/County Auditor; other transfers requiring the moving of monies from one object to another or other budget functions shall continue to be reviewed and approved by the appropriate oversight Committees and the Board of Supervisors; and, be it further

RESOLVED, That upon the recommendation of the Budget Director and Committee on Finance, the Budget Director/County Auditor be and hereby is authorized to approve transfer requests from Department Heads of \$500.00 or less, effective immediately; and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, All Department Heads, 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 Handy, Wilson and Young)

**Resolution No. 234**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

**RESOLUTION AUTHORIZING RENEWAL OF SPECIFIC EXCESS EMPLOYERS LIABILITY INSURANCE POLICY FOR 2019-2020 (WORKERS COMPENSATION PLAN)**

WHEREAS, the County of Fulton holds certain specialized liability and property insurance through private insurance carriers; and

WHEREAS, the County also insures certain risks related to the County-wide cooperative Workers Compensation Self-Insurance Program on behalf of all Plan participants; now, therefore be it

RESOLVED, That the County's Specific Excess Employers Liability Insurance Policy be renewed, effective September 1, 2019 through August 31, 2020 with Jacksland Associates, of Johnstown, NY, at an annual estimated premium of \$15,686.00; and, be it further

RESOLVED, That said policy includes the following terms:

Employers Liability:	\$475,000.00 per occurrence
Self-Insured Retention:	25,000.00 each occurrence

and, be it further

RESOLVED, That certified copies of this Resolution be forwarded to the County Treasurer, Jacksland Associates, Workers Compensation Program, 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 LAURIA and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)

**Resolution No. 235**

Supervisor ARGOTSINGER offered the following Resolution and moved its adoption:

RESOLUTION SETTING THE DATE OF A PUBLIC HEARING REGARDING THE  
PROPOSED 2019-2020 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, July 8, 2019, at 1:30 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, 2019, 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 SELMSER and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)

**Resolution No. 236**

Supervisor ARGOTSINGER 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.1000.1720-8500.8500 – EXP – Retiree Hospital Medical  
To: A.1000.1720-1700 – EXP – Vacation Buyback  
Sum: \$8,000.00

From: CL.1000.1720-8500.8500 – EXP – Retiree Hospital Medical  
To: CL.1000.1720-1500 – EXP – Benefit Time Cash Out  
Sum: \$5,000.00

and, be it further

RESOLVED, That the 2019 Adopted Budget be and hereby is amended as follows:

County Clerk

Revenue:

Decrease A.1410.1162-3331 – REV – State Aid – Court Attendants \$18,724.00

Appropriation:

Decrease A.1410.1162-1110 – EXP – Supplemental \$17,438.00  
Decrease A.1410.1162-8100 – EXP – Social Security 1,286.00

Veterans

Decrease A.1000.0511-0511-REV-Appropriated Reserve \$ 1,471.00

Appropriation:

Increase A.6510.6510-3710 – REV – State Aid – Veterans Service Agency \$ 1,471.00

and, be it further

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

Seconded by Supervisor PERRY and adopted by the following vote:

TOTAL: Ayes: 17 Nays: 0 Absent: 3 (Supervisors Handy, Wilson and Young)